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Notice of listing an amendment to Australian Museum SHR 00805 on the State Heritage Register under the *Heritage Act 1977*

Australian Museum - Amendment
6-8 College Street, Sydney

SHR 00805

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” and listed on the State Heritage Register has been amended in accordance with the decision the Minister for Heritage made on 30 June 2025 to direct the amendment. This listing applies to the curtilage or site of the item, being the land described in Schedule “B”.

The amendment 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 Australian Museum, situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as Lot 1 DP1157811, Lot 3 DP 1046458, and Lot 11 DP 588102 in Parish of Alexandria, County of Cumberland shown on the plan catalogued HC 2504 in the office of the Heritage Council of New South Wales.

Exemption Order for Australian Museum listing on the SHR No. 00805 under the *Heritage Act 1977*

I, Penny Sharpe, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales dated 6 May 2025, 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 30th day of June 2025.

The Hon Penny Sharpe MLC

Minister for Heritage

SCHEDULE A

The item known as Australian Museum, situated on the land described in Schedule “B”.

SCHEDULE B

All those pieces or parcels of land known as Lot 1 DP1157811, Lot 3 DP 1046458, and Lot 11 DP 588102 in Parish of Alexandria, County of Cumberland shown on the plan catalogued HC 2504 in the office of the Heritage Council of New South Wales.

SCHEDULE C

It is recommended that the following specified activities/ works to an item do not require approval under section 57(1) of the *Heritage Act 1977*.

The following exemptions apply in addition to the ‘standard exemptions’ for items listed on the State Register (SHR) made under section 57(2) of the *Heritage Act 1977* and published in the *NSW Government Gazette*.

GENERAL CONDITIONS

These general conditions apply to the use of all the site specific exemptions:

- a) If a conservation management plan (CMP) is prepared for the item, it must meet the following conditions:
 - i. It must be prepared by a suitably qualified and experienced heritage professional.
 - ii. It must be prepared in accordance with the requirements for a detailed and best practice CMP as outlined in the Heritage Council of NSW document *Statement of best practice for conservation management plans* (2021) or any subsequent document prepared to replace or supplement this document.
 - iii. It must be consistent with the *Heritage Council of NSW documents: Guidance on developing a conservation management plan* (2021) and *Conservation Management Plan checklist* (2021) or any subsequent document prepared to replace or supplement this document.
- b) Anything done under the site specific exemptions must be carried out by people with knowledge, skills and experience appropriate to the work (some site specific exemptions require suitably qualified and experienced professional advice/ work).
- c) The site specific exemptions do not permit the removal of relics or Aboriginal objects (excluding those in the Museum collection) as part of any ground disturbance works. If relics are discovered, work must cease in the affected area and the Heritage Council of NSW 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. If any Aboriginal objects (excluding those that form part of the Museum collection) are discovered, excavation or disturbance is to cease, and Heritage NSW must be 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*.
- d) Activities/ works that do not fit within the exemptions described in this document or the ‘standard exemptions’ for items listed on the State Heritage Register made under

section 57(2) of the *Heritage Act 1977*, and published in the *NSW Government Gazette* would require approval under the *Heritage Act 1977*.

- e) The site specific exemptions are self-assessed. It is the responsibility of a proponent to ensure that the proposed activities/ works fall within the site specific exemptions.
- f) The proponent is responsible for ensuring that any activities/ works undertaken by them, or with their landowners consent, meet all the required conditions and have all necessary approvals.
- g) Proponents must keep records of any activities/ works for auditing and compliance purposes by the Heritage Council of NSW. Where advice of a suitably qualified and experienced professional has been sought, a record of that advice must be kept. Records must be kept in a current readable electronic file or hard copy for a reasonable time.
- h) It is an offence to do any of the things listed in section 57(1) of the *Heritage Act 1977* without a valid exemption or approval.
- i) The site specific exemptions under the *Heritage Act 1977* are not authorisations, approvals, or exemptions for the activities/ works under any other legislation, Local Government and State Government requirements (including, but not limited to, the *Environmental Planning and Assessment Act 1979* and the *National Parks and Wildlife Act 1974*), or construction codes such as the National Construction Code.
- j) The site specific exemptions under the *Heritage Act 1977* do not constitute satisfaction of the relevant provisions of the National Construction Code for ancillary works. Activities or work undertaken pursuant to a site specific exemption must not, if it relates to an existing building, cause the building to contravene the *National Construction Code*.
- k) In these exemptions, words have the same meaning as in the *Heritage Act 1977* or the relevant guidelines, unless otherwise indicated. Where there is an inconsistency between relevant guidelines and these exemptions, these exemptions prevail to the extent of the inconsistency. Where there is an inconsistency between either relevant guidelines or these exemptions and the *Heritage Act 1977*, the Act will prevail.
- l) Where relevant *The Heritage Manual* (1996, Heritage Office and Department of Urban Affairs and Planning) and *The Maintenance Series* (1996 republished 2004, NSW Heritage Office and Department of Urban Affairs & Planning) guidelines must be complied with then undertaking any activities/works on an item.

EXEMPTION 1: APPROVED WORKS

Specified activities/ works:

- (a) All works and activities which are in accordance with a current development consent in force at the date of gazettal.

