

Decision Statement for External Proponents

REF CM file no: SF24/45050

Title of proposal: Ongoing Operation of North Head Quarantine Station, Manly

Park name: Sydney Harbour National Park

Area/NPWS Branch: Sydney North Area/Greater Sydney Branch

Proponent: North Head Sydney Pty Ltd (NHS)

Based on the Review of Environmental Factors and any additional information obtained, and after having taken into account to the fullest extent possible all matters likely to affect the environment as a result of the proposed activity (in accordance with section 5.5 of the *Environmental Planning and Assessment Act 1979*), **I hereby determine that:**

Activity to proceed

Further information/assessment is not required:

- an Environmental Impact Statement (EIS) is not required (the activity is not likely to significantly affect the environment).

The application for the activity may proceed, **subject to the conditions** specified in the attached Schedule 1 to be considered for the following necessary approvals under the *National Parks and Wildlife Act 1974* (NPW ACT) or *National Parks and Wildlife Regulation 2019* (NPW Regs) and/or other relevant legislation:

- consent under the NPW Act.
- section 60 approval under the *NSW Heritage Act 1977*.

Related matters

Further, it is considered that the proposed activity:

- ☒ **is unlikely to** impact significantly on matters of **National Environmental Significance** under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- ☒ **is unlikely to** impact significantly on **local council infrastructure**, including roads, water, sewer and stormwater, **local heritage items** listed by the council, and **flood patterns on flood liable land**.

Certification of building or infrastructure works

- ☒ **may** require certification to Building Code of Australia or Australian Standards in accordance with the NPWS *Construction Assessment Procedures*.

Determination

NPWS Area Manager recommendation:

Name: Chad Weston

Signature

Date: 18/12/24

Determination by Director Park Operations, Greater Sydney Branch

I certify that I have reviewed and endorsed the contents of this Review of Environmental Factors document, and, to the best of my knowledge, it is in accordance with the Environmental Planning and Assessment Act, the EP&A Regulation and the Guidelines approved under section 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

Name: Deon van Rensburg

Signature:

Date: 20/12/2024

Schedule 1: Conditions of Determination

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General information about this Determination

References to the REF

All references to the REF are references to the following documents:

Table 1: REF documents

Document Title	Author	Date
Review of Environmental Factors; Ongoing Operation of North Head Quarantine Station, Manly.	Keylan Consulting	July 2024
Quarantine Station North Head: Flora and Fauna Assessment	ecologique	July 2024
Quarantine Station North Head: Species Impact Statement	ecologique	July 2024
Q Station, Manly: Site Travel and Access Plan	Stantec	June 2024
Q Station North Head Quarantine Station & Reserve, Manly: Heritage Impact Assessment. V.11	Architectural Projects	June 2024
Acoustic Environmental Impact Assessment: North Head Quarantine Station	AKA Acoustics	July 2024
Q Station Aboriginal Heritage Due Diligence Assessment	AMBS Ecology & Heritage	June 2024
Quarantine Station North Head Manly: ESD Statement	Credwell	June 2024
Bushfire Review – Sydney Quarantine Station North Head	Peterson Bushfire	June 2024
REF addendums – ACHDD and Estuarine Hazards Study	North Head Sydney	October 2024
Updated Bushfire review	North Head Sydney	October 2024

Table 2: Version Control

Application type	Date approved by NPWS
Original REF (and supporting documents) determination	20/12/2024
<i>Any subsequent modifications insert here</i>	

Responsibilities of the proponent

The proponent is responsible for the manner in which the activity detailed in the REF and this determination is performed, including in relation to ensuring compliance with all conditions of consent.

Transfer of REF determination

This REF determination is transferable, when occurring alongside a lease transfer and with the written approval of the NPWS Branch Director.

Inspection of work covered by this REF determination

The NPWS reserves the right to examine work undertaken as part of the activity at any reasonable time.

Reference to NPWS officers in this determination

The NPWS Branch Director may delegate any functions ascribed to the NPWS Branch Director in the determination to another NPWS officer including, but not limited to, the relevant NPWS Area Manager.

Explanatory notes to conditions in this determination

Explanatory notes included with this determination do not form part of the conditions.

Submission of information to NPWS

All written requests and information required to be submitted to NPWS, are to be lodged at the following email address:

Attention: Quarantine Station Environmental Manager
National Parks and Wildlife Service
shnp-quarantine@environment.nsw.gov.au

DETERMINATION CONDITIONS – date 20/12/2024

GENERAL CONDITIONS

Duration and scope of determination

1. Commencement date of 24 December 2024 until 28 February 2054.
2. Documents to be complied with:
 - (a) The proponent's REF dated 15 July 2024, and all supporting documents as identified in Table 1;
 - (b) Current plans as per Table 3 below;
 - (c) The Activity Statement (AS) once submitted and endorsed by NPWS; and
 - (d) Any plans that are updated and endorsed by NPWS or other relevant authorities as required.

Table 3: Current Plans

Current Plan	Date of current endorsement
Aboriginal Heritage Management Plan	2024*
Asbestos Sampling and Replacement Strategy	2024
Conservation Works Program	2006
Emergency and Evacuation Plan (Section 7 of Visitor Management Plan, 2005)	2005
Environmental Management Plan - EMP (now North Head Quarantine Station Environment and Heritage Management Plan - EHMP)	2024
Heritage Landscape Management Plan	2006
Infrastructure Control Plan	2024*
Inscriptions Plan	2024*
Internal Fitout Plan	2005
Interpretation Plan	2024*
Moveable Heritage and Resource Collection Plan	2024*
Noise Management Plan (inc EHMP)	2005
Outdoor Visitor Infrastructure Plan	2005
Predator and Pest Control Plan	2024
Security Plan	2024
Visitor Access Strategy (Part of Visitor Management Plan 2005)	2024
Waste Management Plan (inc in EHMP)	2024
Integrated Monitoring and Adaptive Management System (IMAMS)	2006
Site Travel and Access Plan	2018
Erosion and Sediment Control Plan (inc in EHMP)	2024

** Denotes plans that have been endorsed by NPWS in 2024 however endorsement from Heritage NSW may still be required.*

3. The proponent must submit the AS, as also required by the Heritage NSW (HNSW) Section 60 approval, within 3 months of this determination for NPWS approval. The AS must include the key activities, mitigation actions and building uses.

Reason: *To provide additional information required for the ongoing operations at the site such as building use.*

4. Schedule 2 contains aspects of the proposal not approved.
5. Schedule 3 contains aspects of the proposal that require additional information.

Reason: *Information and to ensure compliance.*

6. The proponent must hold a current lease or licence under Part 12 of the National Parks and Wildlife Act 1974 (NPW Act) for the ongoing occupation and use of the site.

Reason: *Requirement under the NPW Act.*

7. The proponent will review and update the REF at least every 5 years from the date of this determination to ensure its currency. Each review and update must include:
 - (a) Legislative changes to all applicable Acts;
 - (b) Review of potential impacts and mitigation actions to ensure minimal impact;
 - (c) Changes to the status of flora and fauna onsite, including Threatened Species, that are identified through or because of, on-site monitoring either by the proponent, NPWS or other government agencies; and
 - (d) Advances in technology that may improve the operations, monitoring and/or reporting required under this determination.

Reason: *To ensure that the impacts of the activity is regularly reviewed and updated to remain consistent with the with relevant statutory requirements and ensure impacts continue to be minimised.*

8. Any act, action, omission or review which is required at 5 yearly intervals during the term of the approval shall not be required in 2054.

Reason: *A new environmental impact assessment and application would be required if an extension of this approval or new approval is sought in the year 2054.*

9. Where in this approval an act, action, omission or review that is due on a 5-year cycle from the commencement of this approval, being 24 December in that year, the proponent shall have until 31 March in the following year to satisfy such requirement.

Reason: *To enable adequate time away from the usual holiday period to fulfil condition requirements.*

Undertaking the activity

10. The 'activity' detailed in the REF titled *Ongoing Operations of North Head Quarantine Station, Manly*, prepared by Keylan Consulting submitted to NPWS on the 15 July 2024, must be undertaken:
 - (a) at the location identified in the REF;

- (b) in accordance with the description of the activity, and environmental safeguards or mitigation measures listed in the REF and accompanying documents; and
- (c) as required or amended by the conditions of this determination.

11. In the event of any inconsistency between the REF, the AS and the conditions of this determination, the conditions of the determination shall prevail.

Reason: *To ensure that the activity is consistent with the consideration of potential environmental impacts in the REF and in accordance with relevant statutory approvals issued for the activity as described in the REF.*

12. The proponent must ensure that all staff and contractors are aware of the consent conditions that apply to their work responsibilities or areas of work and abide by them at all times (refer to conditions 23 and 24 below).

Reason: *Information and to ensure compliance.*

13. This determination, and the conditions of this determination, do not relieve the proponent of any obligation to obtain other statutory approvals necessary to undertake the activity, including but not limited to any approvals required under the *NSW Heritage Act 1977* and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*.

14. The activity is not to commence until the proponent has obtained any necessary approvals from relevant authorities required under any other legislation, including the *Heritage Act 1977*.

Reason: *To ensure compliance with applicable statutory provisions.*

15. The proponent must undertake the activity in accordance with the requirements of the *Work Health and Safety Act 2011*, including codes of practice adopted under the Act, and the *Work Health and Safety Regulation 2017*. Any contractors on the site are to have appropriate insurances, including public liability insurance.

