



Government Gazette

of the State of

New South Wales

Number 259 - Planning and Heritage

Friday, 05 July 2024

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Notice of listing Cooma Gaol on the SHR No. 02092 under the *Heritage Act 1977*

In pursuance of section 37(1)(b) of the *Heritage Act 1977 (NSW)*, the Heritage Council gives notice that the item of environmental heritage specified in Schedule “A” has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 2 July 2024 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule B.

The listing takes effect on the date this notice is published in the NSW Government Gazette.

Heritage Council of New South Wales

SCHEDULE A

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

SCHEDULE B

All those pieces or parcels of land known as Lot 2, Section 50, DP 758280 in Parish of Cooma, County of Beresford, shown on the plan catalogued HC 3323 in the office of the Heritage Council of New South Wales.

Exemption Order for Cooma Gaol listing on the SHR No. 02092 under the *Heritage Act 1977*

I, Penny Sharpe, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales dated 4 June 2024, make the following order under section 57(2) of the *Heritage Act 1977* (the Act) granting an exemption from section 57(1) of the Act in respect of the engaging in or carrying out of any activities described in Schedule C by the owner, manager, mortgagee or lessee (or persons authorised by the owner or manager) of the item described in Schedule A on the land identified in Schedule B.

This Order takes effect on the date it is published in the NSW Government Gazette.

Dated this 2 day of July 2024.

The Hon Penny Sharpe MLC

Minister for Heritage

SCHEDULE A

The item known as *Cooma Gaoi* SHR No. 02092, situated on the land described in Schedule B.

SCHEDULE B

The item known as *Cooma Gaoi* SHR No. 02092, located as identified on the plan catalogued HC Plan 3323 in the office of the Heritage Council of New South Wales.

SCHEDULE C

The following specified activities/ works to an item do not require approval under section 57(1) of the Act.

GENERAL CONDITION

These general conditions apply to the use of all the site specific exemptions and must be complied with:

- I. The use of these exemptions are subject to administration and approval from the Department of Communities and Justice Environment and Heritage Planning team or a suitably qualified and experienced heritage professional.
- II. The Department of Communities and Justice Environment and Heritage Planning team must keep records of any activities/ works regarding the use of the site specific exemptions. This may be audited by Heritage NSW at any time.
- III. Where advice of a suitably qualified and experienced professional has been sought, a record of that advice must be kept. Records must be kept in a current readable electronic file or hard copy for a reasonable time.
- IV. A conservation management plan must meet the following conditions:
 - a. It must be prepared by a suitably qualified and experienced heritage professional.
 - b. It must be prepared in accordance with the requirements for a detailed and best practice conservation management plan as outlined in the Heritage Council of NSW document Statement of best practice for conservation management plans (2021).
 - c. It must be consistent with the Heritage Council of NSW documents: Guidance on developing a conservation management plan (2021) and Conservation Management Plan checklist (2021).
 - d. The Department of Communities and Justice Environment and Heritage Planning team must approve it.
 - e. It must be current; prepared within the past 5-7 years.
- V. Works undertaken under these exemptions must be carried out by people with knowledge, skills and experience appropriate to the work (some site specific exemptions require suitably qualified and experienced professional advice/work).
- VI. These exemptions do not permit the removal of relics or Aboriginal objects. If relics are discovered, work must cease in the affected area and the Heritage Council of NSW must be notified in writing in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, assessment and an excavation permit may be required prior to the recommencement of work in the affected area. If any Aboriginal objects are discovered, excavation or disturbance is to cease, and Heritage NSW notified in accordance with section 89A of the *National Parks and*

Wildlife Act 1974. Aboriginal object has the same meaning as in the *National Parks and Wildlife Act 1974*.