EXEMPTION 2: INTERNAL WORKS

Specified activities/ works:

- (a) All works and activities that meet the descriptions below and where there will be no adverse impact to heritage significance (as assessed by a suitably qualified heritage professional or in accordance with a conservation management plan):

- i. Installation, upgrade, repair or replacement of lighting, electrical, plumbing, audio-visual, air-conditioning, fire safety and security services in all exhibition and education spaces (including within the Barnet, Vernon and Lewis Wings) that support the ongoing functions of the Museum.
- ii. Internal works such as hanging systems for display of artworks, installation of shelving, installation of signage or lighting.
- iii. Installation, upgrade, and reconfiguration of exhibition spaces, including all displays, and installation of temporary structures and internal partitions. Displays and partitions within the Lewis, Barnet and Vernon Wings must be reversible.
- iv. Temporary curatorial and public programming activities, including temporary signage, lighting, structures, partitions, and installations.
- v. Upgrades, maintenance and reconfiguration of all amenity spaces, hospitality fit-outs and associated back of house and kitchen spaces.
- vi. All internal upgrades within the Crystal Hall.
- vii. Introduction of new services, including telecommunications and conference equipment, in staff office spaces, meeting and conference rooms.
- viii. Upgrading of research laboratories and associated equipment.
- ix. All works to internal storage and collections management spaces required to upgrade storage spaces and facilitate the ongoing function of the Museum. This includes but is not limited to:
 - a. creation of controlled environments, including air-conditioning (new and upgrades), humidity and temperature monitoring, and pest management;
 - b. creation of secure environments, including security measures;
 - c. shelving and structures required for storage of artefacts;
 - d. disaster management measures.

Note: 'Temporary' is identified as a maximum of 18 months.

EXEMPTION 3: LANDSCAPING AND EXTERNAL PROGRAMMING

Specified activities/ works:

- a) External works within the Australian Museum curtilage which would have no adverse impact to heritage significance (as assessed by a qualified heritage professional or in accordance with a conservation management plan), including:
 - i. Maintenance, repair, like-for-like replacement, or repositioning of non-significant signage, lighting, bollards, flagpoles, rubbish bins (and associated amenities), or public seating, where there would be no fixtures to significant fabric
 - ii. Pest management including, but not limited to bird, rodent or termite deterrents
 - iii. Maintenance, redesign or replacement of plants and landscaping
 - iv. Maintenance of existing entry ramp to the Crystal Hall
- b) External display of artworks, exhibition signage and marketing material (excluding dynamic digital signage displays), including but not limited to installation of new temporary (no longer than 18 months) elements to facilitate the ongoing functions of the Australian Museum, where these elements would not impact the significance of the place and are in accordance with the Australian Museum: External Wayfinding and Signage Strategy (29 November 2023).

- c) Landscaping and hardstand carparking management and maintenance, including of the William Street loading dock.
- d) Maintenance, repair and like-for-like replacement of deteriorated end of life fabric, including walls, fencing, gates, and security measures at William Street and Yurong Street vehicle and pedestrian entrances.

EXEMPTION 4: EXTERNAL BUILDING WORKS

Specified activities/ works:

- a) Maintenance, repair and like-for-like replacement of significant fabric where the significant fabric is deteriorated beyond repair, and where there would be no adverse impact to heritage significance as assessed by a suitably qualified heritage professional or in accordance with a conservation management plan.
- b) Replacement of non-significant, non-original glazing for security, sustainability measures and sound management, including the installation of double-glazing, where there would be no adverse impact to heritage significance as assessed by a suitably qualified heritage professional.
- c) Installation of solar panels and other sustainability measures on roof planes where there would be no adverse impact to heritage significance and where these elements would not be visible from the public domain, as assessed by a suitably qualified heritage.
- d) Maintenance, repair or sympathetic upgrading of all rainwater goods.

EXCAVATION 5: ACCESSIBILITY

Specified activities/works:

- (a) Modifications and alterations to provide disability access in accordance with the Disability (Access to Premises – Buildings) Standards 2010 or as required to comply with any other applicable accessibility legislation within all spaces where there will be no adverse impact to heritage significance including significant fabric or spatial configurations. This exemption is not applicable to the Long Gallery and Barnet Wing.

Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2025

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Public Spaces, in pursuance of section 7.17 of the *Environmental Planning and Assessment Act 1979*, give the following Direction.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

Dated: 27th June 2025

1 Name of Direction

This Direction is the *Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2025*.

2 When Direction takes effect

This Direction takes effect on the date of its publication in the Gazette.

3 Consent authorities to whom Direction is given

- (1) This Direction is given to Cessnock City Council and Hunter and Central Coast Regional Planning Panel.
- (2) To avoid doubt, this Direction also applies to:
 - (a) a local planning panel when exercising the functions of Cessnock City Council as a consent authority on the council's behalf, and
 - (b) any other officer or employee of the council to whom the council delegates its functions as a consent authority.

4 Amendment of Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012

The *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012* is amended as set out in Schedule 1.

Schedule 1 Amendments

[1] Clause 9 (1)

Insert the following paragraph (appropriately numbered) at the end of clause 9 (1):

Environmental Planning and Assessment (Local Infrastructure Contributions) Amendment Direction 2025.

[2] Schedule 2

Insert the following item after item 2 (and re-number other items in Schedule 2 appropriately):

- (3) Land within Cessnock City Local Government Area identified as Huntlee Local Catchment or Loxford Local Catchment on the maps set out in Schedule 4 to this Direction.

[3] Schedule 4

Insert the following Schedule 4 after Schedule 3:

Schedule 4 Huntlee Local Catchment and Loxford Local Catchment (as referred to in Schedule 2)