Reason: *To support the safe undertaking of the ongoing operations at the site.*

16. Any public authority, including NPWS, may enter the site for the purposes of meeting or enforcing their statutory responsibilities. A minimum agreed notification period will be provided to the proponent for any inspections inside buildings that are not accessible to the public, unless emergency access is required.

Reason: *To ensure that public authorities, including NPWS, are able to fulfill statutory responsibilities and to ensure compliance.*

Contact details

17. The proponent shall provide to the NPWS a 24-hour contact telephone number for in the event of an emergency.

Reason: *To ensure that public authorities, including NPWS, are able to fulfill statutory responsibilities and to ensure compliance.*

Complaints register

18. The proponent must retain and maintain a digital complaints register, which should record details of all complaints received, actions taken and response times. This register shall be made available to NPWS upon request with a summary of complaints received and responses to complaints included in the Annual Environmental Report.

Reason: To ensure that public authorities, including NPWS, are able to fulfill statutory responsibilities and to ensure compliance.

Onsite Environmental Officer

19. The proponent shall engage or employ a designated onsite environmental officer (EO), within 12 months, to ensure that conditions of consent are complied with, and mitigation measures are effectively applied. This person should be suitably qualified and/or experienced in environmental management.
20. The duties of EO shall include the following:
- (a) ensure the activity is undertaken in accordance with the conditions of consent;
 - (b) facilitate preparation and/or review of an environmental management module as part of the induction and training program for all persons involved with undertaking works at the Quarantine Station;
 - (c) identify and address compliance or other issues arising;
 - (d) be available to undertake regular inspections during works undertaken at the site, including maintenance works;
 - (e) assist the proponent with information to immediately advise NPWS and HNSW and/or Transport for NSW (Waterways) (depending on the issue involved) of any major issues resulting from the undertaking of the activity; and
 - (f) assist with the planning, preparation and coordination of public open days and education of site visitors.
21. The proponent must advise NPWS of the contact details for the EO should the appointee to this position change.

Reason: To facilitate compliance with conditions of consent, lease and legislation, and to manage the site in accordance with the applicable statutory provisions.

Quarantine Station Community Consultative Committee

22. The established Quarantine Station Community Consultative Committee (QSCCC) will continue to operate. The proponent shall:
- (a) provide the QSCCC with regular information on the environmental performance and management of the activity;
 - (b) provide all relevant plans, including site-wide plans (as defined), to the QSCCC for comment prior to their approval by the relevant authority;
 - (c) ensure the QSCCC has reasonable access to the necessary plans and reports and is provided with sufficient time to carry out its functions;
 - (d) consider the recommendations and comments of the QSCCC and provide a response to the QSCCC;
 - (e) provide the QSCCC with access to sufficient resources to perform its functions, including: a meeting space and supervised access to the site; and

- (f) shall not impose any fees or costs on committee members whilst attending formal meetings.

Reason: To ensure transparency of operations to the community, consistent with NSW Government's Charter for Public Participation, and its Principles for Public Participation, and to improve onsite operation through the provision of community and stakeholder input to the proponent across the term of this determination.

Staff and contractor induction and training

23. An updated induction and training program shall be developed by a suitably qualified person and;
- (a) Must be provided to all staff employed on the site (whether on a permanent, temporary, contract or casual basis) and all contractors and sub-contractors within 2 weeks of those persons commencing duties/works;
 - (b) Staff and contractors working on the site for a period longer than 12 months must undertake a refresher program every year.
 - (c) The program shall include, but not be limited to, an environmental management module outlining the natural, cultural and historic heritage significance of the site and procedures to be followed while working on site.
 - (d) The program must be updated on a regular basis to reflect any changes in site wide plans or conditions or consent.
24. An education and awareness program shall be developed and provided by a suitably qualified person for companies providing services on the site such as, but not limited to, event set up crews, coach and bus access, service delivery and any other regular vehicle access to the site, prior to them accessing the site.

Reason: To ensure compliance with conditions of determination by staff, contractors and other regular accessors to the site, and to protect sensitive heritage and environmental site assets and values.

OPERATING CONDITIONS

Operating hours

25. The hours of operation for specific uses shall be as follows:
- (a) restaurant in A6 – closed to the public by 11.00pm;
 - (b) conferences and functions – no organised visitor activity past 11.00pm;
 - (c) night tours – all night tours to conclude by 11.00pm except the Late Ghost Tour to conclude by 12.00 midnight; and
 - (d) closure of Quarantine Beach – access to the beach from the lease area shall be closed from sunset to sunrise as per Geoscience Australia's website ([Geodetic Calculators - Sunrise Sunset](#)) for "Quarantine Beach".
26. Any separately approved construction activities, including entry and departure of heavy vehicles, shall be restricted to the following hours:

- (a) during Eastern Daylight Savings Time – 7.00am - 6.00pm Monday to Friday, 8.00am - 1.00pm Saturday;
 - (b) during Eastern Standard Time – 7.00am - 5.00pm Monday to Friday, 8.00am - 1.00pm Saturday; and
 - (c) Sundays or public holidays - no work is to be undertaken, except for emergency works or minor, low noise activities such as painting.
27. Service providers and contractor vehicles may only access and exit the site between 7.00am and 4.00pm. This does not apply to vehicles involved in the undertaking of construction or conservation works.
28. New Years Eve – no visitor activity past 1.00am on New Years Day. Consultation with NPWS is required for any planned events on New Years Eve to determine if additional environmental assessment and/or consent is necessary– see condition 40 below.

Reason: To mitigate impacts by visitors to the site, as well as to reduce disturbance to site neighbours, and to support the safe undertaking of the activity.

Site visitor capacity

29. Visitation to the site and site visitor numbers must be in accordance with any approved access plan and must be in accordance with the following:
- (a) the optimum visitor capacity of the site is 315 people (including staff) at any one time. The proponent shall take all reasonable steps to ensure that the optimum visitor capacity (or less) is met for the majority of days, unless in accordance with condition 29(b);
 - (b) the maximum visitor capacity may be increased to 600 people (including staff) for up to 9 hours on up to 20 occasions per calendar year. Arrival and departure from these events must be distributed throughout the day and be held in accordance with the requirements in condition 41 of this determination; and
 - (c) Access to the Wharf and Quarantine Beach is to be prohibited during evening and nighttime events and functions, including New Years Eve. This does not preclude normal operations undertaken as part of the restaurant in building A6, including the outdoor eating area.

Reason: To mitigate impacts by visitors to the site, as well as to reduce disturbance to site neighbours, and to support the safe undertaking of the activity.

Tours

30. Regular public tours of the site must form a component of the operation of the Quarantine Station and be run during publicly accessible periods, including weekends and public holidays and according to the AS.

Reason: To ensure the conservation and interpretation of heritage items on site in the public interest.

31. The maximum number of visitors on night tours shall not exceed 100 persons concurrently and not more than 5 tour groups on the site at any one time. Any proposal to increase night tour capacities must be submitted for the approval of the NPWS Area Manager. The proposal must be accompanied by a clear assessment of the potential impacts of any increase on the significance of the Quarantine Station and justification based on the results of the visitor and site monitoring programs (particularly monitoring Long-nosed Bandicoot foraging activity).

32. Night tours are to be undertaken on formed roads, paths or the Funicular stairway.
33. At the conclusion of any night tours on site, arrangements are to be made to transport visitors in an orderly manner from the conclusion point of the tour to the:
- (a) accommodation area (for those visitors staying on site overnight);
 - (b) CP1 (for those visitors departing by car or bus);
 - (c) to the Wharf Precinct (for access to the ferry); or
 - (d) to an offsite location (through a shuttle bus).

This may include, but is not limited to, the use of a shuttle bus or groups led by a guide.

34. Notwithstanding the provisions of condition 31, NPWS may at any time direct that night tour numbers are reduced, and/or other appropriate measures implemented, if it is satisfied on the basis of monitoring programs that night tours are having adverse impacts on the Long-nosed Bandicoot population.

Reason: *To support the safe undertaking of the night tour activity and protect native fauna, including threatened species.*

School and educational programs

35. Provision shall be made for school groups attending an education program to have access to the site without the need to stay overnight.
36. Overnight educational programs must ensure a high-level of student supervision to prevent uncontrolled night activities or access across the site. Students must also be supervised during any periods of student “free time” during the day and confined to distinct areas of the site, that is there is to be no general or uncontrolled access across the site.

Reason: *To support the safe undertaking of the school-based and education program activities and to protect site sensitivities.*

Café, visitors centre and museum

37. The proponent must continue to provide services of a café, visitors centre and museum, as described in the application and maintain access to those facilities for all visitors to the Quarantine Station. Any change in location or service offering will require a separate application and approval from both NPWS and HNSW.

Reason: *To facilitate the interpretation of the site’s history and protection of its heritage assets, in the public interest.*

Special events, functions and free open days

38. The number of special events or activities requiring overflow parking shall be limited to 6 days per year. Special events include uses (e.g. re-enactments, festivals, etc) and public open days that are not part of the normal operations (e.g. tours) and extend beyond those function, conference, accommodation and restaurant uses identified in the application. The proponent must ensure that the site capacity limits in condition 29(b) are not exceeded.
39. At least two free public open days are to be held at the site every year. The open days shall be held on either a weekend or public holiday. They shall include opportunities for people to participate in organised tours and interpretive activities that promote an understanding of the site’s values, at no cost. Tours and activities

may also be provided that outline the methods of conservation and management being used at the site, also at no cost. The proponent must ensure that the site capacity limits in condition 29(b) are not exceeded.

