

Heritage Council Regulatory Committee

Former Irymple Railway Station (H2440)

2 Millewa Road, Red Cliffs, Mildura Rural City

‘On the papers’ consideration

DETERMINATION OF THE HERITAGE COUNCIL

Inclusion in the Victorian Heritage Register – After considering the Executive Director’s recommendation and all submissions received, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017* (Vic), that the Former Irymple Railway Station located at 2 Millewa Road, Red Cliffs, Victoria is of State-level cultural heritage significance and is to be included in the Victorian Heritage Register.

Adrian Finanzio SC (Chair)
Mark Burgess
Ruth Redden

Decision Date – 29 November 2023

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 Aboriginal culture and traditional practices.

PRELIMINARY, PROCEDURAL AND OTHER MATTERS

CONFLICTS OF INTEREST

01. Before appointment, the Heritage Council Regulatory Committee ('the Committee') were invited to consider whether written declarations or otherwise were required to be made in relation to any matters that may potentially give rise to an actual or apprehended conflict of interest. All members were satisfied that there were no relevant conflicts of interests and made no such declarations.

FUTURE USE, MAINTENANCE AND DEVELOPMENT OF THE PLACE

02. It is not the role of the Committee to consider future proposals or to pre-empt any decisions regarding future permits under the *Heritage Act 2017* ('the Act'). Pursuant to section 49(1) of the Act, the role of the Committee is to determine whether or not the Place, or part of it, is of State-level cultural heritage significance and is, or is not, to be included in the Victorian Heritage Register ('Register').

INTRODUCTION/BACKGROUND

VICTORIAN HERITAGE REGISTRATION H1568

03. The Former Irymple Railway Station Building ('the building') was originally located at the Irymple Railway Station, at Railway Crescent, Irymple in the municipal district of Mildura Rural City Council. The building was entered in the Register when it was located in Irymple in 1982 (VHR 1568). In around 2002, permits were granted by Heritage Victoria which allowed the relocation of the building from Irymple to its current location at 2 Millewa Road, Red Cliffs, Victoria, and its restoration.¹
04. The registration of the building at Irymple did not follow its movement to Red Cliffs. The current location of the building at Red Cliffs is not a registered place under the Act, nor is the setting of the building.

NOMINATION & RECOMMENDATION OF THE EXECUTIVE DIRECTOR

05. On 23 December 2023, the Executive Director made a nomination to include the current location of the building ('the Place') in the Register ('the Nomination') at Red Cliffs, notwithstanding that it is not the original location of the building.
06. In substance, so the Executive Director contends, the building is significant irrespective of its location and should be subject to supervision under the Act. While the proposed Nomination was originally opposed, and for that reason the

¹ See page 9 of the Executive Director's Recommendation.

review provisions of the Act were engaged, in the end, the substance of the proposed Nomination is not contested by any person.

07. On 16 January 2023, the Executive Director made a recommendation (‘the Recommendation’) to the Heritage Council pursuant to Part 3, Division 3, of the Act that the Place should be included in the Heritage Register.

08. The Place is described on page 4 of the Recommendation as follows:

“The Former Irymple Railway Station Building is a timber building with a galvanised, corrugated steel roof which is currently located at Red Cliffs Historical Steam Railway. The station building is made from four portable, partially prefabricated, timber units joined together to form one building. It consists of an office made from two units, joined to a central open lobby which is made from the roof and cut-down walls of a third prefabricated unit. There is a fourth unit on the other side of the central lobby containing a general waiting room and smaller ladies’ waiting room.”

09. The Recommendation submits that the place is of historical and architectural significance to the State of Victoria and satisfies the following criteria for inclusion in 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; and
- Criterion D – Importance in demonstrating the principal characteristics of a class of cultural places and objects.²

10. Page 29 of the Recommendation sets out the proposed Statement of Significance for the Place, and it reads:

“The Former Irymple Railway Station Building is historically significant for its association with the extension of the railway network into the Wimmera and Mallee regions in the early twentieth century, including to Irymple where it provided transport services for people, freight, parcels and fruit products. [Criterion A]

The Former Irymple Railway Station Building is historically significant for its association with the period following the 1890s depression where the Victorian Railways were forced to operate under budget restrictions. These led to the development of standardised portable, partially prefabricated railway station building units which could be adapted and moved to suit the passenger and freight needs of each site. [Criterion A]

The Former Irymple Railway Station Building is a rare example of a portable railway building with a double ventilated roof. [Criterion B]

The Former Irymple Railway Station Building is architecturally significant because it is a notable example of the class of portable railway station buildings, displaying the principal characteristics of the class in a way that allows it to be easily understood and including features such as ventilated roofs which were adapted to the climate requirements of their sites. [Criterion D]”

² See page 29 of the Executive Director’s Recommendation.

PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

11. It is important to set out the unusual procedural history of this matter.
12. After the Recommendation was received, notice of the Recommendation was published on Friday 20 January 2023 in accordance with section 41 of the Act for a period of 60 days.
13. During the period of public advertisement of the Recommendation, one (1) submission from the Committee of the Red Cliffs Historical Steam Railway ('RCHSR') was received pursuant to section 44 of the Act ('the section 44 submission'). The submission objected to the Executive Director's recommendation and requested a hearing into the matter. Although supporting aspects of the Recommendation relating to significance, RCHSR nevertheless sought further "*time, information and assistance with implementation of the recommendation*" through their submission.³
14. Accordingly, pursuant to section 46 of the Act, a hearing was scheduled and a Heritage Council Regulatory Committee ('the Committee') was duly constituted to consider the Recommendation and the submission received.
15. On 28 April 2023 the Committee made orders to the effect that all prospective hearing participants must submit a '*Heritage Council Form B – Registration Hearing Participation Form*' ('Form B') by 11 May 2023 advising of their intention to participate in a hearing. Form B forms were received by the Executive Director and RCHSR.
16. On 18 May 2023, all hearing participants were advised that a registration hearing in relation to the Place had been scheduled for 29 August 2023 and was to be conducted by way of videoconference using *Microsoft Teams*TM ('the Hearing'). Written submissions were invited, and further information was provided about the Hearing.
17. On 1 August 2023, the Executive Director wrote to the Committee attaching correspondence from Mildura Rural City Council in support of the Recommendation. The Executive Director, in that correspondence, also advised that it would be relying on its Recommendation at Hearing and would not be submitting any further material. No hearing submissions were received from RCHSR.
18. On or about 18 August 2023, the Secretariat learned of communications between the Executive Director and RCHSR indicating that RCHSR no longer wished to challenge the Recommendation. The Committee ordered that the Hearing scheduled for 29 August 2023 proceed instead as a Directions Hearing to determine the future conduct of the matter.
19. On 28 August 2023, the Heritage Council Secretariat was advised directly by RCHSR that it did not seek to participate at the directions hearing. RCHSR advised that a meeting had taken place between RCHSR, the Executive Director, Vic Track⁴ and Mildura Rural City Council⁵ which resolved most of their original concerns with the Recommendation and consequently RCHSR sought to withdraw their objection.

³ See page 3 of Section 44 submission made by the Red Cliffs Historical Steam Railway.

⁴ Vic Track is the relevant Land Manager for Crown Land: Allotment 331A Section B, Parish of Mildura.

⁵ Mildura Rural City Council is the Local Government Authority for this Place and owner of freehold land: Allotment 310B Section B, Parish of Mildura, and Allotment 310C Section B, Parish of Mildura.

20. The Directions Hearing was conducted on 29 August 2023 as scheduled. The Executive Director was represented by Geoff Austin, Manager Heritage Register, and Jenny Dickens, Heritage Officer. RCHSR did not attend.
21. At the Directions Hearing, the Committee sought clarification from the Executive Director regarding a number of matters including:
 - the inclusion of the curtilage of the building in the registration;
 - ownership of land proposed to be subject to the registration; and
 - the significance of the location of the property.
22. Notwithstanding the advice from RCHSR of changes in its position, the Committee has considered the substance of its various submissions as part of the hearing process.

ISSUES

BACKGROUND

23. 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 Committee's findings.
24. The Committee had regard to the assessment framework and steps in The Victorian Heritage Register Criteria and Threshold Guidelines (updated by the Heritage Council on 1 December 2022) ('the Guidelines') in reaching its findings. Any reference to 'the Guidelines', 'steps 1 and 2' or 'threshold for inclusion' refers to the Guidelines (see **Attachment 1**).
25. The Executive Director recommended that the current location of the building be included in the Register as a place of State-level cultural heritage significance in relation to Criteria A, B and D. The proposed extent of registration for the Place includes:

"All of the place shown hatched on Diagram 2440 encompassing those parts of Allotment 310B Section B Parish of Mildura, Allotment 310C Section B Parish of Mildura, and Allotment 331A Section B Parish of Mildura within 5 metres of the eaves of the railway station building."
26. Pursuant to section 38 of the Act, the Executive Director recommended categories of works or activities for inclusion with the registration which may be carried out in relation to the Place for which a permit under Section 5 of the Act is not required ('permit exemptions').
27. RCHSR did not have any material concerns with the Executive Director's Recommendation for inclusion in the Register but was concerned that registration:

"will certainly add a significant layer of administration and management to a small organisation which struggles to operate under the heavy weight of administrative and bureaucratic arrangements already existing."
28. The Committee considers that the Place should be the subject of heritage protection under the Act not just because its inclusion in the register is no longer opposed, but also because it represents a sound approach in this particular case.
29. Although the content of the Recommendation remains largely uncontested as between the Executive Director and RCHSR, the Committee nevertheless wishes

to briefly outline its view on the following matters it considers relevant to its determination:

- the suitability of registration under Criteria A, B and D and the significance of the building in any location; and (paragraphs 30 to 38);
- the extent of registration and the proposed 5-metre curtilage (paragraphs 39 to 42); and
- the suitability of proposed permit policy and permit exemptions (paragraphs 43 to 49).

CRITERION A—IMPORTANCE TO THE COURSE, OR PATTERN, OF VICTORIA'S CULTURAL HISTORY

Summary of submissions and evidence

- 30.** In relation to Criterion A, the Recommendation submits the Place has a clear association with the following historical phases and that these phases made a strong and influential contribution to Victoria's cultural history in the following ways:
- the extension of the railway network into the Wimmera and Mallee regions in the early part of the twentieth century and the ability to transport fruit and fruit products grown and processed in the Mildura area, which gave the rest of Victoria the opportunity to consume these products;
 - the period where Victorian Railways were forced to operate under budget restrictions which led to the development of standardised portable, partially prefabricated railway station building units, which contributed to the rapid development of new rail lines all over country Victoria; and
 - the development of ventilated roofs to cool buildings as well as the construction of portable railway station building units which provide facilities for passengers and could be adapted and moved to suit the passenger and freight needs of each site.

Discussion and conclusion

- 31.** The Committee considers that the Former Irymple Railway Station building is historically significant for associations summarised in paragraphs 10 and 30 above and accepts that Criterion A is satisfied at a State-level, accepting the reasons set out by the Executive Director in the Recommendation notwithstanding that the building has been moved from its original location.

CRITERION B - POSSESSION OF UNCOMMON, RARE OR ENDANGERED ASPECTS OF VICTORIA'S CULTURAL HISTORY

Summary of submissions and evidence

- 32.** The Recommendation, in summary, submits that the Place meets Criterion B to a State-level as it has a clear association with the deployment by Victorian Railways, of standardised railway station building units and that these are rare or uncommon, with very few early portable railway buildings still in existence. Of particular rarity, is this building's double ventilated roof which were commonly used in the warmer Wimmera-Mallee regions in its four-unit structure. This building, made from four different standard railway station building units, is larger than most on the Mildura railway line and demonstrates an association with the

increased population of the area due to of the expansion of the fruit industry as well as the consequential increase in passenger numbers better than other places.

Discussion and conclusion

33. Although the Committee recognises that buildings of this kind were produced on mass at one point in history, it nevertheless considers that the building is rare example of a portable building due to not only its size and intactness, but the distinctiveness of its double ventilated roof, which the Committee considers particularly rare and significant. It is the Committee's view that it is the building itself which is significant, and that regardless of its move from Irymple to Red Cliffs, the building meets the State-level threshold for significance.
34. Consequently, the Committee accepts that Criterion B is satisfied at a State-level, accepting the reasons set out by the Executive Director in the Recommendation and summarised in paragraphs 10 and 32 above.

CRITERION D—IMPORTANCE IN DEMONSTRATING THE PRINCIPAL CHARACTERISTICS OF A CLASS OF CULTURAL PLACES AND OBJECTS

Summary of submissions and evidence

35. In relation to Criterion D, the Recommendation submits that the Former Irymple Railway Station Building, being of the class of a portable railway building, has a clear association with the period where the Victorian Railways was forced to operate under budget restrictions which led to the development of standardised portable railway building units which could be assembled on site and moved to other locations.
36. The Recommendation further submits that the Former Irymple Railway Station Building is architecturally significant because it is a notable example of the class of portable railway station buildings, displaying the principal characteristics of the class in a way that allows it to be easily understood and includes features, such as ventilated roofs, which were adapted to the climate requirements of their sites which makes it significant at a State-level.