- VII. Activities/works that are not included in the exemptions described below require approval by way of an application under section 60 of the *Heritage Act 1977*.
- VIII. It is an offence to do any of the things listed in section 57(1) of the *Heritage Act 1977* without a valid exemption or approval.
- IX. Authorised persons under the *Heritage Act 1977* may carry out inspections for compliance.
- X. These exemptions under the *Heritage Act 1977* are not authorisations, approvals, or exemptions for the activities/works under any other legislation, Local Government and State Government requirements (including, but not limited to, the *Environmental Planning and Assessment Act 1979* and the *National Parks and Wildlife Act 1974*).
- XI. These exemptions under the *Heritage Act 1977* do not constitute satisfaction of the relevant provisions of the *National Construction Code* for ancillary works.
- XII. Activities or work undertaken pursuant to an exemption must not, if it relates to an existing building, cause the building to contravene the National Construction Code.
- XIII. In these exemptions, words have the same meaning as in the *Heritage Act 1977* or the relevant guidelines, unless otherwise indicated. Where there is an inconsistency between relevant guidelines and these exemptions, these exemptions prevail to the extent of the inconsistency. Where there is an inconsistency between either relevant guidelines or these exemptions and the *Heritage Act 1977*, the Act will prevail.
- XIV. *The Heritage Manual* (1996, Heritage Office and Department of Urban Affairs & Planning) and *The Maintenance Series* (1996 republished 2004, NSW Heritage Office and Department of Urban Affairs & Planning) guidelines must be complied with when undertaking any activities/works on an item.
- XV. Works undertaken under the exemptions must not adversely impact the heritage significance of the place. This is defined as works which do not damage or despoil fabric or views which contribute to the site's significance.
- XVI. Where exempt activities/ works require fixings to original masonry walls, this should be fixed into mortar joints and must not be fixed into masonry blocks or original window joinery.

EXEMPTION 1: CLEANING

Specified activities/ works:

- (a) The cleaning of an item to retain its condition or operation.
- (b) Cleaning to remove surface deposits, organic growths or graffiti from an item.
- (c) Cleaning significant fabric using accepted conservation methods suitable to the material being cleaned.
- (d) Temporary off-site conservation and cleaning of heritage elements where on-site cleaning and conservation is not possible.

EXEMPTION 2: MAINTENANCE

Specific activities/ works:

- (a) The maintenance of an item to retain its condition or operation, not involving removal of, or damage to, significant fabric.
- (b) Application of protective coatings such as limewash, polish, oils and waxes to an item, not involving removal of, or damage to, significant fabric.

EXEMPTION 3: REPAIR AND RECONSTRUCTION

Specified activities/ works:

- (a) Repair and maintenance of deteriorated, unsafe or collapsed fabric to be undertaken with like-for-like replacement materials where it involves significant fabric, or sympathetic materials where it involves non-significant fabric.
- (b) Reconstruction of missing heritage features to match existing original heritage features (such as doors, windows, lighting etc) based on existing heritage fabric and detailed historical analysis.

EXEMPTION 4: ANCILLARY BUILDINGS

The below exemptions apply to buildings 15, 16, 17, 18, 19, 20, 23, 24, 25, 26, 27, 37, 38, 39, 40, 43 and 200 on the site plan for Cooma Correctional Centre dated 19 June 2012, Facility Number 014.

Specified activities/ works:

- (a) All internal works.
- (b) All external works which do not increase the building envelope.
- (c) The change of use of the ancillary buildings as defined above, or spaces within a building, including temporary and additional uses.

EXEMPTION 5: SERVICES, SECURITY AND SAFETY

Specified activities/ works:

- (a) The erection of security fencing, wire, scaffolding, hoarding or surveillance systems to prevent unauthorised access or to secure public safety.
- (b) Install, repair, maintain, remove, relocate or replace fire and life safety systems and security detection and alarm systems. This includes but not limited to:
 - i. smoke detectors, cameras, scanners, sensors, signage, emergency lighting, illuminated exit lights, duress buttons, surveillance systems, equipment related to public safety such as fire hydrants, hose reels, portable wheelchair ramps and cabinets, fire panels, smoke detectors, sprinkler systems, etc.
- (c) Repair, maintain, remove, or replace telecommunication and other communication infrastructure including but not limited to, Wi-Fi systems, aerials, antennas, associated cabling, conduits and communications cabinets and units.
 - i. Installation of new telecommunication infrastructure only where this does not involve a visual impact to the item or result in damage to significant fabric.
- (d) Install, repair, maintain, remove, relocate or replace services essential to, and infrastructure for, operations such as, but not limited to, mechanical, electrical, hydraulic, plumbing and ventilation. This includes associated works such as cabling, conduits, condensers, units, fans, wiring, generators, fixture and fitting, etc.

