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GRAFTON BASE HOSPITAL ACQUISITION SITE
GRAFTON CORRECTIONAL CENTRE
(SHR#00809)
STATEMENT OF HERITAGE IMPACT

SEPTEMBER 2023

NSW Health Infrastructure



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ABBREVIATIONS

CMP	Conservation Management Plan
CP	Conservation Policy
DCP	Development Control Plan
DP&E	Department of Planning and Environment
EP&A	Environmental Planning and Assessment Act (1979)
HIA	Heritage Impact Assessment
LEP	Local Environmental Plan
LGA	Local Government Area
Proposed Works	Acquisition and enabling works to convert the Arthur Street Gatehouse, Block A and Block B of the former Grafton Correctional Centre for administration, office and training support as part of the Grafton Base Hospital redevelopment, Grafton NSW
SHR	State Heritage Register
SoHI	Statement of Heritage Impact
SOS	Statement of Significance
Study Area	The Arthur Street entrance, Block A and Block B of the former Grafton Correctional Centre at Lot 2 of DP1276261, 185 Arthur Street, Grafton NSW 2460

1. INTRODUCTION

1.1 Project Background

Heritage Management & Planning Pty Ltd has been commissioned by NSW Health Infrastructure to provide a Statement of Heritage Impact (SoHI) for works at the former Grafton Correctional Centre, 185 Arthur Street, Grafton NSW (the Study Area) (see **Figure 1**, **Figure 2** and **Figure 3**). The Study Area comprises the Arthur Street entrance (Gatehouse), Block A and Block B, being part of the Grafton Correctional Centre, which is listing on the NSW State Heritage Register (SHR#00809) and is additionally listed as an item of local heritage significance on the Clarence Valley Local Environmental Plan (LEP) (I109) and the Section 170 heritage register for heritage sites managed by Government departments. The acquisition and enabling works are required to provide administrative, office and training support for the Grafton Base Hospital during major redevelopment works (the Proposed Works).

The objectives of the SoHI are to outline the heritage values of the Grafton Correctional Centre, to consider the impacts of the proposed acquisition and enabling works on the heritage values of the site and to identify any mitigation and management measures required to ensure that the Proposed Works do not result in a significant impact to the heritage values of the Grafton Correctional Centre. The SoHI has been commissioned to support a Development Application to Clarence Valley Council and an application for approval under Section 60 of the Heritage Act (NSW) (1977).

1.2 Methodology

The SoHI has been developed in accordance with the following policies and guidelines:

- *'Guidelines for preparing a statement of heritage impact* (Department of Planning and Environment 2023) (DP&E)
- *Australia ICOMOS Burra Charter* (Australian ICOMOS 2013)
- *Assessing Heritage Significance Guidelines for assessing places and objects against the Heritage Council of NSW Criteria'* (2023), and
- *NSW Material Threshold Policy* (Heritage NSW 2020)

The SoHI includes the following:

- Section 2- description of the site
- Section 3- significance assessment
- Section 4- description of the Proposed Works
- Section 5- heritage impact assessment, and
- Section 6- conclusions and recommendations.

1.3 Authorship

The SoHI has been written by Tim Hill (BA Hons. (1998)) Archaeology and Paleoanthropology, University of New England).



Figure 1: Grafton Correctional Centre - Site location

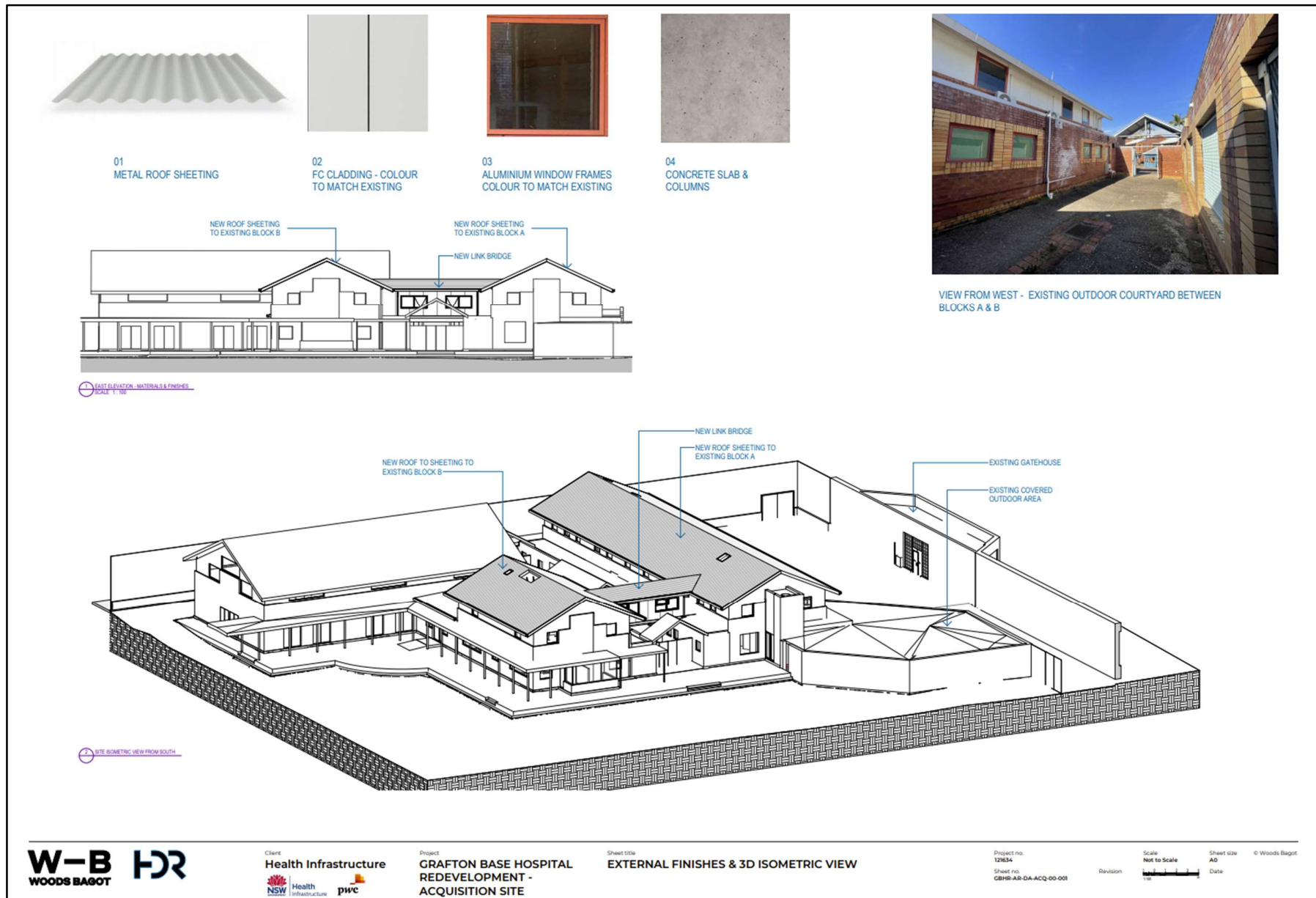


Figure 2: Grafton Correctional Centre Acquisition Site- External finishes and 3D isometric view

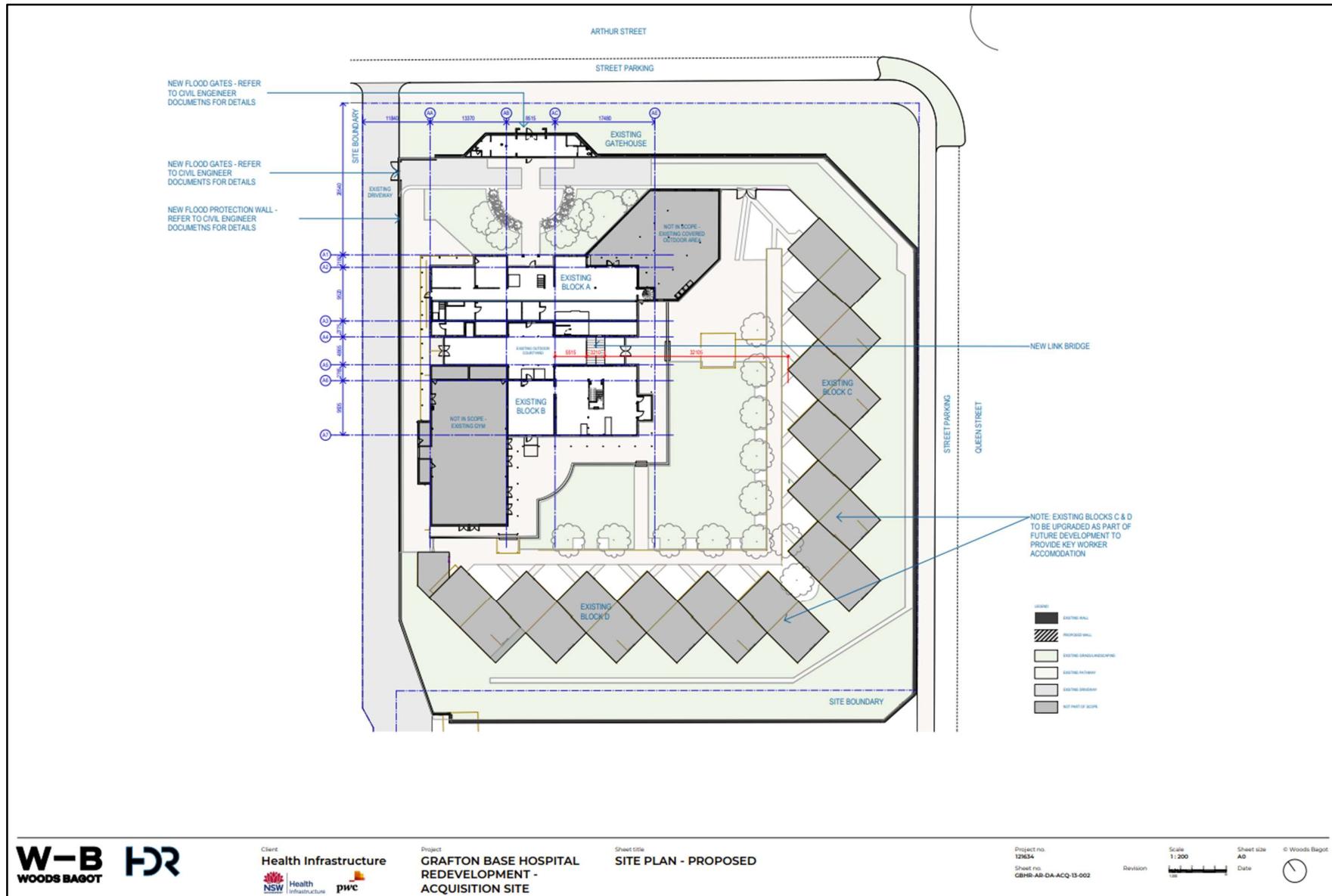


Figure 3: Grafton Correctional Centre Acquisition Site- Site plan

1.4 Legislative Context

1.4.1 NSW Heritage Act (1977)

The *Heritage Act 1977* (NSW) provides protection for the environmental and cultural heritage of the State, which includes places, buildings, works, relics, movable objects, or precincts that are of State or local heritage significance. The legislation focuses on identifying places of either local or state heritage significance and protecting them by registration on heritage registers. Where they are not on a heritage register, significant historic heritage items are afforded little protection, other than at the discretion of local councils. The three main registers of heritage sites include:

- The NSW Heritage Register which provides protection under the Heritage Act for sites which meet the criteria of state heritage significance and are additionally listed on the register by the relevant Minister
- Heritage items managed by NSW government agencies (Section 170 heritage register) by government departments and are additionally listed on the register by the relevant department responsible for the site, and
- Heritage items that meet the criteria of local heritage significance and are additionally listed a Local Environmental Plan (LEP).

Of note are the provisions allowing for interim heritage orders (Part 3), which grant the Minister or the Minister's delegates, (which importantly may include a local government agent) the power to enter a property and provide emergency protection for places that have not yet been put on a heritage register, but that may be of local or State significance.

The *Heritage Act* also makes allowances for the protection of archaeological deposits and relics (Part 6). A 'relic' is defined by the Heritage Act as:

Any deposit, object of material evidence which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and has local or state significance.

Part 6 Division 9 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged, or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. Section (s) 139 of the Heritage Act requires any person who knows or has reasonable cause to suspect that their proposed works will expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to s 140) unless there is an applicable exception (pursuant to s 139(4)). Section 146 of the Heritage Act requires any person who is aware or believes that they have discovered or located a relic must notify the Heritage Council of NSW providing details of the location and other information required.

1.4.2 Environmental Planning and Assessment Act

The NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) and its associated regulations provide the framework for determining planning approvals for developments and activities in NSW. Environmental impacts are interpreted as including impacts to cultural heritage as defined by the *Heritage*

Act (1979). The EP&A Act requires local councils to consider environmental effects when assessing new developments including consideration of impacts to local heritage values. Sites of environmental heritage (including historic heritage sites and sometimes Aboriginal heritage sites) are protected by LEPs and Development Control Plans (DCP) which specify the constraints on development in the vicinity of these sites.

Proposed activities and development are considered under different parts of the EP&A Act, including:

- Major projects (Part 4.1 and Part 5.1) that require the approval of the Minister for Planning
- Minor or routine developments requiring local council consent are usually undertaken under Part 4 which, in limited circumstances, may require the Minister's consent, and
- Part 5 including infrastructure projects approved by the State agency undertaking the project.

The Proposed Works are being assessed by Clarence Valley Council under Part 4 of the EP&A Act in accordance with the Clarence Valley LEP (2011).

1.4.3 Local Environment Plans

Local Environmental Plans (LEPs) are made under the EP&A Act 1979 (NSW) to guide planning decisions by local councils. The LEPs general objectives with respect to environmental heritage are to put in place controls for the protection of the significance of heritage items, conservation areas, archaeological sites, Aboriginal objects, and Aboriginal places of heritage significance. The LEP is the primary planning document which sets out the requirement for development consent for works on heritage sites.

Development consent is typically required for any of the following:

- a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - i. a heritage item
 - ii. an Aboriginal object
 - iii. a building, work, relic, or tree within a heritage conservation area
- b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item
- c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged, or destroyed
- d) disturbing or excavating an Aboriginal place of heritage significance
- e) erecting a building on land
 - i. on which a heritage item is located or that is within a heritage conservation area, or
 - ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance
- f) subdividing land
 - i. on which a heritage item is located or that is within a heritage conservation area, or

- ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

The Study Area is listed as an item of local heritage on Schedule 5 of the Clarence Valley LEP (2011) and forms part of the Grafton Correctional Centre SHR site. Clarence Valley Council is required to consider the impacts of the proposed works on the heritage values and significance of the Study Area as part of the Development Application.

2 SITE DESCRIPTION

2.1 Heritage Listings

2.1.1 Summary of heritage listings

The Grafton Correctional Centre is listed on the following heritage registers (see **Table 1**):

- SHR- #00809
- LEP-#109, and
- Section 170 register (Department of Corrections).

Additional listings on the Section 170 register are all located within the Old Grafton Gaol (being Lot 2 DP DP1276261).