Discussion and conclusion

37. The Committee accepts that Criterion D is similarly satisfied at a State-level, accepting the reasons set out by the Executive Director in the Recommendation and summarised in paragraphs 10 and 35-36 above.
38. The Committee finds, on the basis of the information before it, that **Criteria A, B and D are satisfied** at the State-level and accepts the reasons set out by the Executive Director in the Recommendation.

EXTENT OF REGISTRATION

Summary of submissions and evidence

39. As foreshadowed in paragraphs 21 and 29 above, the recommended extent of registration includes the building and the land 5 metres from the eaves of the railway station building. The Recommendation submits that:

“While it would have been possible to recommend the amendment of the registration of the Irymple Railway Station (VHR H1568) to include the building as an object integral to that place, this would not have provided a land curtilage

to allow the building to be mapped in planning schemes. This is known to be more protective for large objects and portable buildings.”

40. There is no dispute about the extent of registration described in the Recommendation including the proposed curtilage. At the Directions Hearing the Committee asked about the purpose of the inclusion of a 5-metre curtilage.
41. The Executive Director advised that including curtilage additional to the registered building is sensible management of significant places, particularly those which are larger in footprint. Further, the Executive Director submitted that there has been a move away from registering only the footprint of significant buildings, as Heritage Victoria have realised, particularly in relation to larger places, that encroaching development can significantly diminish the appreciation of a registered place.

Discussion and conclusion

42. The Committee accepts the Executive Director’s submissions as to the justification of a 5-metre curtilage to be included in the registration for this building as submitted in the Recommendation. The Committee records its determination regarding extent in **Attachment 2**.

PERMIT POLICY AND PERMIT EXEMPTIONS

Summary of submissions and evidence

43. The Recommendation sets out proposed ‘permit policy’ to be included in the registration. It reads, in part:

“Should the Former Irymple Railway Station Building no longer be required at Red Cliffs, the building and its fixtures should be returned to the Irymple Railway Station (VHR H1568).”
44. The Committee asked the Executive Director to clarify how this part of the policy might operate. The Executive Director advised that the permit policy was based on a concern that control and maintenance of the building might be at risk if RCHSR no longer continued as a viable operation capable of caring for and maintaining the Place. It was the Executive Director’s view that if that scenario were to arise, there needed to be a plan for ensuring the future of the building which included the building’s return to the equally warmer climate of Irymple, as opposed to elsewhere in the State given the double ventilated roof was designed for hotter climates.
45. After some questioning from the Committee, the Executive Director submitted that the building could be relocated to a location other than Irymple provided that there was some sort of railway context. The Executive Director submitted that relocation within the Sunraysia district, because of its hotter climate, would nonetheless be preferable, but conceded that while this might be the ideal outcome, a number of factors might need to be considered if the need for the building to be relocated arises.

Discussion and conclusion

46. The starting point is that a permit policy is not binding and does not foreclose on alternative outcomes. The intention of a permit policy is to provide some guidance as to future outcomes based on what is presently known. On that basis, the permit policy as presently drafted too narrowly confines the options for consideration and fails to take account of the range of factors which may influence possible future relocation. Indeed, it appears to the Committee that the

most important factor is that wherever the building might end up, it would be important for there to be a custodian of the building to care for and maintain the building. Would relocation to Irymple in the absence of a custodian for the building be a better outcome than relocation to an area outside the Sunraysia district where the building will be cared for and maintained by a dedicated group such as RCHSR? The Committee thinks that the policy should reflect the range of factors which might influence such a decision.

47. It is the Committee's view that the wording of the policy should be amended in line with draft policy set out in **Attachment 3** to this determination.
48. The Committee otherwise considers that the Executive Director's recommended permit exemptions are appropriately broad and provide the owner with sufficient latitude to undertake important renovation and internal works which are unlikely to adversely affect the overall cultural significance of the place.
49. The categories of works and activities that may be carried out in relation to the Place without the need for a permit under the Act are also listed in **Attachment 3**.

CONCLUSION

50. The Committee acknowledges submissions made at the Directions Hearing by the Executive Director, that the RCHSR has been an ideal custodian of the building.
51. The Committee considers that including a curtilage of additional land beyond the footprint of the building within the registration is a sensible management of this significant place.
52. After considering the Executive Director's recommendation and the submission received from RCHSR the Heritage Council has determined, pursuant to sections 49(1)(a) and 49(1)(e) of the *Heritage Act 2017 (Vic)*, that the Former Irymple Railway Station located at 2 Millewa Road, Red Cliffs, Victoria is of cultural heritage significance to the State of Victoria and is to be included in the Heritage Register as a Registered Place.

