



Heritage Council Regulatory Committee

HV McKay Memorial Gardens and Church (H1953)

118-122 Anderson Road, Sunshine VIC 3020

Meeting date – 8 March 2022

Members – Mr Adrian Finanzio (Chair), Ms Megan Goulding, Mr Rueben Berg

DETERMINATION OF THE HERITAGE COUNCIL

Amendment of the Victorian Heritage Register – After considering the Executive Director's recommendation and all submissions received, the Heritage Council has determined, pursuant to section 62 of the *Heritage Act 2017*, to amend the entry in the Victorian Heritage Register for HV McKay Memorial Gardens and Church located at 118-122 Anderson Road, Sunshine. Given the various positions of the parties, no public hearing was conducted in reaching its determination.

Adrian Finanzio SC (Chair)
Megan Goulding
Rueben Berg

Decision Date – 24 May 2022

ACKNOWLEDGEMENT

As a peak heritage body, we acknowledge the Traditional Owners of the Country that we call Victoria, as the original custodians of Victoria's land and waters, and acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

HEARING SUBMISSIONS RECEIVED

EXECUTIVE DIRECTOR, HERITAGE VICTORIA

Submissions were received from the Executive Director, Heritage Victoria ('the Executive Director').

SUNSHINE PRESBYTERIAN CHURCH

Submissions were received from Dr Adrian Russell on behalf of Sunshine Presbyterian Church ('the Church').

BRIMBANK CITY COUNCIL

Submissions were received from Ms Sophie Thompson, Coordinator Strategic Planning at Brimbank City Council ('Brimbank').

ALBION AND ARDEER COMMUNITY CLUB INC

Submissions were received from Mr Neil Head, President of the Albion and Ardeer Community Club ('AACC').

OTHER SUBMISSIONS RECEIVED PURSUANT TO SECTION 44 OF THE *HERITAGE ACT 2017*

Submissions pursuant to section 44 of the Heritage Act 2017 were received from Melinda Mockridge on behalf of Friends of HV McKay Memorial Gardens Inc. and Ms Kellie Banko on behalf of Greater Sunshine Community Alliance.

INTRODUCTION/BACKGROUND

THE PLACE

01. On 13 September 2021, the Executive Director made a recommendation ('the Recommendation') to the Heritage Council that, pursuant to section 62 of the *Heritage Act 2017* ('the Act'), the HV McKay Memorial Gardens and Church, located at 118-122 Anderson Road, Sunshine ('the 'Place') should be amended in the Victorian Heritage Register ('the Register').
02. The Registered Aboriginal Party in this area, pursuant to the *Aboriginal Heritage Act 2006*, is the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.
03. The revised Statement of Significance for the Place, prepared by the Executive Director and provided on page 13 of the Recommendation, states:

What is significant?

The HV McKay Memorial Gardens and Church, laid out in 1909 to designs by FA Horsfall, a triangular site of approximately three hectares bounded by Anderson Road to the west, Chaplin Reserve to the south and a railway line to the east with sweeping lawns, pathways, specimen trees and a northern entrance featuring iron gates and a bluestone gatepost. It includes the HV McKay Memorial Church, designed by architect Raymond Robinson and completed by 1928; the associated brick pier and pipe fence along the Anderson Street boundary; two Canary date island palms and objects integral to the church, being the pulpit and the ministers chair with memorial plaques to George McKay affixed to both. It also includes a modern railway footbridge, built 2013, which provides direct access between the Gardens and the former Massey Fergusson Complex (also known as 'Sunshine Harvester Works'), located on the eastern side of the railway line.

How is it significant?

The HV McKay Memorial Gardens and Church is of historical significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion B

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Criterion H

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

Why is it significant?