Reason: *To support implementation of the activity consistent with the objectives of the NPW Act and in a safe manner. To promote fair and equitable access to the site by the wider community, in the public interest.*

40. Proposals for special events and public open days are to be submitted to NPWS for approval in line with the *NPWS Events Manual (2024)*. The proponent shall also consult with the QSCCC prior to submission to NPWS. Proposals, at a minimum, shall address the following matters:

- (a) the specific locations within the site that approval is being sought for, visitor numbers, equipment/set required, timeframe;
- (b) traffic and car-parking and pedestrian management measures provided (both on and off-site);
- (c) noise and light minimisations measures;
- (d) potential impacts of the proposal and mitigation measures; and
- (e) details of how the proposal will promote or enhance the sites environmental and heritage sensitivities.

NPWS may direct the proponent to undertake all practicable steps to address the above matters and to ensure that the minimum number of public open days are provided in accordance with condition 39.

Note: *Depending on the size and scope of events, an event may require additional impact assessment or approvals. Events that require additional impact assessment will take longer to assess and consultation with NPWS should occur well before the minimum submission timeframe outlined in the NPWS Events Manual.*

Reason: *To ensure that potential impacts from special events or open days are considered, minimised and mitigated and that events are assessed consistent with NPWS guidelines.*

41. Any events or functions held during and after sunset shall:

- (a) if they are to be held outdoors, be located away from the areas identified as Long-nosed Bandicoot foraging habitat by NPWS, unless prior NPWS approval has been granted; or
- (b) if they are to be held in the Wharf Precinct, must be held indoors. This does not preclude normal operations undertaken as part of the restaurant in building A6, including the outdoor eating area.

Reason: *To reduce or avoid potential impacts on native fauna, including threatened species, onsite, consistent with statutory obligations of NPWS.*

2nd Cemetery access

42. Access to 2nd cemetery is to remain closed to the public and tours unless otherwise agreed in writing by NPWS and HNSW.

Reason: *To avoid potential impacts to a heritage asset and in the public interest.*

Security

43. The proponent shall ensure that adequate security is provide onsite at all times.

Reason: To ensure that potential impacts to the heritage and environmental assets of the site, are avoided or managed, in the public interest, and to support the safe undertaking of the activity.

Emergency works

44. Notwithstanding any other conditions of this determination, in the event that emergency works are required, the proponent must take all reasonable steps to ensure that these occur as expeditiously as possible. Emergency works are works which are urgently required, as a result of an unforeseeable incident or suddenly natural event, to arrest an imminent threat to life, safety, public liability, the environment and/or threat to fabric or property.
45. In the event that emergency works are undertaken the proponent must notify the Environment Line on 131555 as soon as practicable. Once notification has been made, the proponent must contact the NPWS Quarantine Station Environmental Manager or delegate to seek direction on any further procedures to be implemented.

Reason: To ensure the safe operation of the site and mitigation of potential impacts to site assets and values, in the public interest.

Discovery of unknown Aboriginal and historic heritage values

46. If, during the course of the activity:
- (a) any Aboriginal objects, as defined under *the National Parks and Wildlife Act 1974*, are uncovered or discovered; and/or
 - (b) any relics, as defined under the *Heritage Act 1977*, are uncovered or discovered;
- then the proponent must cease work immediately and notify the Environment Line on 131555, unless the objects and/or relics are subject to the Aboriginal Heritage Impact Permit or a valid Heritage Permit. Work must not recommence until written advice to do so has been provided by NPWS.

Reason: To protect cultural heritage values and ensure compliance with legislative provisions.

47. If, during the course of the activity, any human skeletal remains are located the proponent must:
- (a) **STOP** all work in the vicinity of the remains and contact the Environment Line on 131555, local police and NPWS for further support.
 - (b) Leave the remains in place and protected from further harm or damage or unauthorised access. Continue to keep access to area restricted until further advice states otherwise.
 - (c) Specialist advice from a Forensic anthropologist or Bioarchaeologist to confirm that the bones are human, their age and whether they are Aboriginal or not may be required.
 - (d) Contact HNSW if the remains are believed to be Aboriginal.
 - (e) Suspected remains should not be removed from their original location until it has been confirmed whether they are Aboriginal or not.
 - (f) Do not recommence work at the location until authorised in writing by HNSW if the remains are considered by the Police and HNSW to be Aboriginal.
 - (g) If suspected remains are being removed from their original location, the context of that location is important and should be recorded by NSW Police.

- (h) Contact the relevant Aboriginal community to ensure they are aware remains have been found once remains have been confirmed to be Aboriginal.
- (i) Record Aboriginal ancestral remains in a culturally appropriate manner in collaboration with HNSW and the relevant Aboriginal community.

Reason: *To protect cultural heritage values and ensure compliance with legislative provisions.*

Discovery of unknown biodiversity values

48. If, during the course of undertaking the activity, the proponent becomes aware of the presence of threatened species or threatened ecological communities, or their habitats, that were not identified and assessed in the REF and which are likely to be affected by the activity, the proponent must:
- (a) immediately cease all work likely to affect the threatened species or threatened ecological communities, or their habitats;
 - (b) inform NPWS and/or the local NSW DPI Fisheries office (for threatened fish or marine vegetation matters) as relevant. Notification must be made as soon as practicable by phone, electronically or in writing; and
 - (c) not recommence work likely to affect the threatened species or threatened ecological communities, or their habitats until receiving written advice from NPWS and/or DPI Fisheries to do so.

Reason: *To avoid, minimise, manage or mitigate potential impacts of the activity on biodiversity on the site.*

Notification of environmental harm

49. In the event of incidents causing or threatening material harm to the environment the following procedures must be followed:
- (a) The proponent or its employees (including any contractors) must notify NPWS as soon as practicable after the person becomes aware of the incident.
 - (b) Notifications must also be made by telephoning the Environment Line on 131555.
 - (c) Once notification has been made the proponent must also contact the NPWS Quarantine Station Environmental Manager or delegate to seek direction on any further procedures to be implemented.
 - (d) The proponent must provide written details of the notification to NPWS within 7 days of the date on which the incident occurred.

Reason: *To minimise the risk of environmental impacts.*

Current and Revised Plans

General

- 50. The proponent must continue to comply with all plans listed in Table 3 or their updated and endorsed versions.
- 51. The proponent must review and update all plans within 12 months to reflect these conditions of consent. The updated plans must be submitted by December 2025 for NPWS endorsement. An addendum to plans may be accepted by NPWS with consultation.

52. The proponent shall undertake a review and update of all plans every 5 years, after the initial update. (First 5-year update required to be submitted by March 2031 – see condition 9).
53. The proponent must consult with NPWS for all Plan updates including those plans required under the Section 60 determination.
54. Plan format and inclusions may be changed over time with consultation and approval from NPWS (all plans) and HNSW (if required). These plan amendments can also include any amalgamation of plans.

Reason: *To ensure consistency of plans with activity operations and statutory requirements.*

Emergency and Evacuation Plan

55. All staff and contractors shall be made aware of the Emergency and Evacuation Plan and its provisions and be trained in the operation of emergency equipment. Records of staff and contractor training will be kept by the proponent and included as part of the proponent's annual environmental report provided to NPWS (see condition 143).
56. The Emergency and Evacuation Plan is to be displayed at prominent locations within the site and is to clearly highlight the recommended actions and 24-hour telephone contacts for emergency situations.
57. The five-year review and update of the Emergency and Evacuation Plan shall be prepared in consultation with NPWS, the NSW Ambulance Service, NSW Police and Fire and Rescue NSW. The updated Emergency and Evacuation Plan must be submitted to NPWS.

Reason: *To ensure the safety of all proponent and agency staff on the site, and/or safe and effective management of the site, including in the event of any emergency or need for site evacuation, in the public interest.*

Infrastructure Control Plan

58. All infrastructure maintenance and upgrade works, excluding minor maintenance repairs or works (as defined), shall be undertaken in accordance with the adopted Infrastructure Control Plan.
59. The five-year review and update of the Infrastructure Control Plan shall be undertaken in consultation with NPWS, relevant public authorities and infrastructure providers. The updated Infrastructure Control Plan must be submitted to NPWS for approval.

Reason: *To ensure maintenance of the site is undertaken regularly, safely and in a manner that reflects both the needs of site operations and that protects the site's heritage and biodiversity assets and values.*

Outdoor Visitor Infrastructure Plan

60. The five-year review and update of the Outdoor Visitor Infrastructure Plan shall be undertaken in consultation with NPWS, relevant public authorities and infrastructure providers. The updated plan must be submitted to NPWS for approval.

Reason: *To ensure that management of the site, and its assets, is undertaken safely and in a manner that reflects both the needs of site operations and that protects the site's heritage and biodiversity assets and values.*

Building Use

61. All building use should be in accordance with the AS or as otherwise approved by NPWS and HNSW.

Note: *Approval of current building use does not provide approval for any physical works related to this use.*

Reason: *To ensure the conservation and interpretation of heritage items and buildings on site in the public interest.*

Restrictions on use

62. Buildings in the Third Class/Asiatic Precinct shall be used only for accommodation, interpretation and education purposes as specified in the AS. Buildings, P15, P16 and P27 may also be used for special events, functions and/or conferences but only as a secondary use to education and interpretation.