Table 1: Grafton Correctional Centre- summary of heritage listings

Site	Listing	Comment
Grafton Correctional Centre	SHR #00809	Applies to the Old Gaol site constructed between 1891-1893
Grafton Correctional Centre	LEP #109	Applies to the Old Gaol site constructed between 1891-1893
Grafton Correctional Centre	Section 170	Applies to the Old Gaol site constructed between 1891-1893
Grafton Correctional Centre - A Wing	Section 170	Applies to the A Wing in the Old Gaol
Grafton Correctional Centre – Administration building	Section 170	Applies to the administration building in the Old Gaol
Grafton Correctional Centre - Gatehouse Area A	Section 170	Applies to the gatehouse of the Old Gaol
Grafton Correctional Centre - Old Tower South	Section 170	Applies to the watchtower on the southern side of the perimeter wall of the Old Gaol
Grafton Correctional Centre - Perimeter Wall (Old Gaol)	Section 170	Applies to the perimeter wall around the Old Gaol- south of the Study Area
Grafton Correctional Centre - Visiting Facilities	Section 170	Applies to the visitor facility in the Old Gaol

2.1.2 Physical description (NSW Heritage inventory)

Grafton Gaol Complex originally consisted of a square compound, with brick walls, with one elaborate gatehouse providing access for staff, visitors and prisoners alike. The gatehouse features a machicolated parapet, a sandstone archway and elaborate panelled doors.

A Range building was constructed within the compound, adjacent to the gatehouse to provide facilities for the prison officers and visitors. A sterile zone separated the cell ranges from the prison walls.

Male and female prisoners were completely segregated with separate cell ranges, exercise yards, bath houses and hospital facilities. The (former) male cell range is largely intact. Workshop and kitchen facilities were incorporated in a new range adjacent to the male cell block.

The Prison Governor's residence (now Administration block) was located outside the compound wall, adjacent to the main gatehouse. This building features polychromatic brickwork, tuck pointing and some sandstone detailing.

Brick, with a sandstone trim and terracotta tiles, all characteristic materials of the Federation period, were used throughout the complex, the level of detail depending on the function of the building.

2.1.3 Building information

Designer/Maker-
Builder/Maker-

Henry Wiltshire, Government Architects Branch
Holloway Bros

Construction Year Start & End- 1891 - 1893

2.1.4 Modifications and dates (NSW Heritage Inventory)

1942 - Government Architects Branch

1960 - Government Architects Branch

The complex has been extended to one side. New watch towers have been built however elements of the original towers remain intact.

2.2 Site Context

The following comments on the setting of the Arthur Street Gatehouse, Block A and Block B are provided to inform the SoHI:

- the Grafton Correctional Centre (Arthur Street Gatehouse, Block A and Block B) are located on the banks of Alamy Creek to the north of the historical river port of Grafton – the location of the Gaol is determined in part by the flood heights of the Clarence River whereby the original Gaol (c 1860's) and Hospital in Grafton were relocated to a higher part of the floodplain
- the Grafton Correctional Centre is located on the site of the former Gaol market gardens, or farm, in an area of deep and flat alluvial soils on the creek terrace
- North Grafton includes an expansive residential area, the Grafton Base Hospital and the Grafton Sewerage Treatment Plant, a number of peri-urban smallholdings and industrial sites- Queen Street forms the main road north to Maclean, via Lawrence, which follows an elevated ridge east of Alamy Creek to its confluence with the Clarence River at Southgate
- the Arthur Street Gatehouse, Block A and Block B are located within a section of the Correctional Facility that was built in the mid-late 1980's in response to the changing needs of the Gaol whereby correctional services included a larger number of low-risk inmates and required new spaces for families to interact with inmates – the new additions improved outcomes for inmate rehabilitation and transition back to the general community
- the architectural style of the Arthur Street Gatehouse, Block A and Block B are typical of Government architecture having an overall large, symmetrical and industrial form and being built from basic materials including brick, concrete, aluminium, steel, plasterboard and linoleum
- Blocks A & B are not visible from Arthur or Queen Street- which are dominated by the brick perimeter wall and street trees- the Gatehouse is a significant landmark in Arthur Street and include the low security glass entrance doors which are subject to demolition, and
- The Arthur Street Gatehouse, Block A and Block B are visually distinct from the 19th century Grafton Gaol which primarily contributes to the State heritage significance of the site- the buildings are constructed from a light brown/ yellow mass-produced brick and the built form is much more utilitarian/ modern understated and expansive arches and decorative brick inlays.

2.3 Site History

2.3.1 NSW State Heritage Inventory

The 1860s were a time of rapid progress and building in Grafton. A gaol, courthouse, hospital, Methodist church, Catholic church and school and a telegraph station all opened between 1860 and 1863 (PSA, 2020, 14).

The current Grafton Gaol complex is the third gaol to be constructed to serve the town of Grafton. The second complex did not contain the required number of cells, was flood prone and unhygienic. Despite this it was subsequently converted for use by the Lands Department.

The third gaol was selected by competition. During the early 1890s, due to pressure from private architectural firms, the design of public buildings was not automatically given to the

Colonial/Government Architect, Walter Liberty Vernon*. This process proved successful in the case of Grafton, but was subsequently abandoned due to difficulties with impartiality of some jurors.

The competition was won by a Sydney based architect, Henry Austin Wiltshire, who also received fourth prize. The design follows trends already evident in the gaols designed by the Colonial/Government Architects Branch.

Austin was one of 41 other entrants in the competition. He received 105 pounds in prize money. English construction company Holloway Bros. commenced the 2-year, 17000 pound build using mainly brick and sandstone (PSA, 2020, 14).

*Walter Liberty Vernon (1846-1914) was architect and soldier. Born in England, he ran successful practices in Hastings and London and had estimable connections in artistic and architectural circles. In 1883 he had a recurrence of bronchitis asthma and was advised to leave the damp of England. He and his wife sailed to New South Wales. Before leaving, he gained a commission to build new premises for Messrs David Jones and Co., in Sydney's George Street. In 1890 he was appointed Government Architect - the first to hold that title - in the newly reorganised branch of the Public Works Department. He saw his role as building 'monuments to art'. His major buildings, such as the Art Gallery of New South Wales (1904-6) are large in scale, finely wrought in sandstone, and maintaining the classical tradition. Among others are the Mitchell Wing of the State Library, Fisher Library at the University of Sydney and Central Railway Station. He also added to a number of buildings designed by his predecessors, including Customs House, the GPO and Chief Secretary's Building - with changes which did not meet with the approval of his immediate predecessor, James Barnett who, nine years after his resignation, denounced Vernon's additions in an essay and documentation of his own works. In England, Vernon had delighted his clients with buildings in the fashionable Queen Anne style. In NSW, a number of British trained architects who were proponents of the Arts and Crafts style joined his office and under their influence, Vernon changed his approach to suburban projects. Buildings such as the Darlinghurst First Station (Federation Free style, 1910) took on the scale and character of their surroundings. Under Vernon's leadership, an impressive array of buildings was produced which were distinguished by interesting brickwork and careful climatic considerations, by shady verandahs, sheltered courtyards and provision for cross-flow ventilation. Examples are courthouses in Parkes (1904), Wellington (1912) and Bourke, Lands Offices in Dubbo (1897) and Orange (1904) and the Post Office in Wellington (1904) (Le Sueur, 2016, 7).

Grafton Gaol was proclaimed on 8th September 1893. The prisoners were transferred into the gaol in November 1893.

It featured a square compound, high brick walls, the Prison Governor's residence, an elaborate gatehouse with a sandstone archway and ornate panelled doors. The facility had 18 male and 7

female cells across a two-storey wing. Male and female prisoners were segregated with separate exercise yards, bath houses and hospital facilities (PSA, 2020, 14).

In 1906 John Raymond Brown was hanged for the murder of three people. This was the first and last execution at Grafton Gaol (PSA, 2020, 14).

In 1924 Grafton became a maximum-security prison. Reports stated each officer was in charge of an average of 3.4 prisoners (PSA, 2020, 14).

In 1942 structural alterations were carried out. The gaol became the home of the state's most 'intractable' felons. A special allowance was paid to officers at Grafton to attract 'capable, tactful and robust' men (PSA, 2020, 140).

Notorious criminal and prison escape artist Darcy Dugan was sentenced to life imprisonment in 1950 and sent to Grafton Gaol. He twice tried - and failed - to escape, the most daring being the 1953 large-scale breakout attempt, with 11 other prisoners (PSA, 2020, 15).

In 1978 Justice Nagle's Royal Commission report was highly critical of the Department of Corrective Services' management of NSW prisons and the brutal practices in Grafton Gaol. The Department tried to blame the Public Sector Association (PSA), a claim rejected by Nagle who said the union understandably acts in members' interests. The Wran government started a period of wide-ranging prison reforms (PSA, 2020, 15).

In 1991 Grafton was reclassified from a prison to a periodic detention centre. All remaining prisoners were removed to other gaols. The renamed Grafton Correctional Centre accepted its first detainees in May 1992 (PSA, 2020, 15).

In 1996 the June Baker Centre for female inmates opened. It closed in 2011 as the O'Farrell government denied it intended to shut the facility (PSA, 2020, 15).

In 2012 the O'Farrell government closed the jail and cut 92 jobs, more than 80 per cent of the Centre's workforce. The PSA and local community fought the closure, and as a result the centre remained operational as a transitional facility for around 60 inmates (PSA, 2020, 15).

In April 2015 the PSA launched a campaign to recommission Grafton as a gaol. The PSA was concerned about the state's prison population rising to an all-time high of 11,500. In September the Baird government backflipped and re-opened the gaol, creating 30 jobs (PSA, 2020, 15). Following the success of the PSA in having Kirkconnell gaol near Bathurst reopened, on Thursday, 23 April 2015 at 11am, the PSA held a media conference in front of Grafton Gaol to publically call on the government to fully recommission the prison to alleviate the overcrowding crisis in NSW correctional facilities and provide much needed employment in the area. The PSA had raised concerns that overcrowding is heightening the risk of violence in gaols while workers compensation for Correctional Officers and others is inadequate.

2.3.2 NBRS Architecture 2021

1980s Wall, Staff, Visits and Gymnasium (A and B Blocks)

The gaol wall and building in this portion of the site were constructed in the 1980s as part of the expansion of the gaol facilities to include a minimum security section. This section comprises a staff building situated in its northern corner, around which cell blocks to the east and west are located across an L-shaped yard.

The staff building includes offices, a room for visits, and an indoor basketball court or gymnasium. Architectural features include the use of glass block on the front façade and brick detailing around openings externally. In plan, this building is defined by two main sections on either side of an external, covered walkway, over which a steel structure forms a pitched corrugated iron roof. A circular brick fountain forms the centrepiece of this outdoor area. The ground floor of the building comprises a visitors' section in the eastern corner, the gym in the western corner, and staff rooms, including offices, locker rooms and medical facilities, in the north and south corners. Offices are also located upstairs.

The visits room is an open-plan space opening onto a courtyard, which is enclosed by a brick wall. Circular columns in this room are painted with art works and the walls are also decorated with three murals by Leonard Lawson. These include a sunset scene, a tiger and a boat scene. All murals are painted directly onto face brickwork.

New Minimum-Security Cell Blocks and Staff Amenities Building (1986-89)

In mid-1986, plans were prepared for a new minimum-security cell block area to the northeast of the existing gaol (Blocks A – D), and a new staff amenities building to the north-west of the gaol (Block E). The new cell block area (Blocks A – D) consisted of four individual blocks, two of which provided services used by staff and inmates (A – B), while the other two provided accommodation (C – D). Blocks A and B were separated by a landscaped court with fountain, and Blocks C and D were arranged in an L-shape around the south-west and southeast of Blocks A and B, separated from the latter by a large outdoors area. The existing Deputy Superintendent's residence was demolished to make way for these works. Block A was accessed by a main entrance fronting Arthur Street and contained a reception at the front, a large visitor's area with an enclosed outdoor area and creche, as well as offices, locker and clothing issue rooms. A staff lounge, canteen, staff conference room, library, interview rooms, chaplain, welfare, education and psychological support offices were located on the upper floor of Block A. Block B contained a large gymnasium and adjacent activities area in the west, and a separate double storey portion in the east, accessed separately, and comprising medical facilities, a room for the night officer, and an observation room that allowed the monitoring of all activities within this portion of the prison. Class-rooms were located above the medical facilities. Blocks C and D were double storey accommodation blocks, with Block C running parallel with the south-eastern gaol wall which was extended to the corner of Queen and Arthur Streets, and Block D running parallel with the existing north-eastern gaol wall. Both blocks consisted of six group accommodation units each, with each unit providing shared

bathrooms on both levels, as well as kitchen, sitting and dining rooms. Block E was located to the north-west of the old gaol, and contained facilities for the prison staff, including exercise and games rooms, female and male change rooms, a store, lounge and dining room, as well as a deck opening onto a garden.... Plans for the new security wall, extending from the existing south-eastern gaol wall, were prepared in 1987... The new wall included a new reception building to Arthur Street, providing access to Block A, and was designed to match the existing gaol walls, with recessed panels... The 'Grafton Regional Prison Redevelopment Stage 2' was officially opened by the Minister for Corrective Services, the Hon. M. R. Yabsley, MP, on 14 April 1989, and on 28 June 1989, the whole site was proclaimed as "a prison known as Grafton Gaol." Construction of the 96-unit accommodation had cost \$7.3 million. The new visitors facilities included murals painted by inmate Len Lawson, a notorious rapist and killer who had been transferred to Grafton Gaol only in 1988, one year prior to the opening of Stage 2.

Grafton Correctional Centre (1991-2020)

On 18 December 1991, Grafton Gaol was de-proclaimed as a prison and on the same day the site was proclaimed as the Grafton Correctional Centre. Further alterations were carried out in c1996, when plans were prepared for alterations involving the use of the Periodic Detention Centre (PDC) as a Women's Detention Centre, while two units (5 and 6) in the minimum-security Cell Block C were to be reused as Periodic Detention Centre units. This involved new fences to separate these new units from the rest of Cell Blocks A to D, including removal of a section of the covered walkway, and creation of a new office in Unit 6.

The new Women's Detention Centre within the former PDC had been created to respond to the Department of Corrective Services' 'Women's Action Plan 1994', which suggested that Grafton's accommodation options for women ought to be improved. The new facility was named the 'June Baker Centre' and provided full-time custody options for 19 women in regional areas (on remand or sentenced) to enable them to maintain links with community and family." The facility was reportedly named after the wife of Grafton Gaol's longest serving warden, Rodney Baker. June Baker, who died in 2017, was a well-known Grafton local who was heavily involved in the community.

On 2 April 1999, Grafton Gaol was listed on the NSW Heritage Register.

The Detoxification Unit in 'Two Wing' reported 820 participants in the Department of Corrective Services' Annual Report 2002/03. During that year, the Grafton Correctional Centre started a program with a plant nursery on behalf of Nature's Decore. The 2006-07 Annual Report noted 137 male prisoners in the 'main' (medium) section, 110 male prisoners in the 'C Unit' (minimum) and 18 females in the 'June Baker Unit' (minimum) on 24 June 2007. They were almost identical with the numbers reported two years earlier, in June 2005. In addition, the Periodic Detention Centre reported 27 inmates on 26 June 2005 and 37 on 24 June 2007.