The HV McKay Memorial Gardens and Church are of historical significance as an integral part of an industrial complex of national importance in the history of Australian manufacturing. The HV McKay Memorial Gardens are a key component of the wider industrial complex envisaged by Hugh Victor McKay, which also included the

Massey Fergusson Complex factory and offices (also known as 'Sunshine Harvester Works'), a housing estate and a place of worship. [Criterion A]

The HV McKay Memorial Gardens and Church are also of historical significance as the location of an early and intact privately funded garden attached to an industrial site, catering primarily for the recreation needs of workers, their families and local residents. As one of only a few public gardens in the western suburbs in the early 1900s, these attractive Gardens achieved a high profile and provided a pleasant environment for community use. The Gardens achieved a reputation for horticultural excellence formerly exemplified by annual floral displays. [Criterion A]

The HV McKay Memorial Gardens and Church are significant as a rare and early example of a public garden established and maintained by an industrial firm. The role of the Gardens within the Massey Ferguson Complex can still be appreciated as the fabric of the Gardens is relatively intact and the spatial and visual relationship of the gardens to the factory site, church and housing estate is still readily understood. [Criterion B]

- 04.** A Statement of Significance does not form part of the Register. That said, the articulation of the significance of places or objects in a Statement of Significance usefully sets out the basis of claimed significance for those administering the Act and participating in its process. The Committee understands that there is no debate between the parties as to the significance of the Place or objects that are the subject of this proposed amendment, or the bases upon which significance is asserted by the Executive Director.

APPLICATION TO AMEND REGISTRATION

- 05.** On 19 August 2021, the Executive Director made and accepted an application to amend the Place in the Register.

RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- 06.** On 13 September 2021, the Executive Director recommended to the Heritage Council that the Place be amended in the Register pursuant to section 62 of the Act by:
- including additional land
 - correcting a mapping error
 - adding objects integral
 - amending the category of registration
 - amending the name of the Place
 - amending the Statement of Significance
 - amending the existing permit exemptions ('permit exemptions').
- 07.** Reasons given in the Recommendation for the amendment included:
- The land comprising the footprint of the current footbridge maintains a tangible link between the gardens and the Massey Ferguson Complex.

- The Church land was donated by HV McKay in 1909 and it *'demonstrates his vision and commitment to providing services and amenities for his employees, their families and the local community'*.
- The rail corridor strip along the eastern boundary of the current extent was part of the garden's original 1909 design but an administrative error excluded the parcel at the time of registration.
- Two (2) objects, being the pulpit with memorial plaque and minister's chair with memorial plaque, are associated with and located at the Church and are integral to understanding the cultural heritage significance of the Place.
- The addition of the Registered Objects necessitates the heritage category be changed to Registered Place and Registered Object(s) Integral to a Registered Place.
- The inclusion of the Church and its land compels the name of the Place to be changed to reflect the historical association between the Gardens and the HV McKay Memorial Church.
- The proposed categories of works or activities which may be carried out in relation to the Place for which a permit under the Act is not required ('permit exemptions') will not harm the cultural heritage significance of the Place.

PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- 08.** After the Recommendation, notice was published by the Heritage Council on 17 September 2021 for a period of 60 days in accordance with section 41 of the Act.
- 09.** Five (5) submissions were received by the Heritage Council, pursuant to section 44 of the Act. Four (4) submissions supported the Recommendation and did not request a hearing, one (1) objected to the Recommendation and requested that a hearing be conducted.
- 010.** In accordance with section 46(2)(a) of the Act, a hearing was required to be held.
- 011.** A Heritage Council Regulatory Committee ('the Committee') was duly constituted to consider the Recommendation and written submissions received pursuant to section 44, to conduct a hearing and to make a determination. The Committee invited further written submissions and a hearing was scheduled for 8 March 2022 ('the Hearing').

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

HEARING 'ON THE PAPERS'

- 012.** On 15 December 2021, advice received from the Executive Director indicated that through discussion with the Church and the subsequent exchange of submissions, the matter may be able to be determined 'on the papers', i.e., by reference to written material only.
- 013.** On 7 February 2022, the Church advised that subject to confirmation of amended permit exemptions proposed by the Executive Director, the Hearing may no longer be required.

- 014.** The Committee notified interested parties on 8 February 2022 that Hearing Participants had indicated that they no longer sought to make oral submissions at the Hearing.
- 015.** On 21 February 2022, the Church advised that it was satisfied with the amended permit exemptions recommended by the Executive Director and that the Hearing was no longer required.
- 016.** The Committee therefore determined that it did not consider it necessary to conduct a public hearing in this instance and the Committee met on 8 March 2022 to determine the matter by reference to written material only.

DECLARATIONS OF INTEREST

- 017.** The Chair invited Committee members to make declarations, written or otherwise, in relation to any matters that may potentially give rise to an actual, potential or perceived conflict of interest. The Committee members were satisfied that there were no relevant conflicts of interests and made no such declarations.