Reason: *To ensure the conservation and interpretation of heritage items and buildings on site in the public interest.*

Maintenance Works

63. The following maintenance works do not require additional approval, when undertaken in accordance with the provisions of the Conservation Works Program or relevant site-wide plan(s) and are considered exempt works under the *Heritage Act 1977*:

- (a) painting and carpeting;
- (b) basic essential services, such as upgrading of electrical wiring, installation of power points, telephone connections, etc;
- (c) infrastructure works which involve the essential repair or replacement of existing facilities in the same location using “like-for-like” technology, or where this is not available, appropriate contemporary technology;
- (d) the provision of external lighting, signage and waste receptacles;
- (e) minor maintenance repairs or works (as defined); and
- (f) emergency works to protect heritage values.

Note: *This condition does not permit ground disturbance or other environmental impacts. Maintenance works do not include any structural works.*

Reason: *To ensure maintenance of the site is undertaken efficiently, regularly, safely and in a manner that reflects both the needs of site operations and that protects the site’s heritage and biodiversity assets and values.*

Wharf

64. Within 6 months of commencement the proponent must provide NPWS with an engineer’s report on the condition and state of repair of the wharf. The report must:
- (a) be prepared regardless of the operation of a ferry service;
 - (b) include a maintenance schedule for the next 10 years; and
 - (c) be updated by a suitably qualified engineer every 10 years after the commencement date for the duration of the activity.

The identified maintenance works are to be completed by the proponent in accordance with the maintenance schedule.

65. Prior to commencement of any work on or associated with the Quarantine Station wharf, or the commencement of the ferry service at the wharf, the proponent shall;
- (a) consult with and potentially lodge an Application for Construction of Waterside Structures to the Waterways Authority (or other relevant authority) for approval; and
 - (b) consult with DPI Fisheries, Transport for NSW, NPWS and any other relevant authorities.

Reason: To ensure that maintenance of the wharf on the site is undertaken safely and in a manner that reflects both the needs of site operations and that protects the site's heritage and biodiversity assets and values, in the public interest.

Aboriginal Cultural Heritage

No Ground Disturbance

66. The proponent will not undertake any works that would disturb ground on the site unless a site specific Aboriginal Cultural Heritage Due Diligence assessment has been completed.

Reason: To fulfil aboriginal cultural heritage due diligence code of practice requirements and to support the conservation of potential Aboriginal Cultural Heritage items and artefacts that may be present on the site. In addition, to ensure ground disturbance is minimised, topsoil is managed appropriately and that potential impacts as a result of ground disturbance are mitigated.

Aboriginal Heritage Management Plan

67. The proponent shall comply with the provisions of the adopted Aboriginal heritage management plan for the Quarantine Station, prepared in partnership with the relevant Aboriginal community group/s, and approved by the Heritage Council of NSW and NPWS.
68. The proponent must assist with any reviews and updates of the Aboriginal Heritage Management Plan as requested by NPWS. The proponent must comply with any updates.
69. The proponent will undertake on-going consultation with the relevant Aboriginal community groups on aspects of the proposal and operation of the site that relate to Aboriginal heritage. These aspects shall include, but not be limited to:
- (a) the development of protocols for Aboriginal community involvement in the management of Aboriginal heritage within the lease area;
 - (b) the development of educational material and tours interpreting Aboriginal heritage;
 - (c) opportunities for establishing a centre for Aboriginal cultural heritage within the lease area;
 - (d) on-going evaluation of the Aboriginal cultural heritage values of the site (to include both new information on historical associations and emerging contemporary values of the place, such as wild resource use); and
 - (e) other relevant matters identified in consultations between the proponent and the Aboriginal communities. Relevant groups and individuals to be consulted shall be determined in consultation with NPWS.
70. There shall be no promotion of or public access to Aboriginal sites within the Quarantine Station unless endorsed by the relevant Aboriginal community group/s and NPWS.

71. The proponent will maintain in good condition, and to the same design standard as built unless otherwise agreed with NPWS, the fence installed near the southwest end of Building A14-17 to limit public access to Cannae Point. The location and design of the fence shall not be altered without agreement from NPWS.

Reason: *To ensure that potential impacts on matters of Aboriginal Cultural Heritage are avoided, minimised, managed or mitigated, in the public interest.*

Flora and Fauna

General

72. Any fencing or barriers to be provided for maintenance works shall not limit the general movement of fauna across the site. However, areas of specific potential risk to fauna (e.g. open excavation) shall include measures to prevent fauna access (e.g. limited fencing or covers) and/or to allow their egress/escape (e.g. earth ramps).

Reason: *To protect native fauna onsite and to prevent obstruction to native fauna movement across the site*

73. All tree and vegetation management must be in accordance with the Heritage Landscape Management Plan, an approved Asset Protection Zone (APZ) management plan or other NPWS approved site management plan, otherwise it requires separate approval from NPWS.
74. The proponent is responsible for undertaking hazardous tree risk assessments on a regular basis to address potential risk to life and property from falling trees/limbs.
75. Any areas proposed for vegetation clearance or removal are to be surveyed by a suitably qualified person for the presence of hollow-bearing trees and threatened flora, or for habitat, which are to be clearly tagged and identified for retention.

Reason: *To protect flora and fauna onsite and ensure the safe use of the site through maintenance of any APZ.*

76. Cut vegetation (apart from grass clippings) must be moved immediately to the approved waste disposal areas onsite.

Reason: *To avoid, minimise and mitigate fire risks onsite.*

77. NPWS will advise the proponent, in writing, of any species for which their deaths onsite must be reported to NPWS asap and within 24 hours. The proponent must provide NPWS with the species, location and time of discovery.

Reason: *To facilitate monitoring of, and response to, potential impacts on native fauna, including threatened species, onsite, consistent with statutory obligations of NPWS.*

78. No spotlighting is to occur within the site or from the Ferry (if recommenced).

Reason: *To protect and facilitate response to potential impacts on, native fauna, including threatened species, onsite, consistent with statutory obligations of NPWS.*

Long-nosed Bandicoot

79. Grassed areas on the site must be kept in good condition and protected from inappropriate uses (driving, parking etc).

80. No fertilisers or chemicals should be applied to open grassed areas, except where it is essential to the repair and stabilisation of existing eroded areas and is consistent with the provisions of the approved Heritage Landscape Management Plan.
81. Any grasses areas treated pursuant to condition 79 above must be temporarily fenced to prevent and protect foraging bandicoots.
82. If any works undertaken for the activity that result in the loss of, or damage to, Long-nosed Bandicoot foraging habitat then offsets will be required by the proponent as directed by NPWS.

Reason: To avoid, mitigate, manage or offset potential impacts of the activity on native fauna, including threatened species, onsite, consistent with statutory obligations of NPWS.

Future measures – Long-nosed Bandicoot

83. The proponent will provide funding to NPWS to undertake a revised population viability assessment (PVA) for the Long-nosed Bandicoot every 5 years from the commencement date of the activity and for the duration of this determination.
84. The proponent must comply with the adaptive management measures for road mortalities as detailed in Schedule 5.
85. If the NPWS monitoring of bandicoot activity and use of foraging habitat indicates a statistically significant reduction in bandicoot numbers or utilisation of the lease area then NPWS may direct the proponent to implement additional measures, including adaptive management measures, after discussions with the proponent and their relevant consultants.
86. Based on the revised PVA, the provisions of any adopted recovery plan for the Long-nosed Bandicoot population and following consultation with the proponents, NPWS may revise the adaptive management measures. The proponent shall ensure that the undertaking of the activity complies with any revised measures.

Reason: To protect and manage the population of Long-nosed Bandicoots onsite, consistent with statutory requirements.

Little Penguin

87. All Little Penguin sightings within the lease area and on Quarantine Beach must be reported to the NPWS Quarantine Station Environmental Manager, or delegate, as soon as possible.
88. The proponent must maintain the permanent barrier fencing (that maintains access for penguins), installed prior to the commencement of this determination, to actively discourage human access to Little Penguin habitat. The fences to be maintained are:
 - (a) the northern end of Quarantine Beach, in the vicinity of the mean high-water mark. This fence shall include signage to indicate that no access along the rocky foreshores is permitted;
 - (b) the southern end of Quarantine Beach, in the vicinity of the cliff-line and water's edge adjacent to the concrete slipway (W1/A13a). This fence shall include signage to indicate that no access along the rocky foreshores is permitted; and
 - (c) the fence along the western edge of the existing drain adjacent to Building A6. Maintenance activities include the establishment of dense plantings on both sides of the current fence.

To avoid adverse visual or cultural impacts, any fences subsequently needing replacement shall be constructed of suitable materials and to the minimum height

and scale necessary to discourage human access in consultation with NPWS. It is not required that the fences be human-proof (e.g. cyclone fencing).

89. The proponent must retain and maintain as per the original location and design, the fence installed near the southwest end of Buildings A14-17 to limit public access to Cannae Point.
90. The proponent must install suitable noise and light barrier(s) in the Boilerhouse Restaurant precinct, as recommended in the Species Impact Statement (écologique 2024) and the Acoustic Environmental Impact Assessment (AKA Acoustic 2024). The proponent must complete a separate application and obtain approval from NPWS and HNSW (if required) and be installed within 12 months of the commencement of this determination.
91. The proponent must ensure that the lighting within the outdoor area of the Boilerhouse Restaurant precinct corresponds with the *National Light Pollution Guidelines for Wildlife* (DCCEEW, May 2023).