The Women's Detention Centre (June Baker Centre) was closed on 23 October 2011, however, female offenders on short-term remands continued to be held at the correctional centre. Shortly later, in November 2011, the 2004 Olympic silver medallist and kayaker, Nathan Baggaley, was released from Grafton Correctional Centre, after serving two years of a six-and-a-half-years sentence in several NSW gaols for the manufacture and supply of ecstasy in the Byron Bay area. The parole board had determined that it was unlikely Baggaley, whose brother Dru had also been jailed, would reoffend, as he had no prior convictions and had undertaken extensive counselling in jail. However, Baggaley was sent back to Grafton Correctional Centre in 2015, for manufacturing and conspiracy charges, and the Baggeley brothers were found guilty of a failed plot to smuggle up to \$200 million worth of cocaine into Australia in April 2021.

In July 2012, the Grafton Correctional Centre was downgraded to a Transit Centre, involving a reduction from 275 to 60 prisoners, and loss of around 100 staff. It became a remand centre, only housing prisoners waiting for their court hearings. During previous years, the gaol had been embroiled in a number of controversies relating to its staff, and the death of an inmate, Ian Klum, in June 2010 was the subject of a Coronial Inquest by the time of the downsizing. The cells in the old 'A' Wing (by then known as 'One Wing') were still without any shower facilities during hot summer days there was not sufficient airflow in the building.

With the downgrading, the gaol became known as the Grafton Intake and Transient Centre. During the 2015-16 reporting period, number 3 and 4 Wings (former C and D blocks) and the June Baker Centre were recommissioned, due to an unprecedented growth in inmate numbers in NSW.

In 2018, when Grafton Gaol celebrated its 125-year anniversary, it housed male minimum- to maximum security inmates and 20 minimum-security female prisoners in the June Baker Centre. 60 inmates were housed in 'One Wing' ('A Wing'), and another 60 in 'Two Wing' (1989-90 cell block). By that time, the maximum security section was still a remand centre, where inmates were only housed to wait for court proceedings. Inmates worked in food, laundry, timber and agricultural industries and were offered vocational and therapeutic programs as well as educational training. Around 70 staff were employed at the prison.

Photographs published at that time show that the Grafton prison farm was a very productive enterprise, with the inmates also involved in packaging firewood for distribution to retailers such as Bunnings. They also provided evidence of more recent practices within the prison, in which officers carried out target practice from the southern watch-tower (constructed c1991) along 'One Wing', with the target being a portion of the original north-west gaol wall.

By 2018, a new state of the art facility was built 12km south of Grafton, in the Clarence Valley. The Clarence Correctional Centre was Australia's biggest prison, housing 1,700 inmates on a prison campus that marked a major shift away from the traditional prison model. The new prison began operations in 2020 and has been operated by SERCO on behalf of the NSW Government.

The opening of Clarence Correctional Centre in mid-2020 resulted in the permanent closure of Grafton Gaol, with the 115 staff and 280 inmates being moved out of the prison from August 2019. On 17 July 2020, an official retirement ceremony was held at the front entry to the old gaol, with a lone piper leading officers and staff out through the gates for the last time. A small team of caretakers, including Senior Overseer Wayne Ringland, remained at the gaol after its closure to ensure the ongoing maintenance and safety of the site, and to look after the prison garden, where new sheds have been constructed and older sheds have been demolished in more recent times.



Figure 4: Grafton Correctional centre showing development over time (NBRS Architecture 2021: 205)

2.3.3 Grafton Community Heritage Study (Stubbs 2007)

The gaol in Victoria Street continued to operate until the early 1890s, when it was replaced by a much larger facility, erected on vacant land fronting Hoof Street... During 1890, consideration was given to enlarging the old gaol, but on account of 'the unsuitableness of the building, its too limited site, its undesirable position in the centre of the city, and the inadvisability of expending a large amount on so dilapidated a structure' it was decided instead to replace it. A site for the new gaol was chosen above flood level near the hospital. Designs for the new gaol were invited the following year, and some forty competitors responded. Work began in 1892 after the tender of Holloway Brothers was accepted for the erection of the new facility. It was completed in 1893, and in November of that year the prisoners were transferred from the old gaol in the heart of the city.

2.3.4 Historic photos and plans

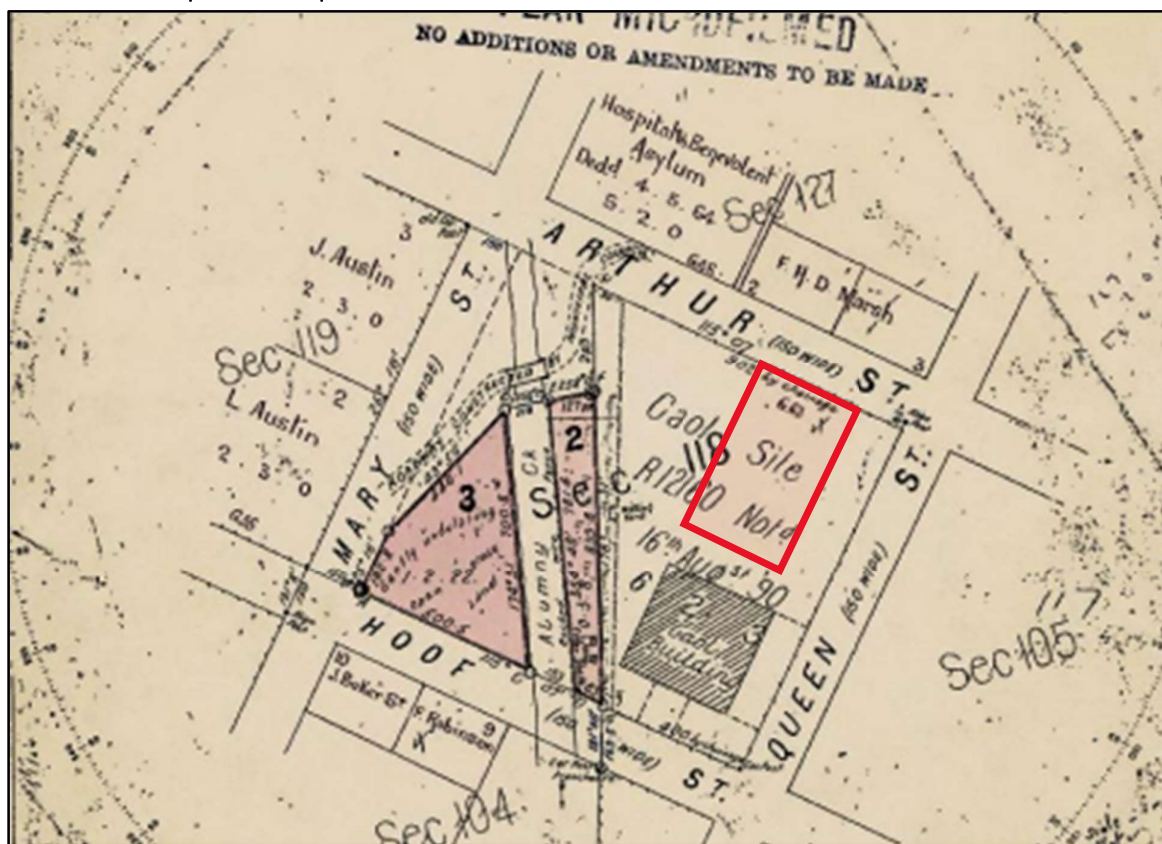


Figure 5: Grafton Correctional Centre- Crown Plan c1889 (NBRS Architecture 2021:49)

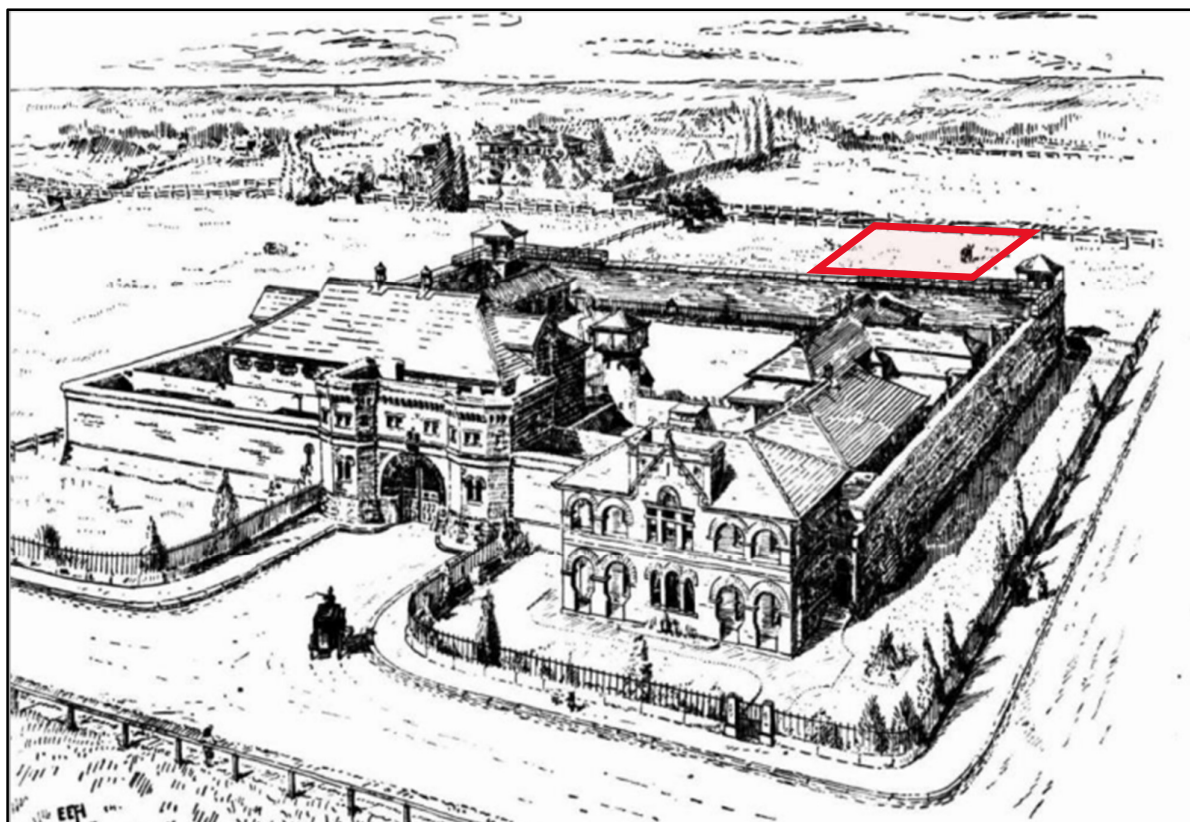


Figure 6: Grafton Correctional Centre- Crown Plan c1890s (NBRS Architecture 2021:52)



Figure 169: August 1954 – Aerial photograph showing Grafton Gaol and the adjacent prison farm area. (Source: NSW LRS, Spatial Services, Historical Imagery, 251_05_027)



Figure 170: October 1964 – Aerial photograph showing Grafton Gaol and the adjacent prison farm area largely unchanged. (Source: NSW LRS, Spatial Services, Historical Imagery, 1285_5G_126)



Figure 171: August 1978 – Aerial photograph showing Grafton Gaol. The new residence for the Deputy Superintendent is visible on the Arthur Street frontage. (Source: NSW LRS, Spatial Services, Historical Imagery, 2723_04_110)



Figure 172: August 1987 – Aerial photograph showing Grafton Gaol during the major redevelopment phase from c1985 to c1992. (Source: NSW LRS, Spatial Services, Historical Imagery, 3582_04_087)

Figure 7: Grafton Correctional Centre- aerial photos 1954-1987 (NBRS Architecture 2021:147)



Figure 173: March 1991 – Aerial photograph showing Grafton Gaol after demolition of the original female cell block, trial yard, hospital wards, and south-east gaol wall, with the new gaol walls in place and the new prison farm area established in the western portion of the site. (Source: NSW LRS, Spatial Services, Historical Imagery, 3789_05_173)



Figure 174: August 1994 – Aerial photograph showing Grafton Gaol after completion of the redevelopment, including new cell wing, ablutions block and Periodic Detention Centre. By then the site was known as Grafton Correctional Centre. (Source: NSW LRS, Spatial Services, Historical Imagery, 4229_05_145)

Figure 8: Grafton Correctional Centre- aerial photos 1991-1994 (NBRS Architecture 2021:148)



Figure 9: Grafton Correctional Centre- C1960 looking over the market garden and Alamy Creek (NBRS Architecture 2021:96)

Grafton Hospital

ARTHUR STREET

MARY STREET

QUEEN STREET

HOOF STREET

LOT 1

LOT 2

LOT 3

LOT 5

ALUMY CROWN RESERVE (Port RS5145) CREEK

PRINCIPLE RESERVE 1.02 WIDE

22° 17' 50"

201' 48"

20° 25' 10"

201' 44"

116° 14' 30"

116' 48"

38° 44' 50"

53' 04"

7° 20' 30"

35° 52' 29"

35° 22' 30"

171' 01"

100' 68"

270° 16' 30"

167' 33"

17' 01"

25' 17' 50"

201' 48"

20° 25' 10"

201' 44"

116° 14' 30"

116' 48"

38° 44' 50"

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116' 48"

38° 44' 50"

53' 04"

7° 20' 30"

35° 52' 29"

35° 22' 30"

171' 01"

100' 68"

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24



Figure 12: Grafton Correctional Centre- 1983 photos of the market garden and Deputy Superintendents house (NBRS Architecture 2021:118)

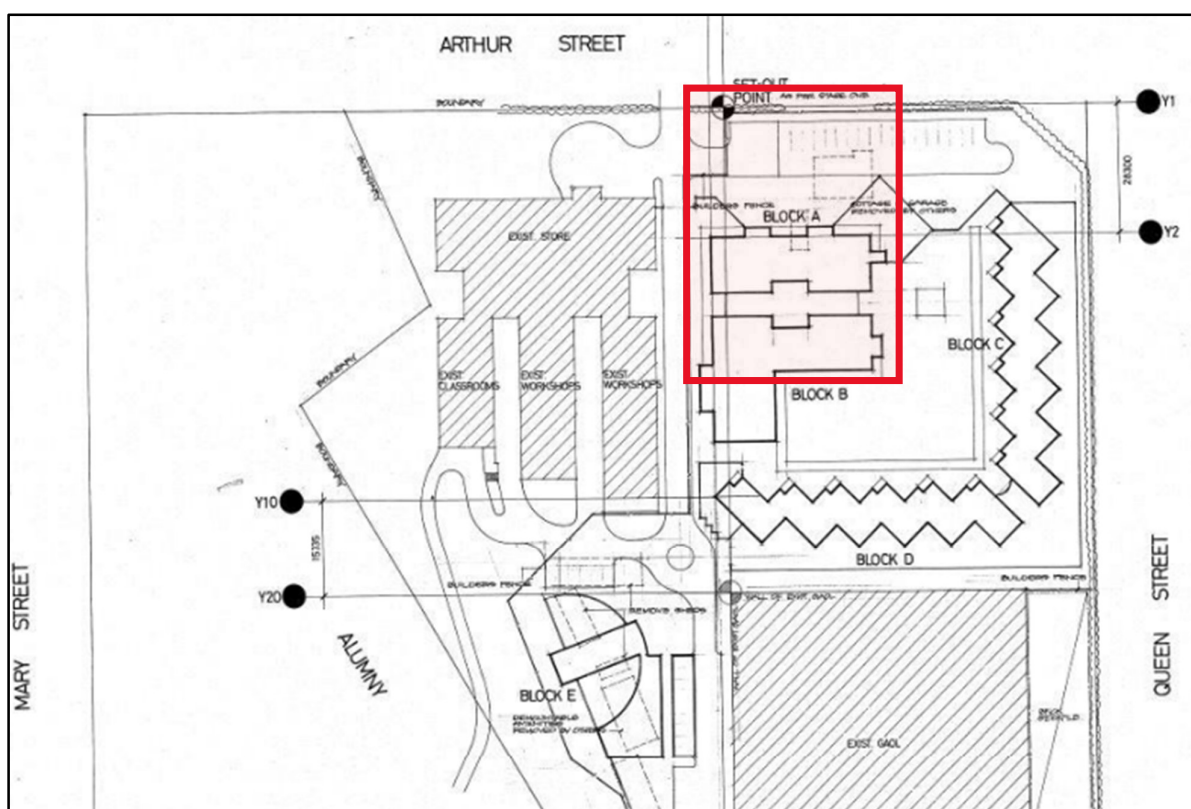


Figure 13: Grafton Correctional Centre- 1986 site plan (NBRS Architecture 2021:122)

2.4 Archaeological values

The CMP provides a archaeological assessment (Austral Archaeology 2021) which identifies the following potential archaeological sites within the Study Area:

- The superintendents residence (post 1960s)
- Timber farm sheds and chook house, and
- Potential unmarked gravesites.