FUTURE USE, MAINTENANCE AND DEVELOPMENT OF THE PLACE

- 018.** It is not the role of the Committee to consider future proposals or to pre-empt any consideration of any potential future permit applications under the Act. Pursuant to sections 49(1) and 62 of the Act, the role of the Committee is to determine whether the Place is to be amended in the Register.

ISSUES

- 019.** The following section is not intended to be a complete record of submissions that were made to the Committee. It is a summary of what the Committee considers to be the key issues, followed by an explanation of the position that the Committee takes on each key issue.

SUMMARY OF ISSUES

- 020.** The Executive Director made a number of recommendations for amendments to the entry for the Place in the Register, including additional permit exemptions, Due to state government restrictions in relation to coronavirus, an exterior/outdoor site visit was undertaken by the Executive Director on 5 July 2021. However, the Recommendation noted that an inspection of the interior of the Church was unable to be conducted by the Executive Director. The Executive Director noted this limited the ability to nominate categories of works or activities that may be carried out to the interior of the Church.
- 021.** The Church objected to the limited range of permit exemptions recommended, on the basis that the requirement to re-apply for additional permit exemptions would cause an unnecessary administrative burden.
- 022.** Brimbank City Council supported the broad Recommendations, including those of the Church, however objected to the Church's request to introduce permit exemptions for the exterior of the Presbyterian Church Hall and requested an additional exemption for CCTV works.

CATEGORIES OF WORKS EXEMPT FROM THE NEED FOR A PERMIT UNDER THE ACT

Summary of submissions

- 023.** The section 44 submission received from the Church offered no objection to the recommended extent of registration, nor the recommended permit exemptions but did object to the “conservative range” of the permit exemptions recommended and requested that an inspection be undertaken by the Executive Director with a view to further exemptions being recommended. It was the position of the Church that:
- *‘...a fair and just process would be to undertake an inspection and have further exemptions recommended by the Executive Director. Requiring the church to re-apply for additional permit exemptions would place an unnecessary administrative burden. In the interim it also places restrictions on potential necessary works on electrical wiring, lighting, heating, and plumbing.’*
 - A separate set of exemptions for the outdoor areas within the church boundaries (rear and north side of the church) is desirable.
 - The Presbyterian Church Manse is appropriately included in the proposed Registration and the proposed permit exemptions are supported. However additional exemptions specifically for the outdoor areas of the Manse are sought.
 - The Presbyterian Church Hall, having *‘no architectural significance’* should not have permit restrictions imposed or have at least additional permit exemptions.
- 024.** The Brimbank City Council section 44 submission outlined the council’s support for the Recommendation and requested an additional permit exemption to allow CCTV/Litter Enforcement Cameras to be installed, maintained, or removed.
- 025.** Brimbank’s Hearing Submission objected to the Church’s section 44 submission which requested further permit exemptions for the Presbyterian Church Hall, on the basis that changes could have a negative visual impact on the place.
- 026.** The Executive Director, in his Hearing submission, noted that:
- *‘On 14 December 2021, Heritage Victoria officers conducted a site visit of the Church, the Church Hall and the Manse to discuss permit exemptions with representatives of the Church.’*
 - *‘During the site visit, Heritage Victoria officers were shown the western elevation of the Church Hall (below). Constructed in the 1970s to replace an earlier church hall destroyed by arson, the present Church Hall was built with limited funds. As a result, the western elevation of the building (facing Anderson Road) was completed with imitation brick cladding.’*
 - *‘On 24 January 2022, Heritage Victoria provided the Church with a copy of updated without prejudice permit exemptions...’*
 - *‘In summary, the ED supports the balance of the Church’s proposed permit exemptions. Further standing permit exemptions have also been recommended for general and interior works to the Church building, hall and manse as well as outdoor areas and temporary structures associated with these buildings. Although the ED is in*

principle support of external works to render the appearance of the Church Hall more cohesive, he is of the view that major external alterations, particularly to the exposed western elevation, should be managed through the approvals process under the Heritage Act 2017 in which the final treatment can be considered and resolved.'

- 027.** In reply, the Church confirmed the recommended and additional permit exemptions proposed by the Executive Director were satisfactory, that they responded to the requests of the Church and that the Recommendation was fully supported.
- 028.** Brimbank, in reply, also confirmed support of all the proposed permit exemptions, which included the requested exemption for CCTV cameras.