Reason: *To reduce impacts from the operations of the Quarantine Station, and in particular the Boilerhouse Restaurant on Little Penguin habitat areas adjacent to the restaurant and the adjacent beach area.*

92. Between sunset and sunrise in the breeding season (July to February inclusive) the proponent shall provide temporary moveable signage, with appropriate temporary lighting if necessary, on Quarantine Beach. The signs are to be located on the beach above the mean high-water mark in the approximate vicinity of the intersection of buildings A6 and A7. The signs are to advise visitors that access beyond the signs to the northern part of the beach is not permitted at night, to minimise potential impacts on wildlife.

Note: *NPWS will provide the signs to be installed on Quarantine Beach.*

Reason: *To reduce impacts of the activity on native fauna, including the Little Penguin population.*

Monitoring – Little Penguin

93. The proponent will provide annual funding to NPWS to assist in the on-going implementation of any monitoring programs established as part of the Little Penguin Recovery Plan. The contribution will be adjusted annually to reflect changes in the Consumer Price Index.
94. In the event that any monitoring program under the Little Penguin Recovery Plan ceases to operate during the life of this determination, the proponent shall be responsible for developing, implementing and funding a monitoring program that specifically monitors the potential impacts on Little Penguins generated by activities within the site.

Reason: *To facilitate avoidance, mitigation, management of impacts on the Little Penguin population, consistent with statutory requirements.*

Future measures – Little Penguin

95. The proponent will provide funding to NPWS to undertake a review of the long-term monitoring data and to provide recommendations on the long-term sustainability targets for the Quarantine Station Little Penguin population every five years from the commencement date of this determination.
96. The proponent must comply with the adaptive management measures detailed in Schedule 4.

97. Based on the revised monitoring and long-term sustainability targets and following consultation with species experts regarding the Little Penguin population, NPWS may direct the proponent to implement additional adaptive management measures after discussions with the proponent and their relevant consultants.

Reason: *To protect and manage the population of Little Penguins.*

Marine Environment

98. The proponent must maintain all existing measures to restrict or discourage private boat mooring in the immediate vicinity of the site particularly in relation to the “patchy seagrass” area off Quarantine Beach, noting that the provisions of the critical habitat declared for the Little Penguin population take precedence over any other measures.
99. The proponent shall continue to monitor the density, condition and extent of seagrass beds in the wharf area in consultation with DPI Fisheries, unless DPI Fisheries determines that this monitoring is no longer required. Monitoring must be undertaken by a suitably qualified marine ecologist, and monitoring reports provided to NPWS and DPI Fisheries.
100. Prior to re-commencement of vessel services to the site, the proponent must consult with DPI Fisheries to determine any changes in monitoring requirements.

Reason: *To minimise and mitigate impacts on the seagrass beds and other marine environment associated with the approved activities.*

Pest and weed control

101. The proponent will continue to implement the pest and weed responsibilities allocated to them in the endorsed Predator and Pest Control Plan to minimise the risk of pest and weed impacts across the site.
102. The proponent shall continue on-going consultation with the NPWS regarding any pest or weed control measures to be applied, including pest control in and around buildings and weed maintenance.
103. The 5-year review and update of the Plan shall be undertaken in consultation with NPWS. The updated Plan must be submitted to NPWS for approval.

Reason: *To reduce the risk of weed invasion and to minimise biodiversity impacts.*

Environment and Heritage Management Plan (EHMP)

104. The proponent shall continue to implement the EHMP.
105. The five-year review and update of the EHMP, or its successor documents, must be done in consultation with NPWS to incorporate revisions to relevant site-wide strategies, plans and the results of the integrated monitoring program.
106. The proponent must comply with all measures identified in the approved EHMP. The plan must detail the environmental management procedures to be applied during the ongoing operations including, but not limited to, the following components:
- (a) location of activity areas, including no-go zones;
 - (b) locations of and measures to protect areas of environmental sensitivity;
 - (c) measures to protect historic heritage;
 - (d) measures to protect Aboriginal Cultural Heritage;
 - (e) visitor management;

- (f) weed, pest and pathogen management;
- (g) water quality monitoring and protection;
- (h) noise and air quality management;
- (i) geotechnical issues;
- (j) landscaping and rehabilitation;
- (k) visual amenity;
- (l) environmental safeguards, including water pollution controls, erosion and sediment controls, waste management, and management of hazardous substances, storage of fuels and chemicals onsite;
- (m) management of onsite asbestos-containing materials;
- (n) hazards and risks and public safety including security;
- (o) site induction and training arrangements;
- (p) site monitoring, inspection and reporting;
- (q) contact protocols outlining procedures and any notifications to be given, together with contact details for the NPWS Environmental Manager; and
- (r) protocols for incidents and emergencies and contingency planning, including incident reporting pathways and locations of spill kits and trained staff on site.

Reason: *To minimise the potential risk of impacts to values on site and to provide detailed site-specific guidance to minimise impacts from the activity.*

Soil

- 107. Prior to any works being proposed and/or commenced in areas of potential contamination, the proponent must submit to NPWS a preliminary investigation prepared in accordance with the "Managing Land Contamination: Planning Guidelines" (DUAP & EPA 1998) or any revised approved guidelines. After considering the assessment, NPWS may require the proponent to undertake a detailed site investigation in accordance with the Guidelines and/or undertake any necessary remediation work.
- 108. The proponent shall continue to implement the erosion and sedimentation control plan for all works that involve ground surface disturbance prepared in accordance with the guideline "Managing Urban Stormwater: Soils and Construction, Volume 1" (Landcom, 2004), and as approved by NPWS for the Quarantine Station.

Note: *that prior to any ground disturbance, the Aboriginal Cultural Heritage Due Diligence Code of Practice must be applied.*

- 109. The proponent shall undertake regular inspections of temporary and permanent erosion and sedimentation control devices during the undertaking of any works involving ground surface disturbance, should such works be approved by NPWS.

Reason: *To ensure topsoil and contaminated soil is managed appropriately.
To ensure appropriate management of stormwater and to minimise the risk of environmental harm associated with erosion and sedimentation.*

Noise

- 110. Noise, including music, on the site shall be managed on the following basis:

- (a) any noise generated by the activity shall not exceed the LAeq noise level of 50 dB(A) as measured up to 20 metres away from any edge of the building in which the noise is being generated;
 - (b) outdoor amplification may only occur during the day period and must not exceed LAeq noise level of 50 dB(A) as measured up to 50 metres away from the source of amplification or, if closer, at any point along the existing fence line (as at 2017) to the Quarantine Beach area or along the Little Penguin habitat protection fence as described in condition 88(c); and
 - (c) dining music in the outdoor eating area adjacent to the Boilerhouse Restaurant (Building A6) during the evening and nighttime period should be barely audible (less than background +2Db) and is not permitted at any time from May to February (inclusive).
111. Outdoor music equipment and systems (PA's, live entertainment systems) in the Boilerhouse outdoor eating area must be located more than 5 metres away from Little Penguin habitat protection fences and all loudspeakers must be aimed away from these fences.
112. The proponent will ensure that approved operational noise levels are met at all times during live events. This includes noise generated by site visitors. A suitable Sound Level Meter will be employed by the proponent or its venue staff during each event's setup/soundcheck to confirm that the system output levels used by musicians do not exceed noise limits.
113. The proponent will ensure that all permanent acoustic systems are controlled by a noise limiter to prevent maximum noise emissions (under operational conditions) exceeding 50dB(A).
114. The proponent will enable NPWS to install permanent noise monitoring equipment onsite. The proponent will ensure that they check any noise monitoring data that is made available to them by noise monitoring devices installed by NPWS.

Reason: *To minimise potential noise impacts on biodiversity and to maintain amenity on site.*

115. The proponent is to implement the data collection activities recommended in its Acoustic report entitled "Acoustic Environmental Impact Assessment: North Head Quarantine Station" prepared by AKA Acoustics Pty Ltd dated 10 July 2024, as specified in section 2.3.2 of that report.
116. Even if relevant industry and technical standards for noise management are met, NPWS may direct the proponent to take appropriate measures to reduce or alter noise levels, or to implement measures earlier than the time-frames specified in condition 110), after considering monitoring information from fauna monitoring, including for the Long-nosed Bandicoot and Little Penguin populations, and members of the public. The proponent shall comply with any such directions.

Note: *Noise conditions may be amended to reduce restrictions if updated data and evidence supporting it becomes available in the future through a modification process.*

Reason: *To mitigate noise impacts on the surrounding environment and neighbours.*

Transport and Access

117. Travel and access to the site must be managed in a manner consistent with the Quarantine Station Site Travel and Access Plan.
118. The Site Travel and Access Plan must be revised within 12 months to address current and proposed access methods to the site without a ferry. The revised plan

must include updated traffic and access survey data and align with the consent conditions..

119. The Site Travel and Access Plan referred to above is to then be reviewed and updated by the proponent every 5 years and submitted to NPWS for approval.