A portion of the Arthur Street Gatehouse, the footpath and the entrance to Block A is identified as an area of archaeological potential (Figure 14).

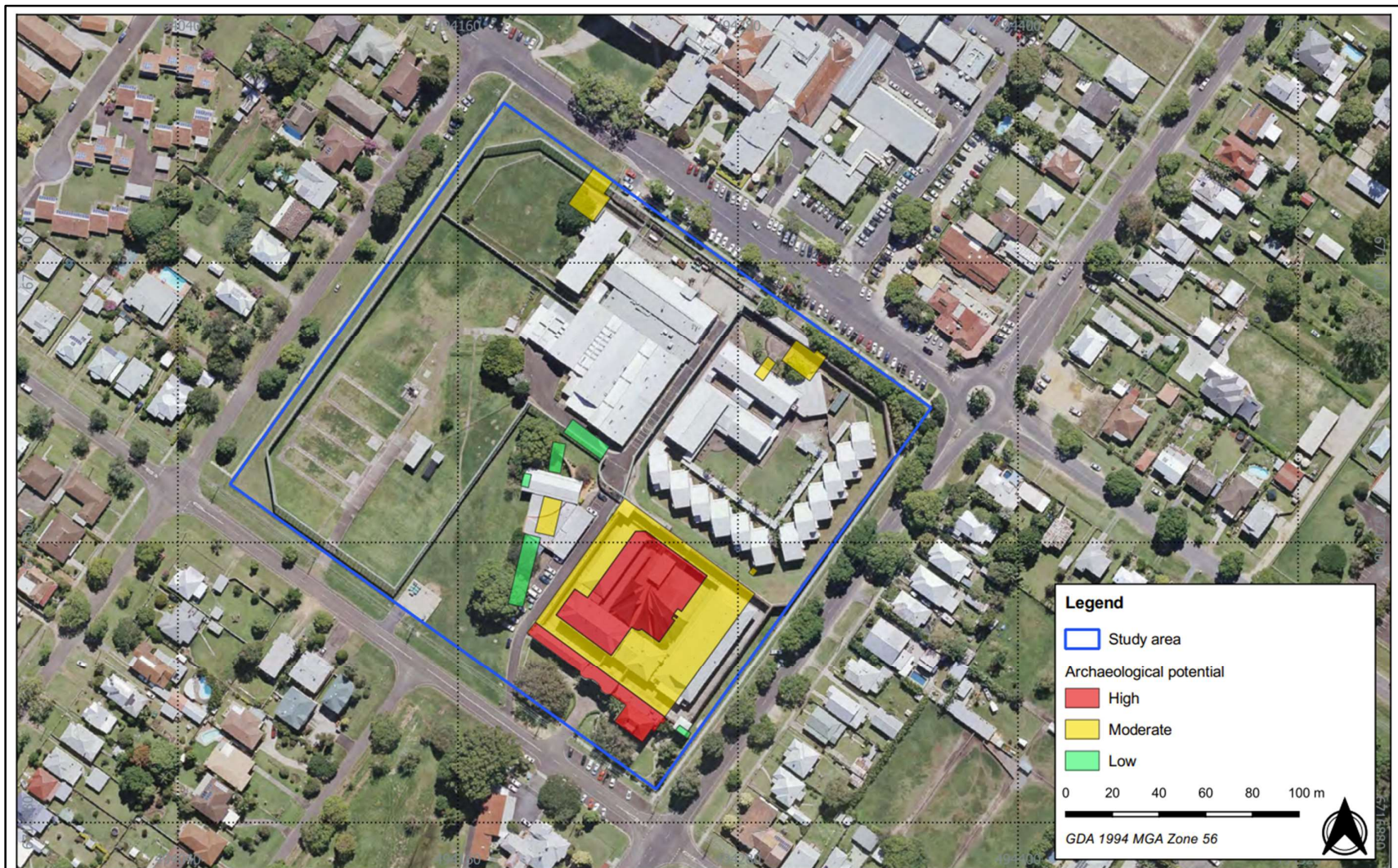


Figure 22 - Archaeological sensitivity of the study area

21033 - Grafton Correctional Centre BHAA Report

Source: NSW LP1 Basemap, NSW LPI Aerial

Drawn by: SS Date: 2021-04-30



Figure 14: Grafton Correctional Centre: archaeological sensitivity mapping (Austral Archaeology 2021)

2.5 Site Photos



Figure 15: The Arthur Street Gatehouse doors and glass as viewed from Arthur Street



Figure 16: The main entrance to Block A as viewed from inside the Gatehouse.



Figure 17: Typical internal design showing a mix of linoleum, carpet, timber doors, painted and face brick with plaster ceilings (Block A – Level 1)

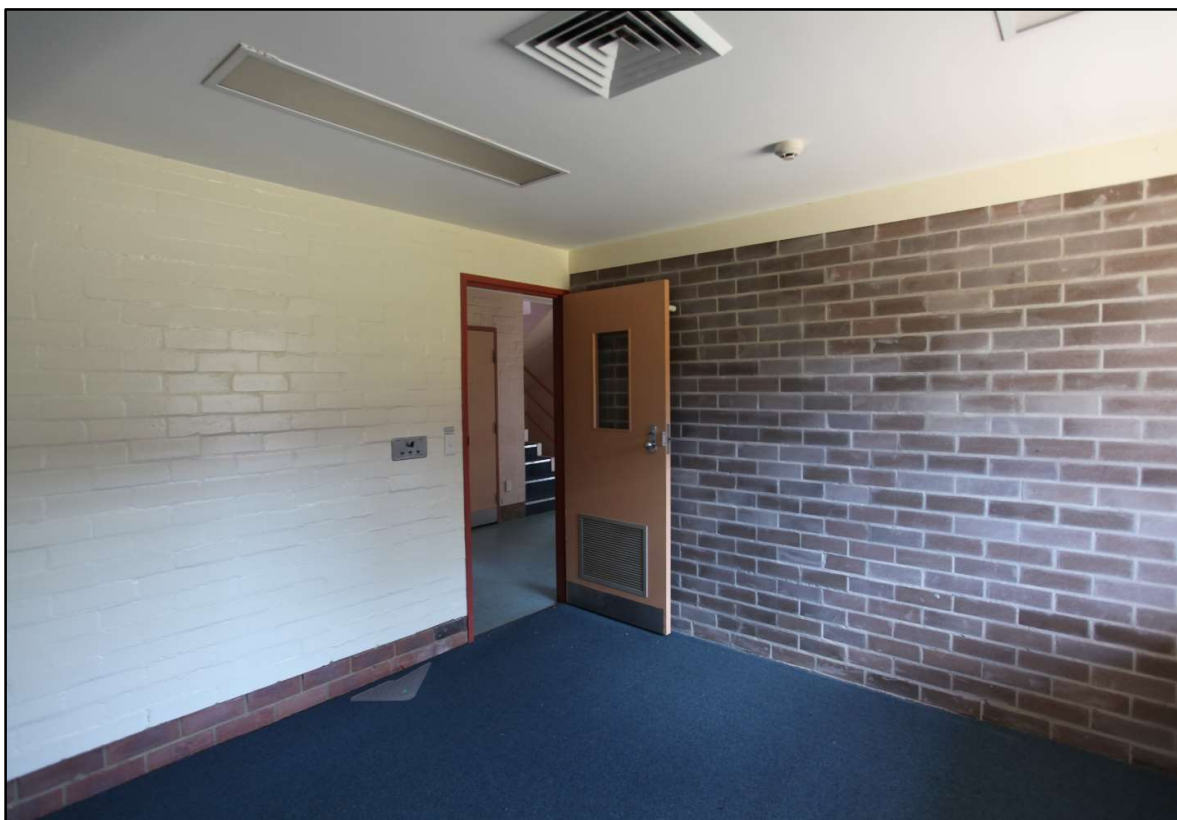


Figure 18: Typical internal office showing lino and carpet floorings, painted and face brick with plaster ceiling (Block A-Level 1)



Figure 19: Block A visitor area showing Lenoard Lawson murals and access to outside undercover courtyard

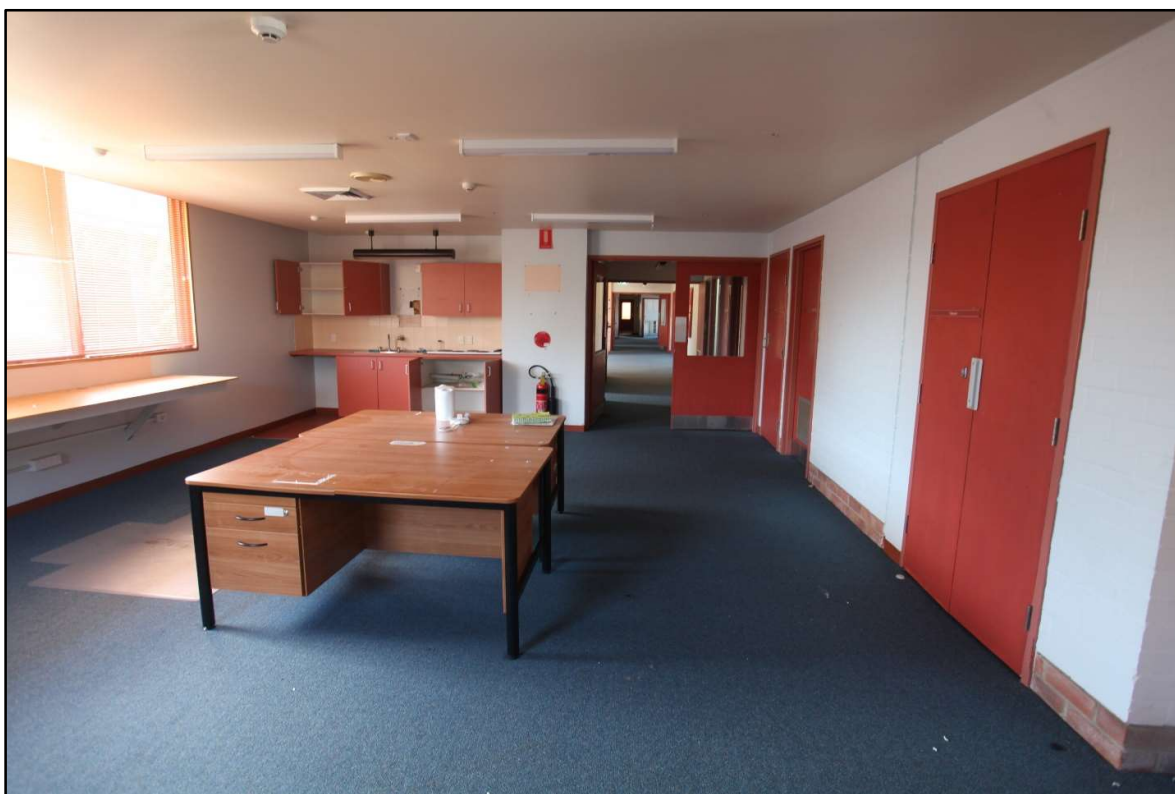


Figure 20: Typical architecture showing kitchen/ staff rooms (Block A - Level 2).