ATTACHMENT 1

HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE

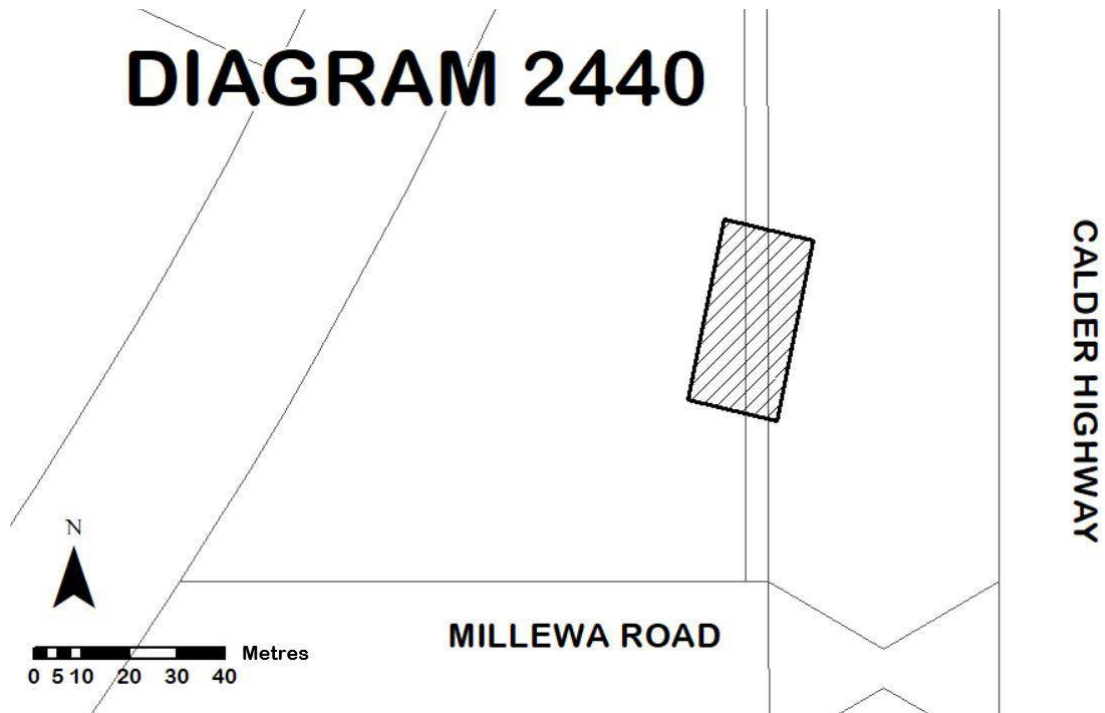
CRITERION A	Importance to the course, or pattern, of Victoria's cultural history.
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places and objects.
CRITERION E	Importance in exhibiting particular aesthetic characteristics.
CRITERION F	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
CRITERION G	Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were updated by the Heritage Council at its meeting on 1 December 2022 and replace the previous criteria adopted by the Heritage Council on 3 December 2020.

ATTACHMENT 2

EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 2440 encompassing those parts of Allotment 310B Section B Parish of Mildura, Allotment 310C Section B Parish of Mildura, and Allotment 331A Section B Parish of Mildura within 5 metres of the eaves of the railway station building.



ATTACHMENT 3

PERMIT POLICY AND PERMIT EXEMPTIONS

Permit policy and categories of works or activities which may be carried out in relation to the place for which a permit is not required pursuant to section 49(3) of the *heritage act 2017* ('permit exemptions')

INTRODUCTION

A heritage permit is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are exempt from a heritage permit, if the proposed works will not harm the cultural heritage significance of the heritage place or object. or object.

PERMIT POLICY

- Should the Former Irymple Railway Station Building need to be moved from Red Cliffs for whatever reason, the building and its fixtures should either be returned to its original location at the Irymple Railway Station (VHR H1568), or to another railway setting in consultation with Heritage Victoria
- Repairs and maintenance to the double ventilated roof of the office component of the structure should ensure that this format is maintained.

PERMIT EXEMPTIONS

General Exemptions

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Specific Exemptions

The below permit exemptions are not considered to cause harm to the cultural heritage significance of the Former Irymple Railway Station Building subject to the following Guidelines and Conditions.

Guidelines

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.

2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978 (Vic)*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.
7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.

Conditions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.

3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Secretary (as defined in the *Aboriginal Heritage Act 2006*).

Exempt works and activities

1. Repairs and maintenance to the picnic shelter, water tank, signal, platform and railway track.
2. Replacement of the picnic shelter, water tank or signal like for like in form and size.