Reason: *To ensure that the potential impacts of travel to the site, including in relation to site accessibility, are managed or mitigated, and is responsive to market demand.*

120. The 15 km/h speed limit for all vehicles within the site shall be maintained and compliance conducted regularly by the proponent.
121. All traffic calming devices installed on the site will be maintained, including those along the following roads:
- (a) from A26 to CP5;
 - (b) from S12 to S5; and
 - (c) from A26 to A23 (no traffic calming devices are required between S15 and P13).
122. All traffic calming devices, including any new required devices, shall be in accordance with endorsed design standards, spaced at appropriate distances apart and sign-posted with the speed limit (15 km/h) and Long-nosed Bandicoot warning/awareness signs.
123. Vehicle access to the site is to be managed by an entrance boom gate that only opens when triggered by approved staff or contractors.
124. There will be no access to the site except for:
- (a) vehicles transporting disabled visitors;
 - (b) vehicles driven by representatives of the proponent, service providers and contractors;
 - (c) visitors and guests being transported by shuttle-bus, people-mover or some other form of low-scale public transport (not large buses or coaches);
 - (d) emergency vehicles;
 - (e) government agency employees;
 - (f) access to CP5 or approved cottage parking spaces by guests staying overnight in those cottages; and
 - (g) overflow parking (as per condition 126).

Reason: *To reduce the potential impact of traffic on the site and to protect heritage and environmental assets and values on the site and to ensure safe operation of the activity.*

Vehicle Parking

125. On-site car parking shall only occur as follows:
- (a) CP1 – may provide up to 120 vehicle spaces to be used by day visitors, overnight guests and staff (if necessary);
 - (b) CP5 – may provide up to 56 vehicle spaces to be used by staff and overnight guests but no day visitors;
 - (c) existing administration car park (opposite S1) – may provide short-stay parking;

- (d) cottage carparking for overnight guests in approved and specifically identified parking space only (subject to addition information being submitted and approved by NPWS – see schedule 3); and
- (e) overflow parking as per condition 126.

There shall be no vehicle parking outside of the above areas, except for very short-term parking of up to 15 minutes for service providers and contractors on existing formed roads.

There shall be no vehicle parking on any grassed area at any time within the site.

126. Overflow parking may be provided as follows:

- (a) as part of up to 6 approved special events per year (condition 38);
- (b) total overflow parking at any one time shall be limited to up to 50 vehicles and shall be entirely restricted to formed road surfaces (i.e. not grassed areas), between building S14 and the first road junction immediately south-west of the upper reservoir; and
- (c) as long as there is onsite traffic management during the overflow parking events to ensure no parking outside of the approved area (especially no driving or parking on grass).

Reason: To protect and mitigate potential impacts of the activity on heritage and biodiversity assets and values of the site.

Car Park Maintenance

127. The proponent shall ensure that car parks are maintained in accordance with the following design principles:

- (a) designated disabled car parking spaces must be provided onsite in accordance with relevant Australian Standards, the Building Code of Australia (BCA) and in compliance with the Disability Discrimination Act 1992;
- (b) secure parking for at least 10 bicycles, plus parking for motorcycles, shall be provided at CP1 (such parking may also be provided at CP5);
- (c) the internal area of car parks shall be generally devoid of any vegetation (with the exception of existing threatened species or communities) that may harbour or provide a foraging resource for fauna (especially Long-nosed Bandicoots);
- (d) vegetation (using local native species) shall be planted and maintained to screen CP1 and CP5. The vegetation screens shall allow for the movement of fauna;
- (e) car parks shall not be enclosed by fencing that may trap individual fauna i.e. gaps of sufficient dimensions to allow passage by fauna will be provided between and/or under any barriers;
- (f) sufficient low-level lighting shall be provided in the car parks to allow drivers to detect fauna; and
- (g) the eastern boundary of CP5 shall be defined by fencing that prevents vehicle access and discourages human access to the adjoining area of Eastern Suburbs Banksia Scrub.

Reason: To ensure the carparks are adequately maintained in order to meet statutory and safety requirements and to protect the environment.

Shuttle Bus

128. The proponent shall provide a shuttle bus service to transport any site visitors between the Manly Town Centre and Quarantine Station. The shuttle bus shall:

- (a) have a minimum capacity of 12 persons per trip;
- (b) provide a minimum of 3 trips to and from the site (total 6 trips) per day on weekends and public holidays during peak periods of visitor activity. Preference is also to be given to operation of the shuttle bus service during periods of peak night visitation and activity for the Long-nosed Bandicoot.

Reason: *To reduce the potential impacts of traffic on the heritage and environmental assets and values of the site through provision of an alternative car free method for visitors to access the site and surrounding local area.*

Public access

129. The proponent will allow the public to have access to all parts of the lease area which have been provided for the use of and enjoyment by the public. The proponent may limit public access to parts of the lease area where this access might prevent the proponent from providing reasonable protection to items in these areas or may prevent the proponent from ensuring public safety and the good behaviour of persons.

Reason: *To ensure ongoing public access to the site, whilst ensuring public safety in areas of operation.*

Water based access

130. The proponent is to investigate all options for recommencement of the ferry service in consultation with NPWS, Transport for NSW and any other applicable parties.

131. Any water-based access to the wharf shall not commence until Transport for NSW approves the use of the Quarantine Station wharf.

Reason: *To provide alternative transport access options to the site, consistent with its heritage values, for the public, to mitigate potential traffic impacts.*

Fire Management

General

132. The proponent shall also undertake the following fire safety measures:

- (a) all buildings are to be maintained to BCA standards for fire safety (or an acceptable alternative);
- (b) the proponent must comply with any requirements of the Annual fire safety statements;
- (c) the fire hydrant system is to be maintained to meet Fire and Rescue NSW standards;
- (d) the proponent shall ensure that the fire measures detailed in the Emergency and Evacuation Plan (see above conditions 55-57) are in place and functioning; and
- (e) the proponent shall comply with the terms of any fire safety order issued by or on behalf of NPWS.

133. Timber buildings, including areas under those buildings, shall not be used for the storage of fuel or other flammable materials including cut vegetation.

Reason: To mitigate safety and public liability risks, and/or mitigate potential impacts to fabric or property on the site.

Bushfire

134. An updated Bushfire Risk Assessment Report must be undertaken by a BPAD Level 3 accredited bushfire consultant every five years to ensure that any changes in legislation or risk are addressed. This updated report must be endorsed by NPWS.
135. The development of an APZ implementation and maintenance regime is only to occur after discussions with NPWS. The proponent must maintain any APZ areas as directed by NPWS.

Reason: To mitigate bushfire risks across the Quarantine Station site.

Waste

136. Waste generated at the site must be managed in accordance with the Protection of the Environment (Waste) Regulation 2014 and any approved waste management plans or environmental management plan.

Reason: To ensure appropriate waste management.

Monitoring and Auditing

Site monitoring and reporting

137. Within 6 months of the commencement date a revised integrated monitoring program for the activity shall be prepared by the proponent and submitted for approval of NPWS. The program shall be prepared in consultation with NPWS, HNSW and other relevant authorities. Implementation of the program shall commence no later than three months from the date of approval of the program.
138. The primary aim of the revised integrated monitoring program shall be to monitor over time the effects of the activity on the significance of the Quarantine Station site and immediately adjoining areas (such as Quarantine Beach and the Wharf), and to identify, develop and implement strategies to respond to any adverse impacts identified. The integrated monitoring program shall be implemented for the life of the activity and shall address:
- (a) the feature or issue to be monitored;
 - (b) how the monitoring will be undertaken (e.g. methods) and who will undertake this work;
 - (c) frequency of monitoring; and
 - (d) a process for reviewing the results of monitoring and identifying measures to be implemented to respond to impacts, and/or to meet the requirements of the approval.
139. The revised integrated monitoring program shall include, but is not limited to, the following matters:
- (a) visitor access information (number and type of visitor);
 - (b) number and dates of special event days;

- (c) non-Aboriginal heritage – including the condition of buildings and structures, landscape features, moveable heritage and conservation works progress;
 - (d) impacts to Aboriginal Heritage;
 - (e) flora and fauna - including general monitoring;
 - (f) soil and erosion;
 - (g) noise;
 - (h) stormwater management, including water quality;
 - (i) infrastructure – consumption and capacity;
 - (j) waste management;
 - (k) staff and contractor training – including induction programs and emergency training condition; and
 - (l) any other impacts identified as part of the analysis of monitoring reports and trends collected over time.
140. On the basis of the outcomes of the integrated monitoring program, the proponent shall, subject to any other approvals required, use an adaptive management system as approved by NPWS, to adjust the undertaking of the activity to conserve the significance of the site.
141. As part of the annual environmental report (condition 143) and comprehensive audit (condition 146), the proponent shall provide a monitoring report outlining results from the integrated monitoring program.
142. The proponent shall undertake a regular review and update of the overall integrated monitoring program concurrent with or prior to the ongoing comprehensive audits of the activity (condition 146). The review and update shall be undertaken in consultation with the relevant authorities. The revised program must be submitted to the NPWS for approval.