Figure 21: Typical internal fit out of painted brick, lino floor finish and plaster ceiling (Block B- Level 1)



Figure 22: View of the link between Block A and Block B – indicative area of new link bridge



Figure 23: Internal fit out in the medical area (Block B- Level 1)



Figure 24: Typical internal fit out of office spaces (Block B- Level 2)



Figure 25: Kitchenette showing typical Laminex finish with tile splashbacks (Block B- Level 1)

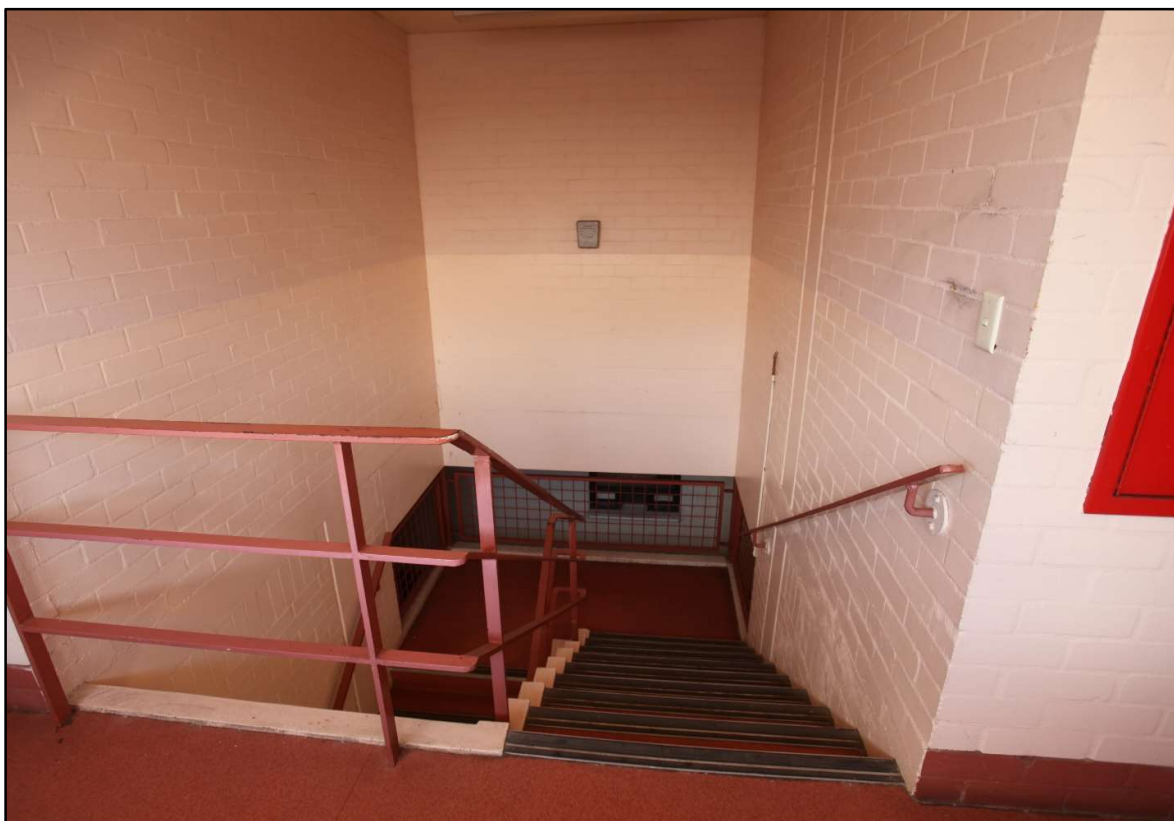


Figure 26: Stairwell showing steel balustrade (Block B- level 2)



Figure 27: Typical amenities (Arthur Street Gatehouse)



Figure 28: Front courtyard and indicative area of the former Superintendents dwelling

3 SIGNIFICANCE ASSESSMENT

3.1 Statement of Significance

3.1.1 Grafton Correctional Centre (SHR #00809)

The Grafton Gaol complex is significant as it demonstrates the development of the philosophy regarding prison architecture in NSW and the confinement of prisoners in the late nineteenth century. It is one of few gaol complexes designed by private architects in Australia. It is one of few known examples of the work of Henry Wiltshire. It continues the features of gaol design developed by the Colonial (later Government) Architects branch. It is one of the few public buildings designed by competition in the late nineteenth century; its design utilises characteristic materials of the Federation period. Its construction is related to the growth and expansion of Grafton.

3.1.2 Grafton Correctional Centre (LEP#109)

The Grafton Gaol complex is significant as it demonstrates the development of the philosophy regarding prison architecture in NSW and the confinement of prisoners in the late nineteenth century. It is one of few gaol complexes designed by private architects in Australia. It is one of few known examples of the work of Henry Wiltshire. It continues the features of gaol design developed by the Colonial (later Government) Architects branch. It is one of the few public buildings designed by competition in the late nineteenth century; its design utilises characteristic materials of the Federation period. Its construction is related to the growth and expansion of Grafton. It is likely to be of National significance.

3.1.3 Grafton Correctional Centre (S. 170 register)

Grafton Correctional Complex is historically significant at a state level as an intact late 19th century gaol, demonstrating the development of the philosophy regarding prison architecture in NSW and the confinement of prisoners during this time. It continues the features of gaol design developed by the Colonial (later Government) Architects branch. The Correctional Centre is one of the few public buildings designed by competition in the late nineteenth century. The development of this complex, the third and largest prison in Grafton, and its continuing expansion during the late 20th century is directly related to the growth and expansion of Grafton. The site is also significant for its evidence of changing philosophy regarding rehabilitation of prisoners since its original development in the 1890s. Grafton Correctional Complex is aesthetically significant as it is a relatively intact late 19th century prison complex, utilising characteristic materials of this period. It contains a number of distinctive elements, particularly the gatehouse with its machiolated parapet. Grafton Correctional Complex is socially significant for its role in law and order in Grafton and northern NSW since the 1890s, and for being a prominent local employer since that time. Grafton Correctional Complex is rare as one of few gaol complexes designed by private architects in Australia, as well as one of few known examples of the work of Henry Wiltshire.

3.1.4 Grafton Correctional Centre (NBRS Architecture)

Grafton Correctional Centre has cultural significance for its historic, aesthetic and social values, and for its rarity and representativeness as an intact example of a late 19th century gaol complex in NSW.

It is historically significant on a state level for demonstrating the history of incarceration in NSW, providing tangible evidence of the typical characteristics and operations of 19th century gaols. The site is also historically significant on a local level for reflecting the development of the town of Grafton. The site was used as a gaol continuously from 1893 until its closure in 2020, at which time inmates were moved to the new Clarence Valley Correctional Centre. The gatehouse and gaol wall remain prominent landmarks in Grafton today.

The original Grafton Gaol was one of the few public buildings designed by competition in the late nineteenth century, and one of the few gaols to be designed by a private architect (Henry Wilshire) the vast majority having been the work of the NSW Government Architect's Office at that time. The original buildings at the Grafton Correctional Centre, including the gatehouse, administration building, visits building and One-Wing, are extant today and are some of the few known examples of the work of Henry Wilshire.

One-Wing, the maximum security male cell block completed in 1893, is historically significant as an integral part of the gaol complex and the only original cell block extant on the site. It retains a high degree of integrity in terms of its original fabric and configuration. The cell block provides a strong, tangible demonstration of the environment in which inmates were held and significant evidence of their living standards and daily lives during incarceration.

Grafton Correctional Centre has archaeological significance as a site which is likely to contain archaeological remains relating to the gaol system and topics of incarceration and the prison system. These are likely to be directly associated with the lives of the inmates and the staff who occupied the site between 1893 and 2020.

Grafton Correctional Centre is significant for its historical associations with Henry Austin Wilshire (1860-1923), architect of the original gaol complex as a result of a public competition held in 1891. It is also associated with several notorious criminals who were incarcerated there, including Raymond John Denning and Leonard Lawson.

Grafton Correctional Centre is also aesthetically significant as an intact example of a late 19th century prison complex utilising an architectural style, materials and site configuration which are typical of its period. Aesthetically significant structures include the gaol wall, the gatehouse, the administration building (originally the gaoler's quarters) and the 1893 cell block (One-Wing).

The 1893 gatehouse, designed by Henry Wilshire, is aesthetically significant as a good example of a late 19th century gaol entrance, designed in the Federation Romanesque style. The structure represents the creative endeavours of Wilshire, who applied the features of the Federation Romanesque, utilising medieval architectural motifs, to create an imposing and visually dominant

structure which reflected the importance and function of the gaol. The administration building, also completed in 1893 and designed by Henry Wilshire, is aesthetically significant as a good example of a residential building in the Federation Romanesque style.

The original portion of the Grafton Correctional Centre is significant as a representative example of a 19th century prison complex, demonstrating the characteristics of its type in terms of architecture, materiality and layout. The site exhibits some of the principal characteristics of early 19th century gaol sites in NSW and is significant as a representative example of this class of site.

3.2 Significant Assessment Statements (NSW Heritage Inventory)

The following table summarises the available information on the NSW Heritage Inventory (**Table 2**).

Table 2: Summary of Significance assessment statements

Criteria	Level	Significance assessment statements
SHR Criteria a) Historical Significance	State	Grafton Correctional Complex is historically significant at a state level as an intact late 19th century gaol, demonstrating the development of the philosophy regarding prison architecture in NSW and the confinement of prisoners during this time. It is one of few gaol complexes designed by private architects in Australia, as well as one of few known examples of the work of Henry Wiltshire. It continues the features of gaol design developed by the Colonial (later Government) Architects branch. The Correctional Centre is one of the few public buildings designed by competition in the late nineteenth century. The development of this complex, the third and largest prison in Grafton, and its continuing expansion during the late 20th century is directly related to the growth and expansion of Grafton. The site is also historically significant for its evidence of changing philosophy regarding rehabilitation of prisoners since its original development in the 1890s.
SHR Criteria c) Aesthetic Significance	State	Grafton Correctional Complex is aesthetically significant as it is a relatively intact late 19th century prison complex, utilising characteristic materials of this period. It contains a number of distinctive elements, particularly the gatehouse with its machiolated parapet.
SHR Criteria d) Social Significance	Local	Grafton Correctional Complex is socially significant for its role in law and order in Grafton and northern NSW since the 1890s, and for being a prominent local employer since that time.
SHR Criteria f) Rare Assessment	Local	Grafton Correctional Complex is rare as one of few gaol complexes designed by private architects in Australia, as well as one of few known examples of the work of Henry Wiltshire. Grafton Correctional Centre is a rare example of a regional NSW gaol built in the later half of the 19th century, one of four remaining in use from over 50 country gaols listed as operating in NSW in 1896.
Integrity/Intactness	Local	Grafton Correctional Complex is relatively intact.

3.3 Heritage curtilage

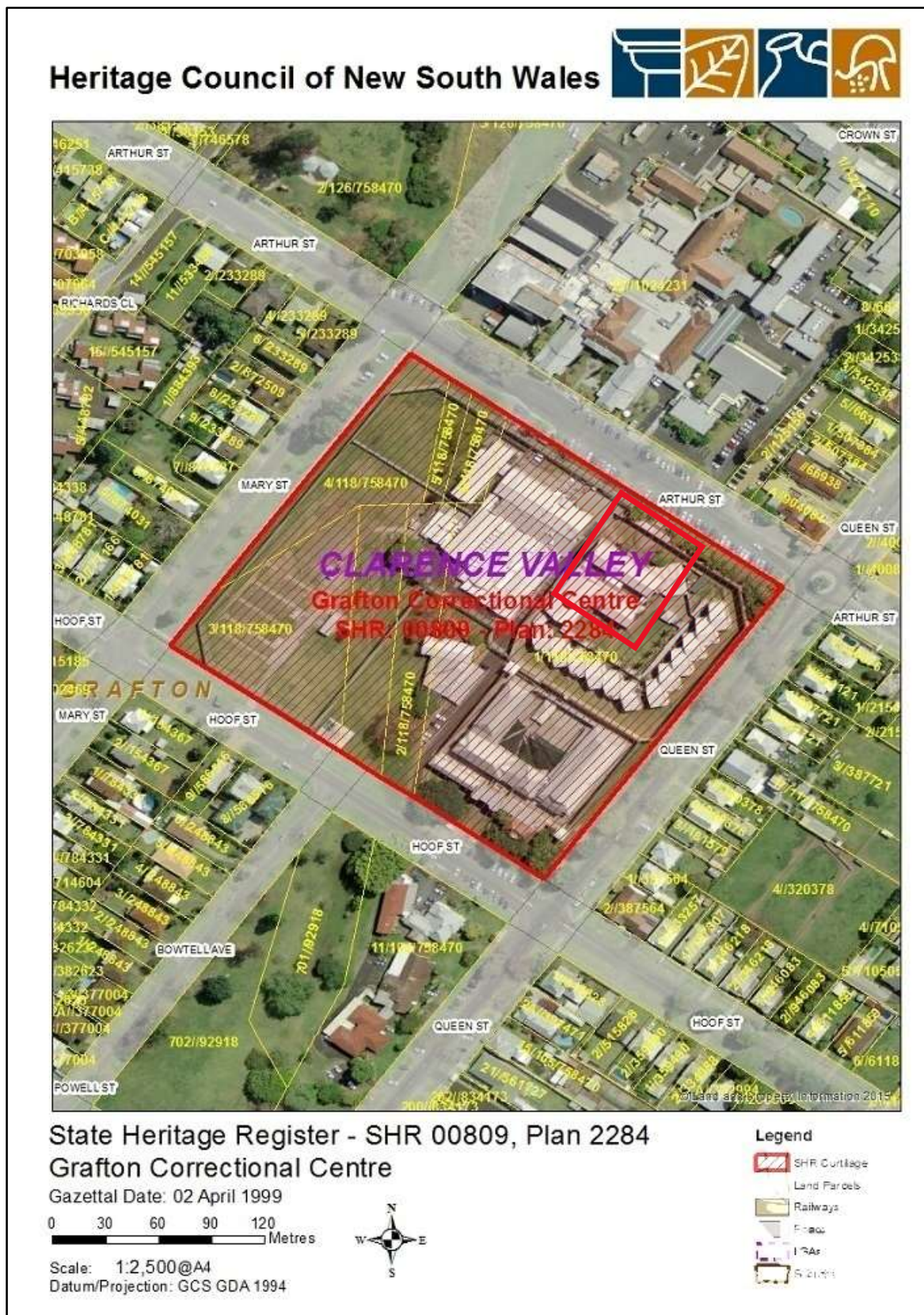


Figure 29: Grafton Correctional Centre- State heritage curtilage

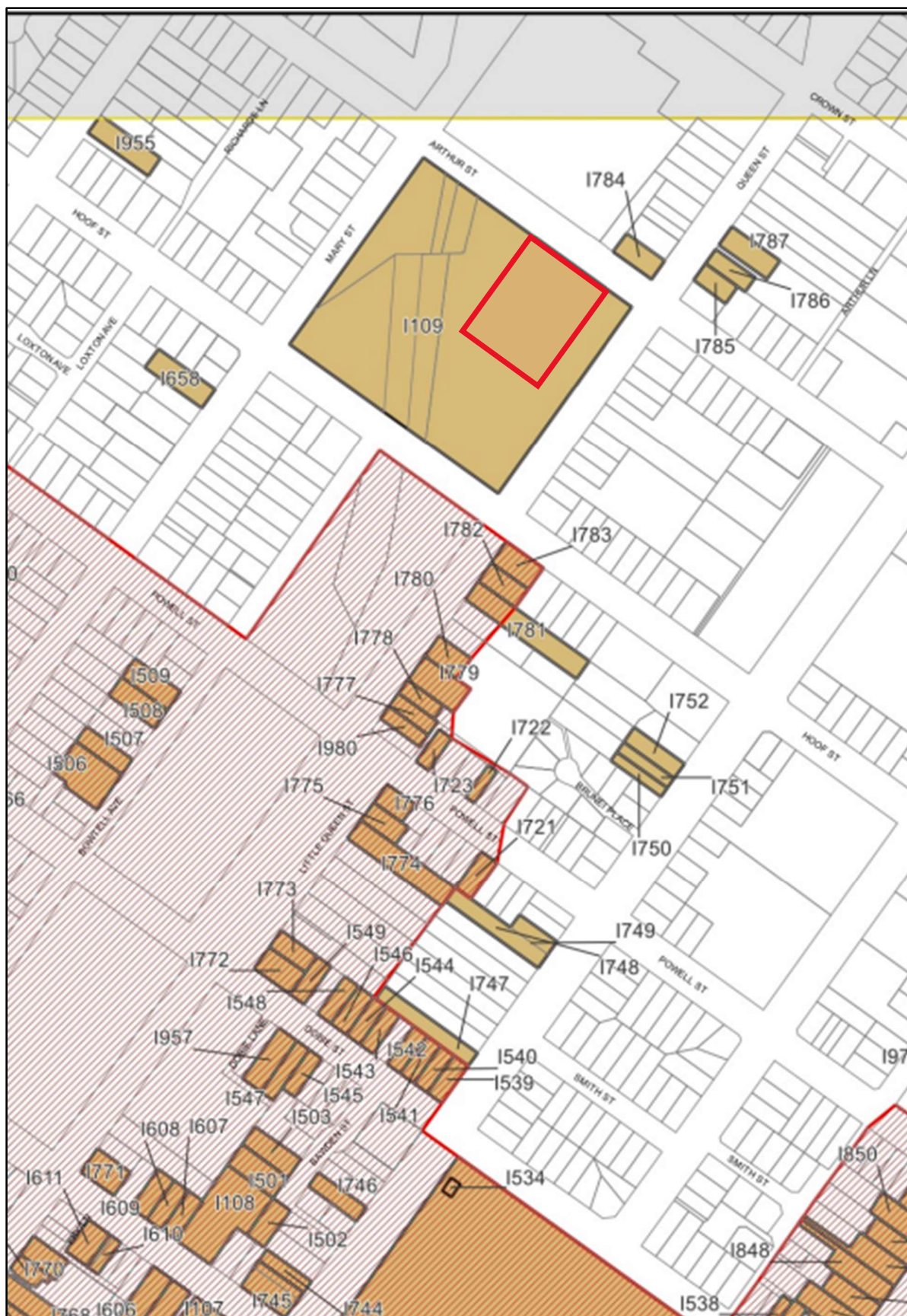


Figure 30: Grafton Correctional Centre- Clarence Valley LEP (Map 007HB)

3.4 Significant views (NBRS Architecture 2021)

Grafton Correctional Centre has a strong street presence from Hoof Street looking northeast to the primary frontage of the gatehouse and adjoining gaol wall. These are prominent structures which, together with the administration building, render the gaol a landmark site in Grafton. The following views of the site are of cultural significance (see **Figure 31**):

- Views showing the primary frontage of the original gaol site and its approach from Hoof Street, from which the scale and prominence of the gatehouse can be appreciated, and
- Views from surrounding streets showing the gaol wall, in particular its materiality and scale, which make it a prominent historic structure in Grafton.