Discussion and conclusion

- 029.** The Committee agrees with the recommended and additional permit exemptions submitted by the Executive Director. The Committee determines, pursuant to section 49(3) of the Act, to include categories of works or activities which may be carried out in relation to the Place for which a Permit under the Act is not required, as detailed in **Attachment 1**.

EXTENT OF REGISTRATION

Summary of submissions

- 030.** The Executive Director recommended to the Heritage Council that the entry in the Register for the Place be amended by including additional land at the Place, in accordance with sections 62 and 63(1)(a). Specifically, the Executive Director recommended that additional land should comprise the Sunshine Presbyterian Church, Manse and Hall and all of the land upon which it is located, the land on which the modern pedestrian footbridge is built and the rail corridor strip.
- 031.** No section 44 submission objected to the extent of registration as proposed.

Discussion and conclusion

- 032.** The Committee agrees with the extent of registration as recommended by the Executive Director, being of the view that the additional land should be included in the Register and that the entry for the Place should be amended accordingly. The Committee appends the registered extent of registration for the Place to this document as **Attachment 2**.

OBJECTS INTEGRAL TO THE PLACE

Summary of submissions

- 033.** Section 49(1)(e) of the Act sets out that the Heritage Council may determine that an object is '*integral to understanding the cultural heritage significance of a...place the Heritage Council has determined to be included in the [Register]*'.
- 034.** The Heritage Council's *Policy: Objects Integral to a Registered Place* (adopted 1 October 2020) ['Policy'] states:

'For the purposes of the Heritage Act, an object will be considered integral to a place if:

- *it forms a key part of that place, being a component in its design, operation or use that contributes importantly to a richer and more complete understanding of its historical, cultural, technical, aesthetic and/or social meaning at a State level AND*
- *that contribution can be substantiated through physical, documentary or oral evidence'*

035. No section 44 submission objected to the inclusion of Objects Integral to the Place as proposed.

Discussion and conclusion

036. The Committee concurs with the Executive Director's assessment of the objects against the Policy and agrees that the pulpit and minister's chair with memorial plaques meet the tests for an object to be considered integral to a place. The objects should be added to the entry for the Place and the heritage category should be changed to a Registered Place and Registered Object(s) Integral to a Registered Place.

CHANGE OF REGISTERED NAME

Summary of submissions

037. The Executive Director also recommended to the Heritage Council that it determine to amend the name of the Place in the Register from 'HV McKay Memorial Gardens' to 'HV McKay Memorial Gardens and Church'.

038. No detailed submissions were made in relation to the name of the Place.

Discussion and conclusion

039. The Committee agrees with the recommended change of name for the Place and determines to amend the name of the Place in the Register to HV McKay Memorial Gardens and Church.

STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

040. The Executive Director recommended that an amended Statement of Cultural Heritage Significance for the Place be considered and determined by the Heritage Council. The Committee notes the additional matters referred to in the amended Statement of Significance and accepts, for present purposes the veracity of the statement as one of the factors which it has considered in reaching its conclusion. It is not necessary or desirable for the Council to purport to either approve or amend the Statement of Cultural Heritage Significance.

CONCLUSION

041. After considering the Executive Director's Recommendation and all submissions received, the Heritage Council has determined, pursuant to section 62 of the *Heritage Act 2017*, to amend the entry in the Victorian Heritage Register for HV McKay Memorial Gardens and Church, located at 118-122 Anderson Road, Sunshine.