Reason: *To facilitate management and mitigation of potential impacts of the activity in order to protect and conserve the assets and values of the site.*

Annual Environmental Report

143. An annual environmental report for the activity shall be prepared by the proponent and submitted to NPWS, HNSW and the QSCCC for comment within 2 months of the annual monitoring being completed. The format of this report shall be in a template either provided by or approved by NPWS.
- Note: The first monitoring report will be due in 14 months with each annual report due every 12 months after that to allow for the annual reporting to follow the calendar year.*
144. The annual environmental report shall:
- (a) state how the proponent has complied with approval conditions;
 - (b) include the outcomes of the annual monitoring report (condition 141);
 - (c) state any measures taken or proposed by the proponent to respond to issues arising from:
 - the integrated monitoring program
 - consultation with the community; and
 - (d) state any recommendations from the proponent regarding the undertaking of the activity, if considered necessary.

145. The proponent shall take all reasonable steps to comply with any requirements of the NPWS, HNSW, DPI Fisheries and Waterways Authority in regard to the outcomes of the annual environmental report. The proponent shall also consider the recommendations and comments from the QSCCC and provide a response to the Committee.

Reason: To facilitate management and mitigation of potential impacts of the activity in order to protect and conserve the assets and values of the site.

Comprehensive Audit

146. A comprehensive audit of the activity shall:
- (a) be prepared by a suitably qualified, experienced and independent person in accordance with the timeframes specified in condition 146(b), for the duration of the activity;
 - (b) be conducted every 5 years after the commencement date, although this may be adjusted if agreed by NPWS;
 - (c) be consistent with ISO 14010 – Guidelines and General Principles for Environmental Auditing and ISO 14011 – Procedures for Environmental Auditing, or updated versions of these; and
 - (d) the proponent shall meet the cost.
147. The audit shall address, but not be limited to:
- (a) the environmental performance of the activity and its effects on the environment;
 - (b) compliance by the proponent with the approval conditions;
 - (c) the adequacy of the integrated monitoring program and EHMP;
 - (d) the adequacy of measures taken or proposed by the proponent to respond to issues arising from:
 - the integrated monitoring program; and
 - consultations with the community;
 - (e) consideration of the key impact predictions made in the REF using information from the integrated monitoring program; and
 - (f) any other matters considered necessary by the NPWS, HNSW, Waterways Authority, DPI Fisheries and the QSCCC.
- The audit report may recommend measures or actions to improve the environmental performance of the activity and/or its environmental management and monitoring systems, if these are considered necessary.
148. A draft comprehensive audit report shall be submitted by the auditor to the proponent, NPWS, HNSW, Waterways Authority, DPI Fisheries and the QSCCC for comment. These organisations shall have 6 weeks to provide comment. An extension of the timeframe for comments may be agreed between the relevant organisation(s) and the auditor.
149. The auditor shall consider comments received from the organisations listed in condition 148 and prepare and submit a final audit report to proponent, who will then submit to NPWS. If NPWS, and/or the proponent consider that significant revisions to the undertaking of the activity or mitigative measures are required to protect the significance of the site, any such proposed revisions will be submitted to NPWS. The proponent shall comply with any directions of NPWS.

Reason: To facilitate management and mitigation of potential impacts of the activity in order to protect and conserve the assets and values of the site.

Public Information

150. The proponent will ensure that all final reports, reviews, plans and monitoring data referred to in the conditions of consent are made publicly available, with the exception of material that is commercially sensitive or contains sensitive information regarding Aboriginal heritage or the location of threatened species and/or their habitat.

Reason: To ensure transparency of operations to the community, consistent with NSW Government's Charter for Public Participation, and its Principles for Public Participation.

Advertising

151. The use of laser or neon lighting (with the exception of emergency lighting), food or beverage vending machines, and commercial advertising signage on the site is not permitted without additional approval from both NPWS and HNSW.

Reason: To minimise visual impacts.

Integrated Planning

152. The proponent shall consider any cross-tenure integration of visitor services in North Head in any future amendments of the proponent operations.
153. With the exception of minor maintenance repairs or works (as defined) or works in accordance with these conditions, prior to undertaking any works associated with the provision of water and sewer services to the site the proponent shall consult Sydney Water and obtain a Section 73 Certificate under the *Sydney Water Act 1994* as well as any other applicable approvals including under the NPW Act.

Reason: To facilitate the effective management of operations on the site including mitigation of potential impacts.

Schedule 2 Elements of Activity NOT APPROVED

Note: Schedule currently blank however retained in case of requirement for future modification applications.

Schedule 3 Elements of Activity that require further information

1. **Cottage carparking:** The proposed formalisation of cottage carparking requires the submission to and approval by NPWS, of a scope of works that outlines what works (if any) are required at each cottage to formalise the parking. The scope of works must include the following:
 - photo and short description of existing and/or proposed car parking spot(s) for each cottage;
 - a description of works, methods and materials if any physical works are required;
 - any environmental impacts and the measures to minimise or mitigate these impacts if physical works are required;
 - practices to ensure that no other damage to surrounding grass occurs; and
 - Aboriginal Cultural Heritage Due Diligence assessment for each parking site that requires any ground disturbance.

Once the submission has been received NPWS will advise if any further assessment or information is required and if consent is given for the proposal.

Schedule 4 Little Penguin Adaptive Management

Trigger 1

1. If monitoring indicates that the number of active Little Penguin breeding burrows between Cannae Point and the southern end of Store Beach has significantly decreased¹ over two successive breeding seasons² (July to February inclusive), and NPWS is satisfied that such decreases are either fully or partially related to the activity, NPWS may direct the proponent to implement appropriate measures.

The measures may include, but not be limited to:

- (a) a reduction in the number of lights and their intensity in the Wharf Precinct, particularly in the vicinity of the restaurant in A6;
- (b) the provision of acoustic barriers in the vicinity of the restaurant at night, especially the outdoor eating area;
- (c) cessation of outdoor dining in the vicinity of the restaurant in A6 at night during the breeding season (or all year round);
- (d) restrictions on ferry movements, such as a set period either side of sunset or no movements between sunset and sunrise; and
- (e) the provision of alternative public transport to the site during times when ferry movements are restricted.

If further on-going monitoring indicates that the number of active Little Penguin breeding burrows in this area continues to decrease over subsequent breeding seasons, NPWS may direct the proponent to implement further measures.

2. The proponent shall comply with any directions issued by NPWS in accordance with clause 1. Any measure required to be implemented may be reversed or altered with the approval of NPWS if monitoring indicates that the number of active Little Penguin breeding burrows for the population has increased over 2 successive breeding seasons.
3. If Little Penguin deaths occur in the vicinity of the site as a result of matters reasonably beyond the control of the proponent (such as predator attacks, oil spills, etc), the number of active breeding burrows considered for the purposes of clause 1 may be adjusted in consultation with NPWS to account for such impacts (eg. To account for the likely impact of predator related deaths on lowering the number of active burrows).

Trigger 2 – potentially catastrophic events

1. If information becomes available that indicates a significant reduction³ in the size of the Little Penguin population or a significant change to the behaviour of the population within a period of less than 2 successive breeding seasons, and NPWS is satisfied that the activity is likely to have contributed to that decline or change, NPWS may direct the proponent to implement

¹ Statistically significant is defined as the 5% probability level

² Assessed on an annual basis for the preceding two breeding seasons as part of the annual environmental audit – see condition 143.

³ Statistically significant is defined as the 5% probability level

appropriate measures. These may include, but are not limited to, the measures specified in Trigger 1.

2. The proponent shall comply with any directions issued by NPWS under clause 1. Any measures required to be implemented may be reversed or altered with the approval of NPWS.

Schedule 5 Long-nosed Bandicoot Management

Monitoring Requirements

1. The following specific elements shall be monitored by the proponent in addition to the annual contribution to the ongoing implementation of any monitoring programs established as part of the Long-nosed Bandicoot Recovery Plan.

Element	Timing	Methods
Deaths of Long-nosed Bandicoots in other locations (not roadside).	To continue from the commencement of this consent and for the duration of the consent.	1. Any Long-nosed Bandicoot deaths are to be reported to NPWS as per condition 77. Location, date and time must be provided and age (adult or juvenile – if possible). 2. Capture a photo of the animal and send to NPWS 2. Opportunities are to exist for the public to provide notification of deaths that can be verified by a dead specimen or adequate photographic evidence.
Deaths of Longnosed bandicoots attributable to vehicles. <i>Note: Road-deaths are taken to include any bandicoot remains identified on or next to any internal Quarantine Station roads.</i>	To continue from the commencement of this consent and for the duration of the consent.	1. General monitoring of internal roads during day-to-day operations by staff using these roads. 2. All other methods above for general deaths of Long-nosed Bandicoots must be adhered to.

Road Mortality Adaptive Management

Boundary of road mortality monitoring

For the purposes of applying the following trigger mechanisms, Long-nosed Bandicoot road mortalities are those adult mortalities recorded in accordance with the methods specified in the above monitoring requirements for all internal roads of Quarantine Station.

Trigger 1

If the level of private vehicle traffic generated by the proposal increases 10% above the projected levels⁴ measures shall be introduced to reduce traffic volumes to below these levels and as close as possible to the original projections. Trigger 1 will apply regardless of whether the following triggers have been reached and vice versa (eg. Trigger 2 could occur first, with Trigger 1 occurring at a later stage).

⁴ Levels as outlined in the Site Travel and Access Plan to be updated within 12 months.

Trigger 2

If in any 6-month period⁵ there are 2 recorded adult road mortalities above the background level then the proponent must implement the following measures, unless otherwise agreed by NPWS:

- (a) Seek approval from NPWS to install additional traffic calming devices and signage at appropriate locations within the site as informed by the mortality register; and
- (b) Reduce the frequency and alter the timing of functions, conferences and activities (eg. Scheduling finishing times of activities to minimise traffic leaving or arriving at the site after sunset). This measure may be reversed with approval from NPWS if adult road deaths return to less than 2 above the background level for 6 consecutive months.