Figure 31: Grafton Correctional Centre- Grading of views (NBRS Architecture 2021:226)

3.5 Significance of the Study Area (NBRS Architecture 2021)

The following summary of the significance grading is provided in the CMP (NBRS Architecture 2021) (**Table 3** and **Figure 32**). Blocks A and B are mapped within an area which is assessed as having 'little' contribution to the heritage values of the Grafton Correctional Centre SHR site- being the Old Gaol.

Table 3: Summary of Significance Grading (NBRS Architecture 2021)

Fabric/Space/Element	Grading
Original portion of gaol wall	Exceptional
One-Wing, including its exterior form and fabric, and its interior fabric and configuration (excluding later alterations and additions such as furniture, partitions, fittings). This includes all original fabric, including cell doors, cast iron stairs, balustrades, corrugated iron ceiling, beams and all structural elements, walls, floor, roof.	Exceptional
Exterior form and fabric of the 1893 gatehouse	Exceptional
Exterior form and fabric of the 1893 administration building	Exceptional
Original fabric of walls fronting the sterile zone, on either side of the gatehouse. This grading excludes later additions and alterations to these walls, such as the second storey, barbed wire, services and bricked in/altered openings.	High
Original internal fabric and configuration of the gatehouse This grading excludes the later finishes, fitouts and any later alterations and additions within the building.	High
Original internal fabric and configuration of the gatehouse This grading excludes the later finishes, fitouts and any later alterations and additions within the building.	High
Garden setting in front of the gatehouse and administration building, fronting Hoof Street.	High
1980s extension of the gaol wall, fronting Queen Street, including the 1980s guard towers.	Moderate
Ground floor wall perpendicular to One-Wing, parallel to the north-western perimeter wall, formerly part of the workshops the north-western perimeter wall, formerly part of the workshops	Moderate
Ground floor interiors of early structures including the visits building and the rear of the administration building. This grading excludes the later finishes, fitouts and any later alterations and additions within the building.	Moderate
Sterile zone and yards within the original portion of the gaol	Moderate
Buildings constructed after 1980, including fitouts to earlier buildings.	Little
No elements of the site have been identified as being of Intrusive to the significance of the site.	Intrusive



Figure 32: Grafton Correctional Centre- Significance grading map (NBRS Architecture 2021)

3.6 Leonard Lawson Murals (NBRS Architecture 2021)

The CMP (NBRS Architecture 2021:122-123) makes the following comment on the painter Leonard Lawson which are relevant to the SoHI as three of Leonard's paintings are present in the visitor area of Block A (Figure 33, Figure 34 and Figure 35):

The new visitors facilities included murals painted by inmate Len Lawson, a notorious rapist and killer who had been transferred to Grafton Gaol only in 1988, one year prior to the opening of Stage 2. The successful creator of the comic book series 'The Lone Avenger' in the 1950s, Len Lawson had been sentenced to death for the sexual assault of five models in Sydney bushland in 1954. After seven years in prison he had been released in 1960, only to assault and murder two teenage girls six months later, in 1961. He was sentenced to life in prison and spent the following 41 years in various state prisons, with Grafton being the last station which ended with his death from a heart attack at Grafton Gaol in November 2003, at age 78.

He is said to have been one of Australia's longest-serving prisoners, and he had remained a sexual predator all his life. Shortly prior to his death, Lawson was moved from the minimum security unit to the medium security wing, to wait for a transfer to another prison, for producing a collection of video clips that showed his "voyeuristic sexual fantasies" and "sexual perversion", as noted by the

then Governor, John Heffernan. During his time in prison he had continued to paint. His murals at Grafton Gaol, the artistic merit of which was said to be “debatable”, include “what appears to be a cougar watching over a valley, an island sunset, and a marlin breaching the ocean in front of a couple fishing from a boat called Bluebird.”

Three murals are located on walls in Block A (Level 1) are subject to specific policies of the CMP (see section 5.3 below).



Figure 33: Cougar and canyon painting (NBRS Architecture 2021:182)

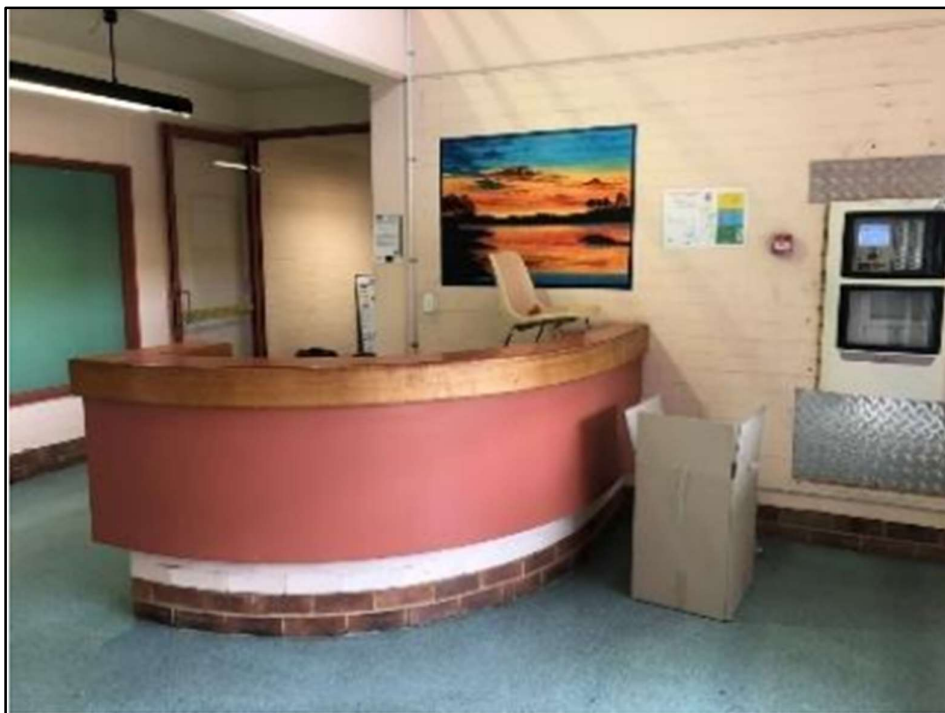


Figure 34: Painting of a sunset over water (NBRS Architecture 2021:182)



Figure 35: Marlin and fishing boat (NBRS Architecture 2021:182)

4 THE PROPOSED WORKS

4.1 The Proposal

4.1.1 Demolition Plan

The following fabric will be subject to demolition (see **Figure 36**, **Figure 37** and **Figure 38**):

- **Arthur Street Gatehouse** -removal of main entrance doors and glass bricks, bathrooms/ amenities, non-structural internal walls, cupboard doors and fixed furniture to create an open entrance space
- **Block A (Level 1)**- entrance doors, internal doors and non-structural walls (various), part of existing slab for a new lift, bathrooms and amenities, kitchenette
- **Block A (Level 2)**- internal doors and non-structural walls (various), kitchenette, bathrooms and amenities, balustrade, roof, gutter and parapet wall for link bridge
- **Block A (Roof)**- removal of roofs, gutters, fascia and downpipes, soffits etc.
- **Block B (Level 1)**- entrance doors, internal doors and non-structural walls (various), bathrooms, kitchenette and amenities
- **Block B (Level 2)**- internal doors and non-structural walls (various), kitchenette, bathrooms and amenities, roof, gutter and parapet wall for link bridge, and
- **Block B (Roof)**- removal of roofs, gutters, fascia and downpipes, soffits etc.

4.1.2 New structures and significant modification

Site acquisition and renovation works includes the following new offices and rooms (see **Figure 39** and **Figure 40**):

- **Link bridge** between Block A and Block B to be constructed to connect the buildings at Level 1
- **Block A (Level 1)**- Skills Lab, Computer training room, library, training/ conference room, amenities (x4), kitchenette/ tea point, circulation, entry and waiting space, store, SIM clean store, SIM room, SIM debrief- viewing and general store
- **Block A (Level 2)**- relax room, meeting rooms (medium x3/ small x1), amenities including accessible toilet, GP Sim room, ICT Comms room, Phone room, quiet rooms x2), external stairs.
- **Block B (Level 1)**- social hub and drop-in incl charge bar, small meeting room, workplace, quiet room and phone space
- **Block B (Level 2)**- small meeting room, quiet room, open plan workspace, ICT Room.

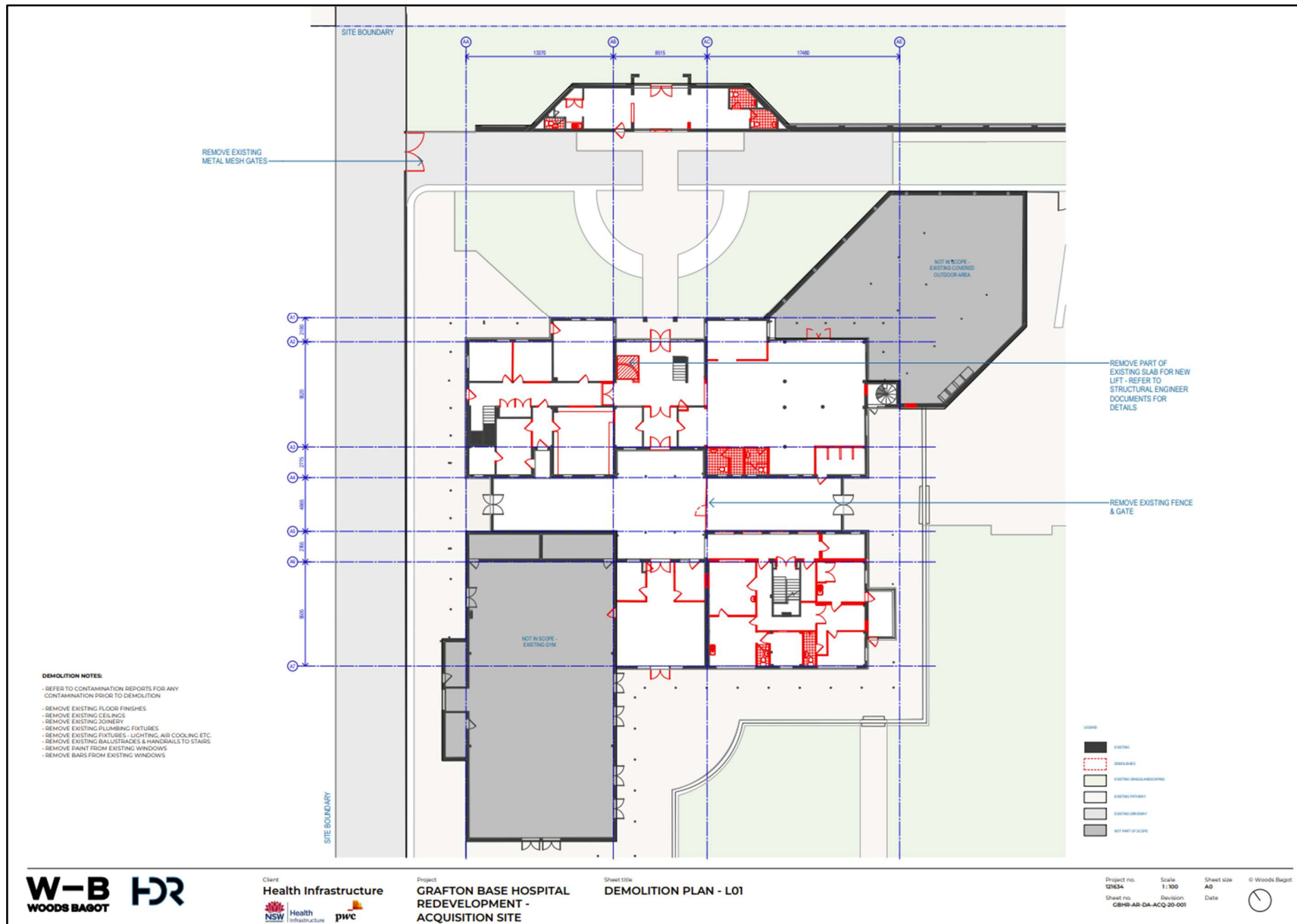


Figure 36: Grafton Correctional Centre Acquisition Site- Proposed demolition plan level 1