EXEMPTION 6: TEMPORARY STRUCTURES

Specified activities/ works:

- (a) The construction or installation of temporary structures that support the operation of the gaol including but not limited to hoarding, scaffolding, construction amenities, marquees/ tents, portaloos, shipping containers, performance stages, staging equipment, 'pop-up' special events, staff facilities, portacabins and demountable structures, etc. The temporary structures are permitted within the confines of the boundary walls provided they do not extend above them and are not visible from the public domain.

EXEMPTION 7: EMERGENCY MANAGEMENT ACTIVITIES

Specified activities/ works:

- (a) Any emergency management and response activities which may require immediate and urgent action. The activities/ works must not adversely impact the significance of the item.

EXEMPTION 8: LANDSCAPE AND VEGETATION

Specified activities/ works:

- (a) Weeding (including poisoning of weeds), watering, mowing, manual clearing of paths and drains, top-dressing, pest control and fertilizing.
- (b) Relocation, alteration, renewal or removal of existing garden beds and pots.
- (c) New planting of species sympathetic to the item.
- (d) Pruning to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material.
- (e) Pruning to improve security or views.
- (f) Removal of diseased, dying, dead and/or dangerous trees and/or plant material.
- (g) Tree surgery.
- (h) Removal of non-significant trees.
- (i) Landscaping including installation, repair, maintenance, removal, relocation, or replacement (with like-for-like or sympathetic alternative) of decks, irrigation systems, lighting, flagpoles and paving where this does not disturb known or suspected archaeological relics or Aboriginal objects, guided by an archaeological assessment prepared by a suitably qualified archaeologist.

EXEMPTION 9: NON-SIGNIFICANT FABRIC

Specified activities/ works:

- (a) Removal of intrusive Drug and Alcohol Demountable building within yard walls.
- (b) Modification including repair, maintain, remove, relocate or replace non-significant fabric as defined by a conservation management plan for the site prepared in accordance with the general conditions.
- (c) Install, repair, maintain, remove, relocate, upgrade or replace non-significant security and boundary fencing and gates. Design, height and material of fencing and gates must not adversely impact the significance of the item.
- (d) Alterations and additions to non-significant fabric, including but not limited to repair, maintain, remove, relocate or replace.

EXEMPTION 10: MINOR WORKS WITH LITTLE OR NO ADVERSE IMPACT TO SIGNIFICANT FABRIC

Specified activities/ works:

- (a) Any activities that are of a minor nature that will have little or no adverse impact on the heritage significance of the item. This includes but is not limited to:
 - i. Installation, repair, maintenance, removal, relocation, or replacement (with like-for-like or sympathetic alternative) of elements including but not limited to doors, wall, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials.
 - ii. Installation, repair, maintenance, removal, relocation, or replacement (with like-for-like or sympathetic alternative) of elements including but not limited to awnings, pergolas and storm blinds.
 - iii. Excavation for the purposes of, but not limited to, drainage works, cable laying, water tanks, and/ or erection of posts for signals, lighting, signage, or excavation for service relocation, geotechnical bore holes, hydraulic and soil testing where this does not impact known or suspected archaeological relics or Aboriginal

objects, guided by an archaeological assessment prepared by a suitably qualified archaeologist.

- iv. Installation, repair, maintenance, removal, relocation, or replacement (with like-for-like or sympathetic alternative) of doors, wall, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials.
- v. Installation, repair, maintenance, removal, relocation, or replacement (with like-for-like or sympathetic alternative) of awnings, pergolas and storm blinds.

EXEMPTION 11: INTERPRETATION AND MOVEABLE HERITAGE

Specified activities/ works:

- (a) Maintenance and repair to existing interpretation infrastructure, elements and signage.
- (b) Installation of new interpretation signage or relocation of existing interpretive signs or elements where these are in accordance with an interpretation plan prepared by a suitably qualified and experienced heritage professional and approved by the Department of Communities and Justice Environment and Heritage Planning team.
- (c) Works as required to the collection housed at the Crime Through Time Museum which operates from the site, including but not limited to any collection management activities, deaccession or removal of objects, loans, and the creation of new exhibitions within the museum.