Trigger 3

If the measures in Trigger 2 above have been applied and adult road mortalities continue to exceed 2 deaths above the background level for a further 6 months then the proponent shall also implement the following measures, unless otherwise agreed by NPWS:

- (a) Implement a sunset-to-sunrise curfew for overnight guest and day visitor private vehicles arriving at or leaving the site (including CP1 if at least half the mortalities have occurred outside of the site). During the curfew:
 - The shuttle bus may continue to run from A26 to areas within the site; and
 - Staff may continue to access and park in CP5 at all times; and
- (b) Provide a night shuttle bus service between Manly and the site (or some other means of public transport).

The curfew must be implemented within 2 weeks of the 6-month mortality information becoming available. The curfew may be lifted, and the shuttle bus service concluded with approval from NPWS once adult road mortalities return to less than 2 above the background level for 6 consecutive months.

Trigger 4

If the measures in Trigger 3 above have been applied and adult road mortalities continue to exceed 2 deaths above the background level for a further 6 months then the proponent shall also implement the following measures, unless otherwise agreed by NPWS:

1. Implement a total day and night ban on all guest and visitor private vehicles entering the site. During the ban:
 - (a) The shuttle bus may continue to run from CP1 to areas within the site; and
 - (b) staff may only park in CP1 (with no restrictions on timing).
2. Provide a day and night shuttle bus service between Manly and the site (or some other means of public transport).

The ban must be implemented within 4 weeks of the 6-month mortality information becoming available. The ban and associated restrictions may be lifted with approval from NPWS once adult road mortalities return to less than 2 above the background level for 12 consecutive months.

⁵ Calculated monthly on a rolling basis, i.e.. Jan to June, February to July, March to August, etc.

Trigger 5 – potentially catastrophic events

If there are 10 adult road mortalities or more in any 1-month period or 15 or more in any consecutive 3-month period, then all the measures identified in Triggers 2, 3 and 4 shall be implemented, unless otherwise agreed by NPWS. Where these are inconsistent, the more restrictive of the measures is to apply.

The measures must be implemented within 2 weeks of the mortality information becoming available. The measures may only be reversed with approval from NPWS if adult road mortalities are less than the background level for 12 consecutive months.

This schedule may be amended or updated by NPWS with consultation with the proponent and the proponent's relevant consultant(s).

Definitions

In this document unless the contrary intention appears:

AS means the Activity Statement to be submitted by NHS (condition 3).

Adaptation means modifying a place or item to suit compatible uses.

APZ means Asset Protection Zone.

BCA means Building Code of Australia.

BPAD means Bushfire Planning and Design.

Commencement date means the date identified in paragraph 1 of the determination conditions issued with this Decision Statement.

Conservation means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may according to circumstance include preservation, restoration, reconstruction and adaptation and may commonly be a combination of more than one of these.

CP means Car Park.

Day means the period from 7am to 6pm Monday to Saturday and 8am to 6pm on Sunday and public Holidays.

dB means Decibel.

dB(A) means A-weighted Decibel, also known as dBA, which is an expression of the relative loudness of sounds as perceived by the human ear.

DCCEEW means Department of Climate Change.

Energy, the Environment and Water.

Decision Statement means this Decision Statement dated 20/12/2024, including the determination and conditions.

DPI means Department of Primary Industries.

DPI Fisheries means the Director of NSW Fisheries, or a delegated officer, unless otherwise specified.

DUAP means the former NSW Department of Urban Affairs and Planning.

Emergency Works means works which are urgently required, as a result of an unforeseeable incident or suddenly natural event, to arrest an imminent threat to life, public health, safety, public liability, the environment and/or threat of significant impact to fabric or property. These works are usually temporary and reversible.

EHMP means Environment and Heritage Management Plan (formerly EMP).

EMP means Environmental Management Plan.

EO means Environmental Officer.

EPA means the NSW Environmental Protection Agency.

EPBC Act means the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999*.

Evening means the period between 6pm to 10pm.

Fire Safety Order means an order which requires the proponent to:

- (a) carry out works to a standard to rectify any deficiencies with respect to fire safety; and
- (b) prepare plans and specifications of the work considered necessary to comply with the Fire Safety Order and to submit these for approval prior to the carrying out of that work.

HNSW means Heritage NSW.

IMAMS means Integrated Monitoring and Adaptive Management System.

ISO means International Standards Organisation.

LAeq means Equivalent Continuous Sound Pressure Level.

Lease means:

- (a) the lease of the Quarantine Station dated 26 October 2006 between the Landlord, Mawland and Maxwell Player Registered No. AC928975 as varied by
 - i. the Deed of Variation of Lease dated 2 February 2012 between the Landlord, Mawland and Maxwell Player Registered No. AG798182;
 - ii. the Deed of Variation of Lease of Quarantine Station, Sydney Harbour National Park, North Head Scenic Drive, Manly NSW 2095 dated 13 October 2017 between the Landlord, Mawland and Maxwell Player Registered No. AN102016;
 - iii. the Variation of Lease dated 30 August 2022 between the Landlord, North Head and Glenn Piper Registered No. AS505489; and
 - iv. any other document or agreement entered into to amend, vary or supplement the Lease; and
- (b) any Option lease.

Lease Area means the whole of the lands identified in the Lease.

Maintenance means the continuous protective care of the fabric, contents and setting of a place and is to be distinguished from repair.

Minor maintenance repairs means, for the purposes of this activity, repairs to or involving the replacement of missing or deteriorated fabric to match the existing fabric in all respects.

Minor maintenance works means minor works that provide for the continuous protective care of building, structure or landscape element without causing any damage or change to the existing fabric. For the purposes of this activity, it covers the following works:

- (a) cleaning generally, as well as cleaning out gutters, drainage systems and other water storage and drainage areas;
- (b) re-securing loose elements of roofs, doors, windows, timber work and decorative features in an original manner;
- (c) re-securing fences;
- (d) minor servicing of equipment, such as components with moveable parts requiring lubrication;

- (e) re-wiring of existing electrical services, basic plumbing repairs replacement of washers / valves);
- (f) landscape maintenance such as weeding, lawn-mowing and watering necessary for the continued growth of existing plants. It does not include alterations to layout, structures, plant species or other significant features; and
- (g) emergency tree safety surgery by a qualified horticulturist or tree surgeon.

Modification 3 means Modification request received by the Department of Planning and Environment on 14 December 2015 and accompanying documents, including Environmental Assessment and Response to Submissions (MP08 0041 MOD 3).

Moveable heritage means those items defined as moveable heritage in the North Head Quarantine Station Archaeological Management Plan. That is:

- (a) original furnishings in storage, on display or still in use;
- (b) laundry and kitchen equipment;
- (c) boiler and steam engine equipment and accessories;
- (d) medical equipment in the mortuary;
- (e) relocated cemetery headstones;
- (f) the sample collections of historic equipment retained in storage or on display;
- (g) collections of archaeological material and building fabric samples retained for reference (this includes samples collected prior to the activity approval and items removed for sampling purposes and/or during adaptation works as part of the approved activity);
- (h) signage and building fabric stocks, such as quantities of asbestos cement guttering and piping; and
- (i) written records of the NPWS period from 1984, which are held in the resources centre.

NHS means North Head Sydney Pty Ltd, which is the Proponent.

Night means the period from 10pm to 7am on Monday to Saturday and 10pm to 8am on Sundays and Public Holidays.

NPW Act means *National Parks and Wildlife Act 1974*.

NPW Reg means *National Parks and Wildlife Regulations 2019*.

NPWS means the National Parks and Wildlife Service.

NSW means New South Wales.

PA means Public Address system.

Preservation means maintaining the fabric of a place or item in its existing state and retarding

deterioration.

Proponent means North Head Sydney Pty Ltd (NHS).

PVA means Population Viability Analysis.

Quarantine Station means the North Head Quarantine Station.

QSCCC means Quarantine Station Community Consultative Committee.

Reconstruction means returning a place or item as nearly as possible to a known earlier state by removing accretions or by assembling existing components without the introduction of new material.

REF means the Review of Environmental Factors for Ongoing Operations at Q station, prepared by Keylan Consulting and dated July 2024.

Repair means restoration or reconstruction.

Resource Collection means, but is not limited to, the following items: files; reports; film (photographs, slides, video footage, etc); maps; and audio tapes.

SIS means Species Impact Statement.

Site means the area within the proposed lease boundary as shown in Figure 3 of the REF.

Site plans or site-wide plans includes and means any plan listed in table 3 of the determination.

Special Event means a one-day event outside of regular activity. Includes open days, festivals, reenactments etc.

Suitably qualified person is a person who holds qualifications relevant to the matter at hand and:

- (a) has sufficient experience and expertise in the area relevant to the subject matter; and
- (b) if there is a professional association or body in the area relevant to the subject matter, is a member of that association or body; and
- (c) otherwise satisfies any specific requirements prescribed by the NPWS in respect to the subject matter.

Sunrise and **Sunset** mean the times provided on the Geoscience Australia's website ([Geodetic Calculators - Sunrise Sunset](#)) for "Quarantine Beach".

TfNSW means Transport for NSW.