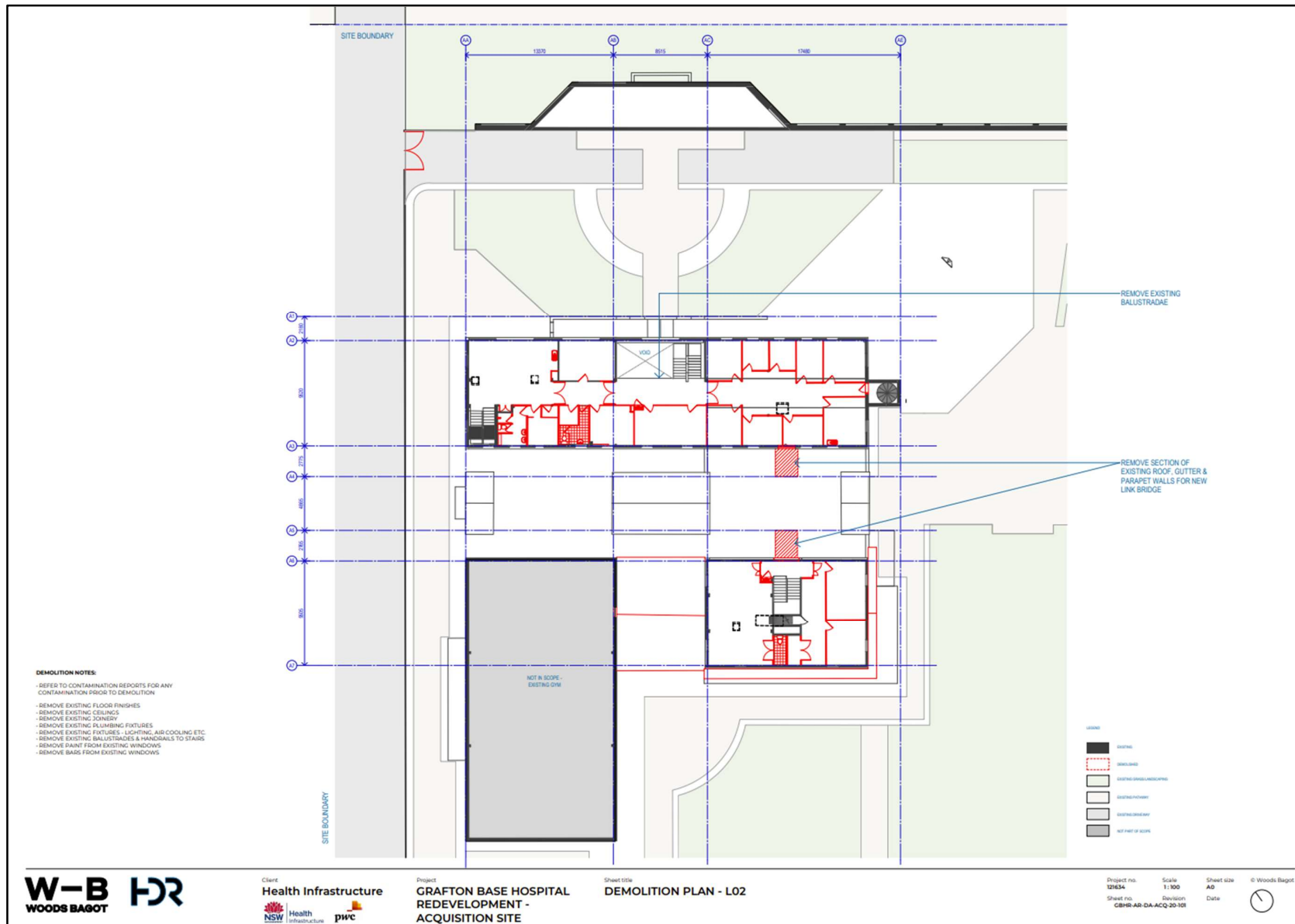


Figure 37: Grafton Correctional Centre Acquisition Site- Proposed demolition plan level 2

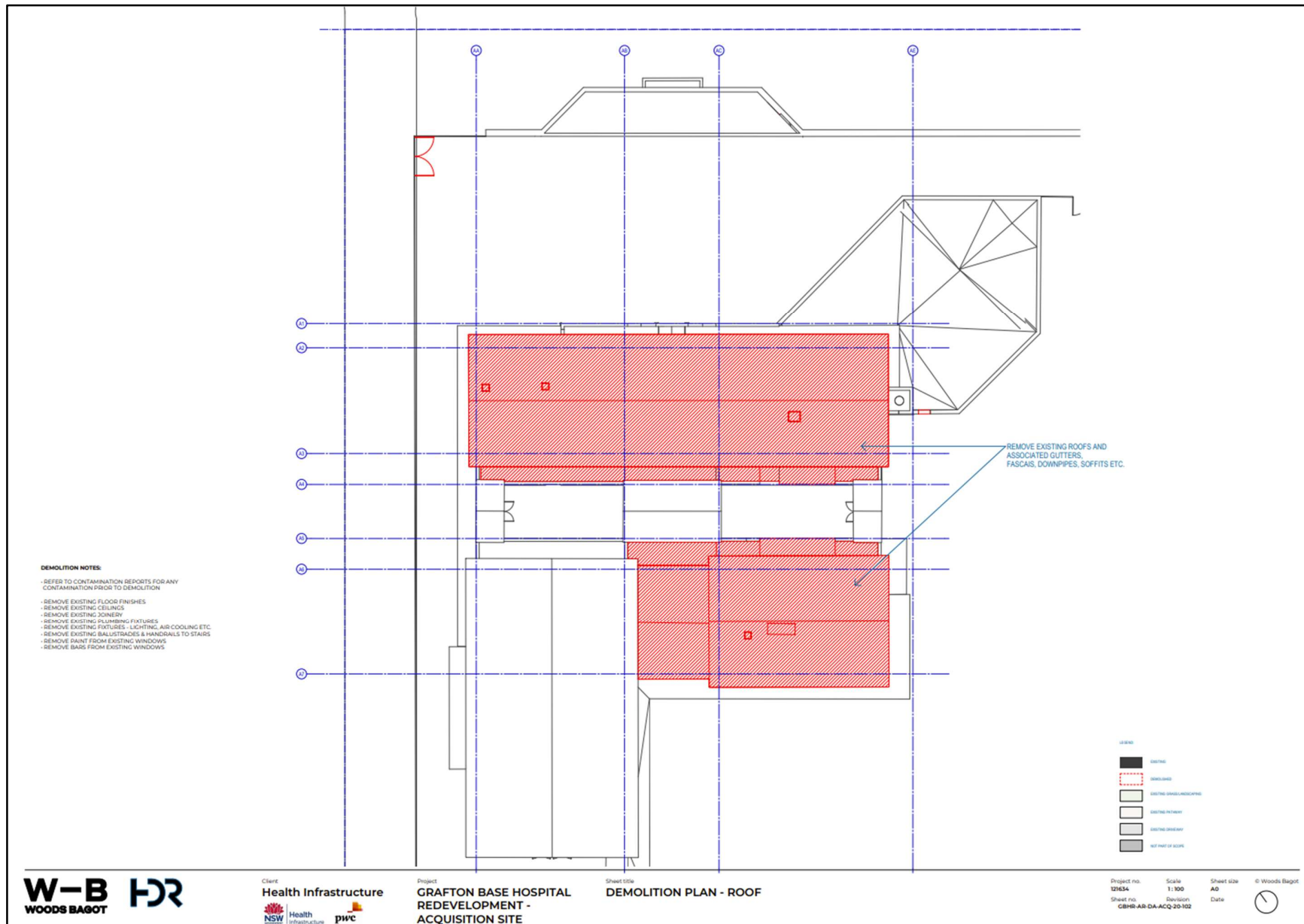


Figure 38: Grafton Correctional Centre Acquisition Site- Proposed demolition plan- roof

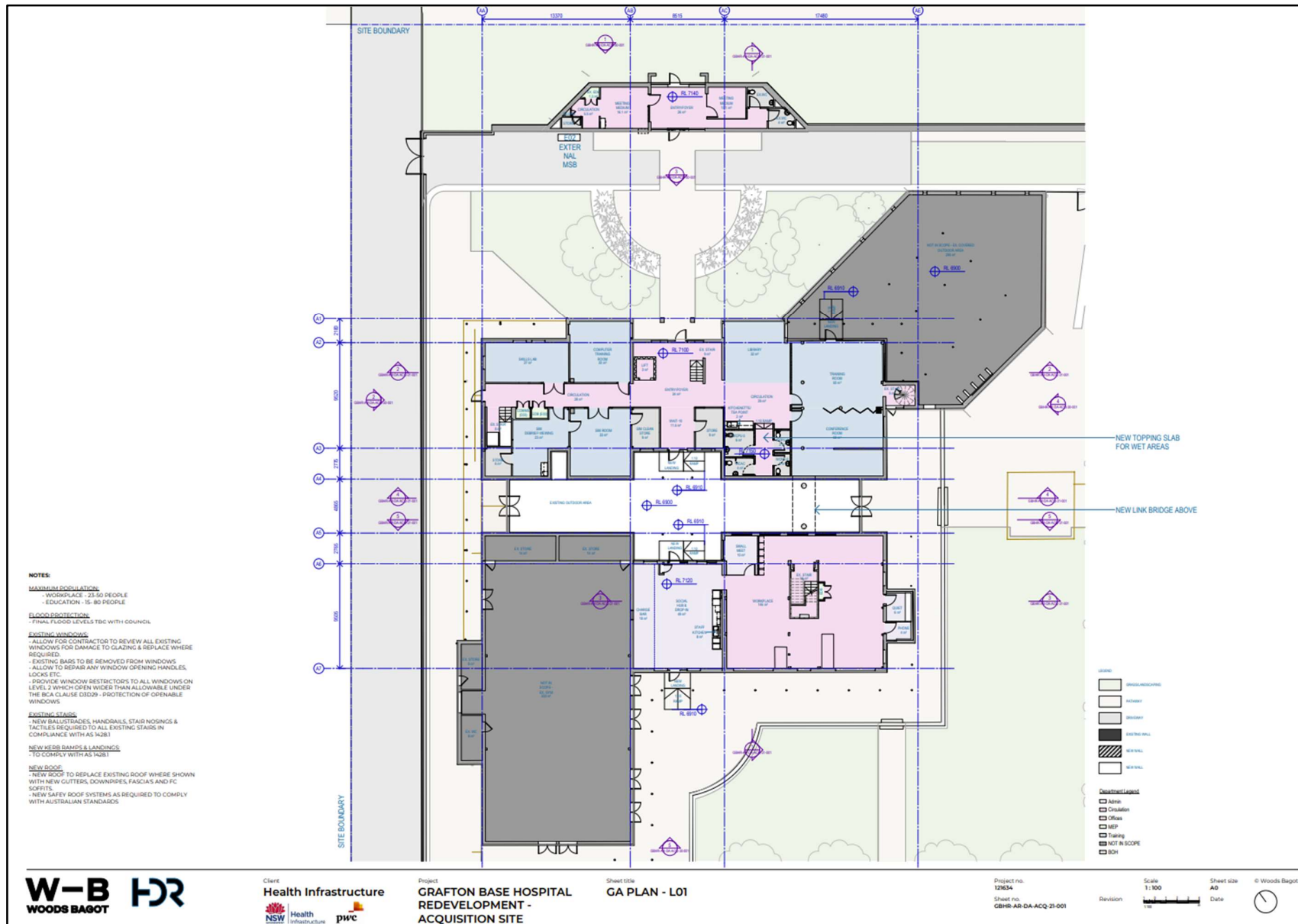


Figure 39: Grafton Correctional Centre Acquisition Site- Proposed layout Level 1

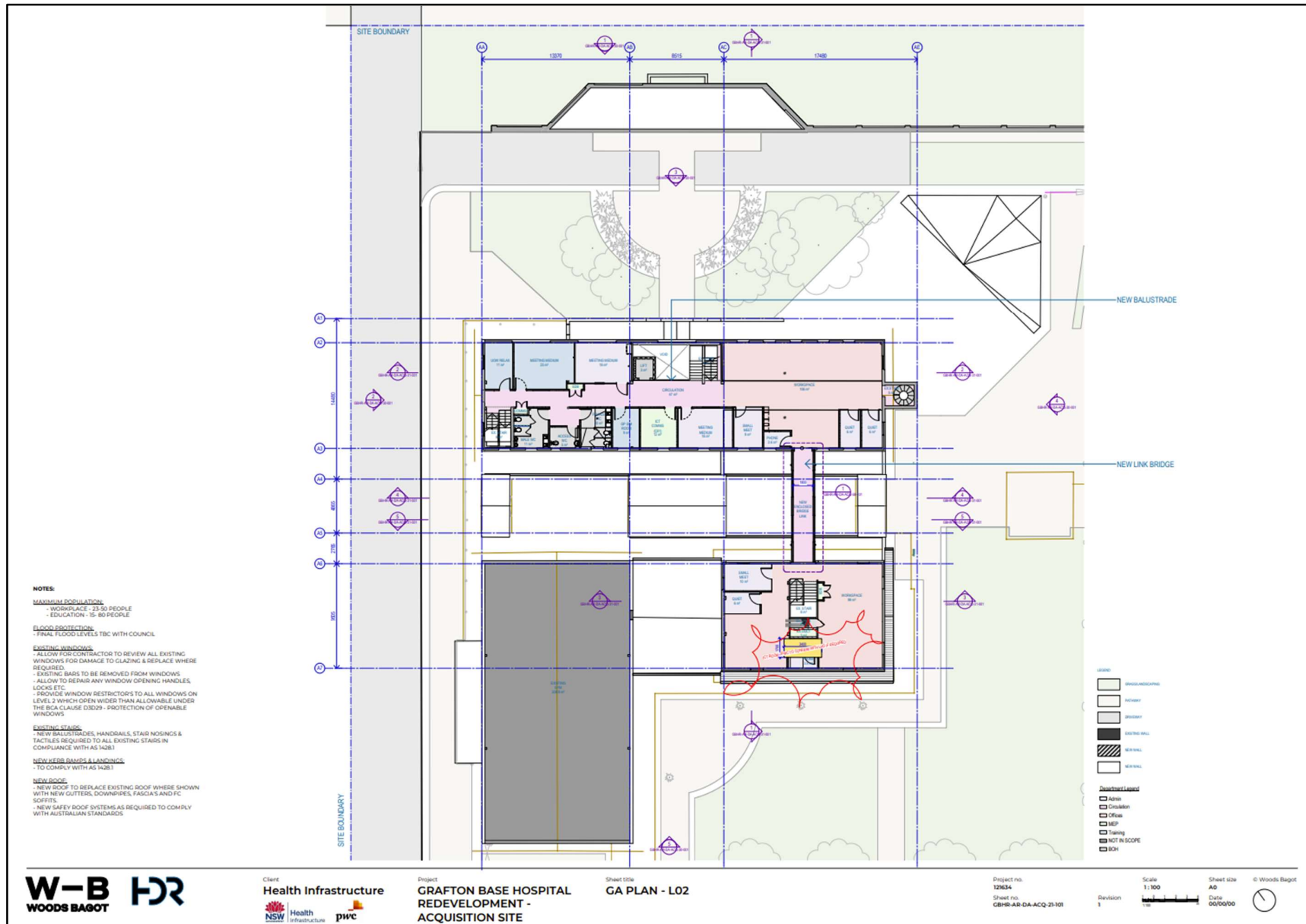


Figure 40: Grafton Correctional Centre Acquisition Site- Proposed layout Level 2

4.2 Consideration of alternatives

The Grafton Correctional Centre was replaced with a new regional correctional facility at south Grafton in 2021- the Grafton Correctional Centre has been vacant since that time. It is not considered likely that the former correctional centre will be required to support the function of the new correctional facility and the development application assumes that the current building, which was designed in the 1980's, would not meet the requirements of a modern government building. Reuse of the structures to support the administration and training requirements of the Grafton Base Hospital during its redevelopment phase is considered a reasonable alternative use as the works will be substantially restricted to the internal layout and would require less modification than if the buildings were re-developed for front-line service delivery such as for a school. As a government building the layout is not suitable for reuse as a private sector industrial, commercial, retail or hospitality complex.