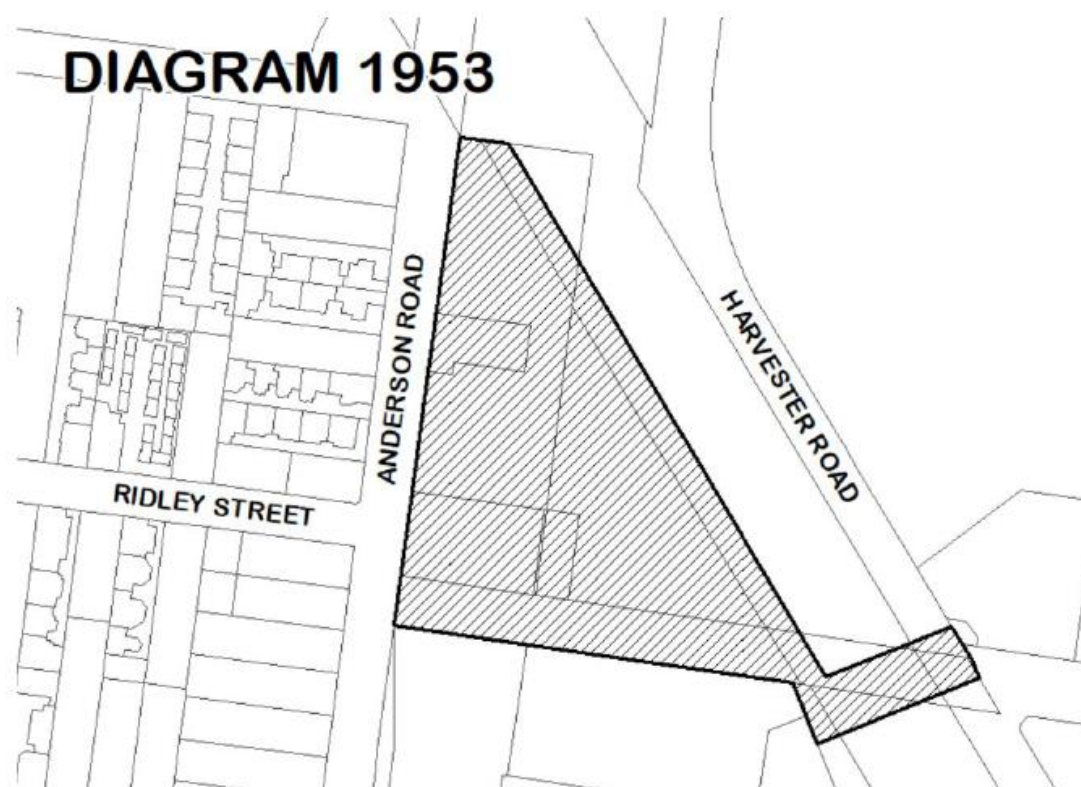
ATTACHMENT 1

EXTENT OF REGISTRATION

1. All of the place shown hatched on Diagram 1953 encompassing all of Lot 1 on Title Plan P332621; Lot 1 on Title Plan 249355; Lot 1 on Title Plan 511687; Lot 1 on Title Plan 648630; Lot 1 on Title Plan 513270; Lot 1 on Title Plan 512983, and Lot 1 on Title Plan 900742, and part of Lot 3 on Plan of Subdivision 402551; Lot 1 on Title Plan 900923; Lot 2 on Title Plan 7390; Lot 1 on Title Plan 7390; Lot 3 of Plan of Subdivision 333054; and Lot 4 of Title Plan 1136, part of the road reserve on Harvester Road and land 10 metres north and 10 metres south of the footbridge.

2. Two Registered Objects Integral to the Registered Place being:

- i) The pulpit with memorial plaque to George McKay
- ii) The ministers chair with memorial plaque to George McKay



The extent of registration of the HV McKay Memorial Gardens and Church in the VHR affects the whole place shown on Diagram 1953 including the land, all buildings (including the exteriors and interiors), trees, landscape elements, other features and two objects integral.

ATTACHMENT 2

CATEGORIES OF WORKS OR ACTIVITIES WHICH MAY BE CARRIED OUT IN RELATION TO THE PLACE OR OBJECT FOR WHICH A PERMIT UNDER THIS ACT IS NOT REQUIRED (PERMIT EXEMPTIONS)

GENERAL CONDITIONS

- All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place.
- Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place are revealed which relate to the significance of the place, then the exemption covering such works must cease and Heritage Victoria must be notified as soon as possible.

SPECIFIC PERMIT EXEMPTIONS

The following categories of works or activities (permit exemptions) do not require a permit from Heritage Victoria. They are considered not to cause harm to the cultural heritage significance of the place.

Presbyterian Church – General

- Minor repairs and maintenance which replaces like with like. Repairs and maintenance must maximise protection and retention of significant fabric and include the conservation of existing details or elements. Any repairs and maintenance must not exacerbate the decay of fabric due to chemical incompatibility of new materials, obscure fabric or limit access to such fabric for future maintenance.
- Maintenance, repair and replacement of existing external services such as plumbing, electrical cabling, surveillance systems, pipes or fire services which does not involve changes in location or scale.
- Repair to, or removal of items such as antennae; aerials; and air conditioners and associated pipe work, ducting and wiring.
- Painting of previously painted external and internal surfaces in the same colour, finish and product type provided that preparation or painting does not remove all evidence of earlier paint finishes or schemes. This exemption does not apply to areas where there are specialist paint techniques such as graining, marbling, stencilling, hand-painting, murals or signwriting, or to wallpapered surfaces, or to unpainted, oiled or varnished surfaces.
- Cleaning including the removal of surface deposits by the use of low-pressure water (to maximum of 300 psi at the surface being cleaned) and neutral detergents and mild brushing and scrubbing with plastic (not wire) brushes.

Presbyterian Church – Interiors

- Maintenance, repair and replacement of existing internal services such as plumbing, heating, fans, public address systems, projector screens and fire services which does not involve changes in location or scale.

- Removal or replacement of smoke and fire detectors, alarms and the like, of the same size and in existing locations.
- Installation, removal or replacement of carpets and/or flexible floor coverings, window furnishings, internal door hardware and devices for mounting wall hung artworks, plaques and the like.
- Maintenance, repair and replacement of post-1960s light fixtures, tracks, light switches, power outlets and the like in existing locations. This permit exemption does not relate to the original orb lights along the northern and southern walls of the nave of the Church.
- Installation, removal or replacement of existing electrical wiring and cabling. If wiring is currently exposed, it should remain exposed. If it is fully concealed it should remain fully concealed.
- Installation of exit signs, fire services and other equipment necessary to comply with safety regulations.
- Installation of plant within the roof space, providing that it does not impact on the external appearance of the building or involve structural changes.
- Installation, removal or replacement of bulk insulation in the roof space.

Registered Objects Integral to the Registered Place (pulpit and ministers chair)

- The temporary relocation or movement of the above listed moveable Registered Objects Integral to the Registered Place within the buildings where they are currently located.
- Temporary external movement, relocation or loan of the above moveable Registered Objects Integral to the Registered Place to Australian or Victorian government cultural institutions which have materials conservation departments, where the activity is undertaken or supervised by qualified conservators, and performed in accordance with the accepted standards, policies and procedures of the borrowing organisation concerned. The Executive Director must be notified of all such activities and the before and after loan reports prepared by the materials conservation department of the government cultural institution must be forwarded to the Executive Director.

Presbyterian Church Hall (1978)

- Repairs and maintenance which replaces like with like.
- Maintenance, repair and replacement of existing external services such as plumbing, electrical cabling, surveillance systems, pipes or fire services.
- Repair to, or removal of items such as antennae; aerials; and air conditioners and associated pipe work, ducting and wiring.
- Painting of previously painted external surfaces in the same colour.
- All works to the interiors of the Church Hall.

Presbyterian Church and Church Hall – Garden areas

Hard landscaping and services

- Subsurface works to existing watering and drainage systems.
- Maintenance, repair or removal of existing hard landscaping including paving and footpaths.
- Maintenance, repair, replacement and/or removal of the children's sand pit area and associated shelter to the east of the Church Hall.
- Removal or replacement of external signage.
- Installation of physical barriers or traps to enable vegetation protection and management of vermin such as rats, mice and possums.

Gardening, trees and plants

- The processes of gardening including, but not limited to: mowing, pruning, mulching, fertilising, removal of dead or diseased plants, replanting of existing garden beds, creation of new garden beds, growing and harvesting produce, disease and weed control and maintenance to care for existing plants. Any new garden beds should be placed at a minimum of one metre from the Church building to avoid potential damp and drainage problems to the building.
- Maintenance, removal and/or replacement of existing fruit trees and the harvesting of any fruit that they bear.
- Removal of tree seedlings and suckers.
- Management of trees including formative and remedial pruning, removal of deadwood and pest and disease control.
- Emergency tree works to maintain public safety or prevent damage to buildings.
- Removal of environmental and noxious weeds.

Garden sheds, fencing and other temporary structures

- Maintenance, repair, and/or removal of the garden shed and storage shed to the north and east of the Church building.
- All works within the interiors of the garden and storage sheds.
- Maintenance and repair of the boundary wire fence to the north, east and south-east of the Church building and Church Hall.
- Maintenance, repair, removal and/or replacement of the access gate and its associated fence to the south-east of the community garden.

Presbyterian Church Manse (1962)

- Repairs and maintenance which replaces like with like.
- Maintenance, repair and replacement of existing external services such as plumbing, electrical cabling, surveillance systems, pipes or fire services.

- Repair to, or removal of items such as antennae; aerials; and air conditioners and associated pipe work, ducting and wiring.
- Painting of previously painted external surfaces in the same colour.
- All works within the interiors of the Manse building.
- Replacement of the existing garage door and garage front with a roller door and matching Colourbond sheet in a neutral colour or Zinalume.
- Replacement of the Manse metal roof with a metal roof with the same profile or corrugated profile either in a light colour Colourbond or Zinalume.

Presbyterian Church Manse – Garden areas

All Hard landscaping and services permit exemptions and all Gardening, trees and plants permit exemptions as listed for the Presbyterian Church and Church Hall, plus:

- Maintenance, repair and/or removal of the existing south, east, north and west boundary fence.
- The erection of a corrugated galvanised steel or corrugated Colourbond fence up to 2 metres in height on the existing south and east boundary to enclose and provide privacy for the outdoor area to the south-east of the Manse. The colour of the fence should closely match the colour of the existing fence on the southern boundary.
- The installation, maintenance, repair, removal and/or replacement of outdoor structures such as clotheslines, barbecues and the like within the areas to the south-east and north of the Manse.

HV McKay Memorial Gardens

Landscape/ outdoor areas

Gardening, trees and plants:

- The processes of gardening including mowing, pruning, mulching, fertilising, removal of dead or diseased plants (excluding trees), replanting of existing garden beds, disease and weed control and maintenance to care for existing plants.
- Management and maintenance of trees including formative and remedial pruning, removal of deadwood and emergency tree works to maintain public safety.
- Removal of tree seedlings and suckers without the use of herbicides.
- Removal of plants listed as noxious weeds in the *Catchment and Land Protection Act 1994*.
- Installation of physical barriers or traps to enable vegetation protection and management of vermin such as rats, mice and possums.

Hard landscaping and services:

- Like for like repair and maintenance of existing hard landscaping including paving, footpaths and driveways where the materials, scale, form and design is unchanged.
- Installation, removal or replacement of garden watering and drainage systems including subsurface works provided these are outside the canopy edge of trees. Existing lawns, gardens and hard landscaping, including paving, footpaths and driveways are to be returned to the original configuration and appearance on completion of works.
- Regular repair and maintenance of standard park furniture and facilities, including park seating and shelters, lighting and rubbish and recycling bins. This exemption does not include installation of additional infrastructure.
- Installation, maintenance, repair and replacement of existing external services such as plumbing, electrical cabling, surveillance systems, pipes or fire services which does not involve changes in location or scale, additional trenching or construction of built form.
- Removal or replacement of non-commercial or directional signage provided the size, location and material remains the same.
- Attachment, operation, maintenance and removal of wireless CCTV/litter enforcement cameras, where they are affixed to existing lighting poles and do not require the installation of new support structures or infrastructure.

Events

- The erection of lightweight temporary infrastructure including marquees and tents associated with events of up to seven days in duration provided that these are not located within the canopy edge of trees.

2013 footbridge

- All works associated with the repair, maintenance and safety of the existing modern footbridge (including lift and stair access ways) provided the work does not require permanent removal of interpretation elements.
- Works required to maintain or repair interpretation elements installed on the footbridge including replacing like for like as required.

Rail infrastructure within the rail corridor (below and surrounding the footbridge)

- Maintenance and repairs which allow for the safe operation of rail services to occur including:
 - Works to the rail tracks, sleepers and ballast.
 - Works to electric or electronic signalling equipment.
 - Works to stanchions, overhead wiring, power lines and other cables required for operational and safety purposes for daily use of the rail corridor.
- Installation of electrical and fire services and security lighting.

- Removal, replacement, and installation of safety barriers.
- Works to landscape elements in the rail corridor.
- Works to maintain and manage existing power poles and lines.

High Pressure Petroleum Pipeline

- Repairs, maintenance and replacement of pipeline and associated signage and infrastructure. Existing lawns, gardens are to be returned to the original configuration and appearance on completion of works.