The proposal for adaptive reuse of Blocks A and B recognise that modern administrative and training buildings require an open plan space that can support collaboration and innovation in the workplace as well as supporting employee wellbeing through communal and breakout spaces. It is not considered that the layout of the existing structure meets the design requirements of modern government workplaces or could support future workplace needs without significant renovations.

5 HERITAGE IMPACT ASSESSMENT

5.1 NSW Material Threshold Policy (Heritage NSW 2020)

The NSW Material Threshold Policy (Heritage NSW 2020) provides advice where a proposal involves the demolition of a building and structure listed on the SHR:

Under the NSW Heritage Act 1977 (the Act), the Heritage Council of NSW (Heritage Council) must consider the term “materially affect/effect” when exercising functions regarding the public notice of an application (s61(1)), and the determination of application (s63(3)).

The Heritage Council has also delegated some of its functions under the Act through Instruments of Delegation that allow certain delegates to grant approvals for changes to State Heritage Register (SHR) listed places where the works would not “materially affect” state heritage significance.

The material threshold is reached when State heritage significance is considered to be “materially affected/effected”.

Guidance on the application of the policy is provided in the form of diagrammatic tables (see **Table 4** and **Table 5** below) which require the consideration of:

- the degree of change vs the degree of adverse impact to state heritage significance, and
- the scale of potential impacts.

The following comments are provided to consider the whether the Proposed Works will have a significant material impact on the heritage values of the Grafton Correctional Centre SHR site:

- the degree of change is greater than would be permissible under the S57(2) exemptions however the modifications are not a ‘major work’ as they do not involve significant demolition of the structural/ external form of the buildings- as such the degree of change is assessed as being ‘minor-moderate’
- the Proposed Works are within a section of the SHR site which have been assessed as not having a high or significance contribution to the heritage values of the Old Gaol - the degree of adverse impact to the heritage values of the Grafton Correctional Centre are ‘minor’, and
- the overall scale of impact to the heritage values of the Grafton Correctional Centre SHR site are assessed as “Minor adverse impact to state heritage significance”.

Table 4: NSW Material Threshold Policy assessment guideline (DP&E 2020)

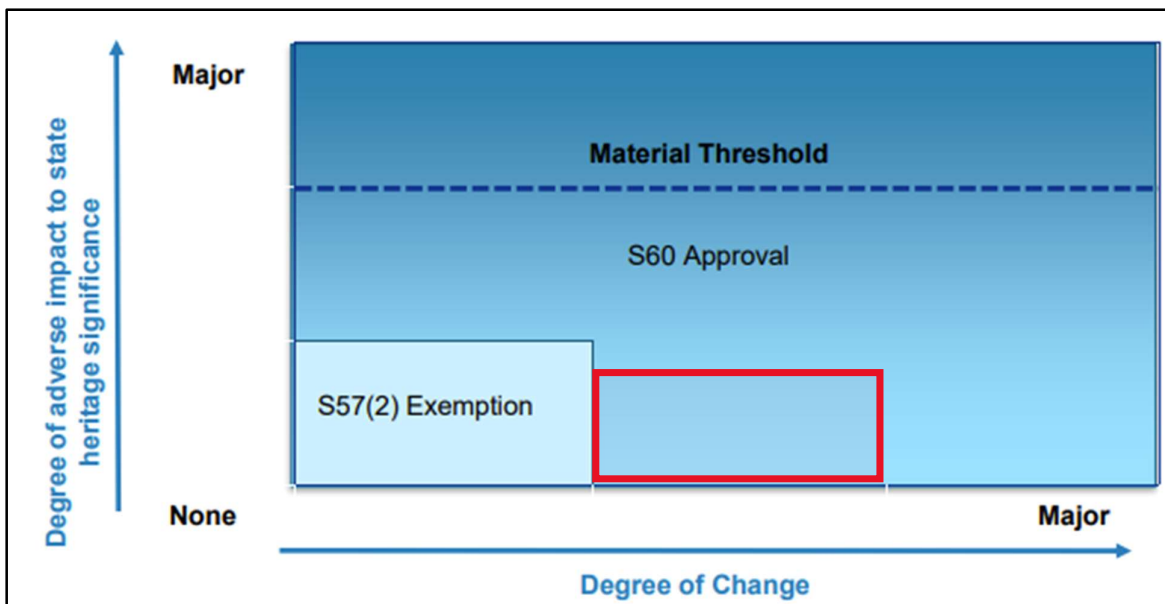


Table 5: NSW Material Threshold Policy scale of impact guide (DP&E 2020)

Impact	Definition	
Total loss of significance	Major adverse impacts to the extent where the place would no longer meet the criteria for listing on the SHR.	Material Threshold
Adverse impact	Major (that is, more than minor or moderate) adverse impacts to State heritage significance.	
	Moderate adverse impacts to State heritage significance	
	Minor adverse impacts to State heritage significance	
Little to no impact*	An alteration to State heritage significance that is so minor that it is considered negligible. * Little to no impact (as opposed to no impact) acknowledges that any change will result in some level of impact/alteration to State heritage significance.	
Positive impact	Alterations that enhance the ability to demonstrate the State heritage significance of an SHR listed place.	

5.2 Matters for Consideration (Guidelines for Statement of Heritage Impact)

The following comments are provided in response to the matters for consideration identified in the *Guidelines for Statement of Heritage Impact* (DP&E 2023:18-19) (Table 6).

Table 6: Grafton Correction Facility Acquisition Site: Matters for consideration

Consideration	Comments
Fabric and Spatial arrangements	<p>The proposal includes the demolition of internal walls, doors and amenities from the former low security, medical and visitor section of the Grafton Correctional Centre. The building fabric subject to demolition is not assessed as being of moderate or high significance in the CMP (NBRS Architecture 2021) and the layout does not impact on the former Graft Gaol site which primarily contributes to the heritage significance of the site.</p> <p>The renovations and internal fit-out will be general sympathetic to the character and architecture of the existing building as the functional use is by a government agency to support front line service delivery.</p>
Setting views and vistas	<p>The Proposed Works do not affect the primary views of the Old Grafton Gaol. Block A and Block B are not visible from Arthur or Queen Streets as they are set behind the security walls and mature street trees.</p> <p>The proposed site plan retains the external windows and openings to Block A and B and, with the exception of the link bridge, does not make substantial changes to the roof form.</p> <p>The proposal includes the demolition of the main doors to Arthur Street which will open the space up to the street front and allow for a view of Block A and the internal lawns and the mature trees.</p>
Landscape	<p>There will be no substantial changes to landscaping around the Grafton Correctional Centre.</p>
Use	<p>The proposed use will extend the life of the building as a modern office, administration and training space used to support frontline service delivery. The building will be occupied by a government agency and as such the scale and architecture of the building are generally compatible with the former use of the as a low security correctional facility. The continued use by a government agency is considered to be preferable to use by a private sector tenant or occupier from industrial, commercial, retail or hospitality.</p>
Demolition	<p>Demolition includes the removal of internal doors, non-structural walls and amenities to modernise the buildings to meet the needs of Grafton Base Hospital administrative and training teams.</p> <p>The demolition of a portion of Level 2 walls and roof is required to create a linking bridge between both buildings – this will allow a connection with the proposed new lift in Block A and is required to make the entire space accessible to people with mobility restrictions.</p> <p>The demolition of the entrance door and fit out within the entrance is required as the level of security will not be required with the changed use.</p> <p>Demolition does not include any portion of the building which is assessed as being of moderate or higher heritage significance- being the original Grafton Gaol.</p> <p>The Proposed Works are assessed as having a “Minor adverse impact to state heritage significance” (see section 5.1 above).</p>
Curtilage	<p>There will be no substantial change to the curtilage of the Grafton Correctional Centre- which comprises mature street trees and the brick security walls along Queen and Arthur Streets. The only change will be the removal of the security doors at the former visitor entrance- this will provide a view through the walls to the main entrance of Block A.</p>
Moveable heritage	<p>The Proposed Works will not impact on moveable heritage items.</p>
Aboriginal cultural heritage	<p>The Proposed Works will not impact on a Aboriginal heritage sites.</p>

Consideration	Comments
Archaeological sites	The entrance and Block A are partially sited on an area identified as the Deputy Superintendents home- however the Proposed Works do not include significant changes at or below ground level that would damage a archaeological site should it exist.
Natural heritage	The Proposed Works are restricted to an item of built heritage.
Conservation areas	There are no conservation areas within the Study Area.
Cumulative Impacts	It is not considered that the Proposed Works will result in significant cumulative impacts as the works are located in a portion of the Grafton Correctional Centre which is not identified as part of the primary heritage value of the site- being the Old Grafton Gaol.

5.3 The Conservation Management Plan (NBR Architecture 2021)

5.3.1 Demolition and reuse/ acceptable actions (NBR Architecture 2021)

The CMP for the Grafton Correctional Centre (NBR Architecture 2021:233) makes the following comment on demolition and adaptive reuse:

As the Grafton Correctional Centre is a State listed heritage item, it will not be permissible under the Heritage Act 1977 to demolish all structures on the site. Demolition of a structure, or any element of a structure should only be considered where:

- The condition of the structure or element is beyond repair; or
- The structure or element is not significant and does not contain significant fabric; or
- No other option is available to ensure the ongoing use and retention of other, more significant buildings or elements on the site.

Adaptive re-use options for the site should be developed with close reference to this Conservation Management Plan, such that decisions regarding the nature and extent of change should ensure that the established significance of the place, as stated in the Statement of Cultural Significance, is retained.

The CMP includes a section on permissible adaptive reuse and new structures which primarily references building height- specifically height above the external security wall (**Figure 41**). The Arthur Street Gatehouse, Block A and Block B are located within 'Zone 4', where changes above the height of the external wall are permissible. This includes the Level 1 link between Block A and Block B which would be approximately the same height as the external wall.

The CMP makes the following statement on 'Acceptable Actions' within sections of the Grafton Correction Centre which have been identified as having 'Little' heritage significance (see **Figure 32**) (NBR Architecture 2021:238):

Preservation, restoration, reconstruction or adaptation to assist in ensuring the continual use and security of the building, provided that no adverse effect is created to more significant fabric. Both retention and removal are acceptable options for fabric of little significance.

The Proposed Works are considered to be consistent with the acceptable actions prescribed for this heritage significance zone- as they will ensure the building is used and maintained.

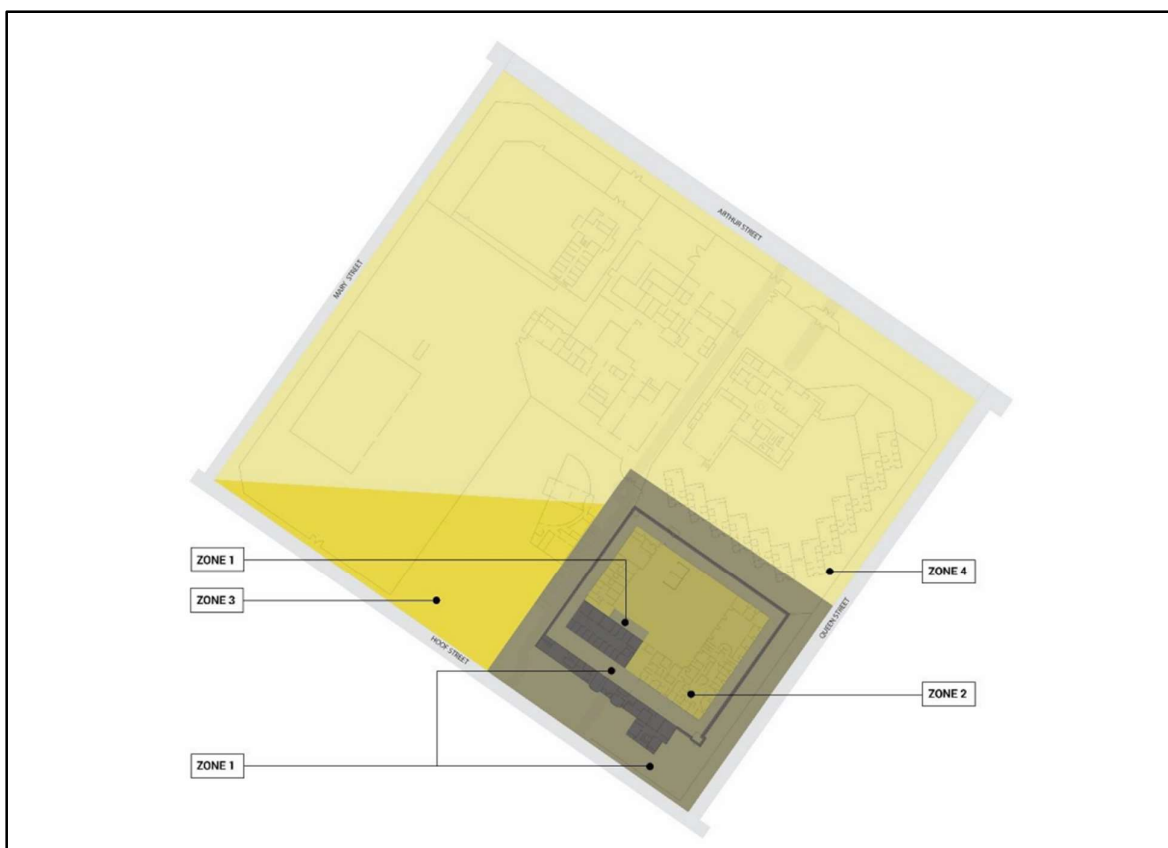


Figure 41: Grafton Correctional Centre: Opportunities for development (NBRS Architecture 2021:234)

5.3.2 CMP Principles (NBRS Architecture 2021)

The following comments are provided in response to the management principles set out by the CMP

(NBRS Architecture 2021:237) (**Table 7**):

Table 7: Grafton Correction Centre: Management principles (NBRS Architecture 2021)

No	Principle	Comment
1	The Conservation Management Plan should be adopted as the principal guiding document for the ongoing management, conservation and use of the place	The CMP has been used to guide the SoHI- the Study Area is outside the area identified by the CMP as making a moderate or higher contribution to the heritage value of the SHR site (see Table 3 above).
2	Implement a cautious approach to conservation. Only change as much as is necessary and as little as necessary	The Proposed Works do not include 'conservation' works. The proposal is for adaptive reuse of buildings constructed in the late 1980's that do not form part of the Old Gaol as identified in the SHR listing and CMP and as such there is not fabric to conserve as part of the project.
3	The expertise of professionals, trades and craftspeople with specific expert knowledge in the cultural heritage management and traditional techniques and materials should be sought in the development and implementation of conservation and development proposals.	The Proposed Works do not include 'conservation' works. The SoHI has determined that the development application is consistent with the policies of the CMP (see 5.3.3).

No	Principle	Comment
4	All values associated with the place should be identified without unwarranted emphasis on any one value at the expense of others. Different values and degrees of cultural significance may result in different conservation actions.	The values of the Study Area have been assessed – the main Gatehouse doors and fitout, Block A and Block B do not make a moderate or greater contribution to the heritage values of the Grafton Correctional Center.
5	The discovery of new physical or documentary evidence or changes to the factors which influence the analysis and assessment of cultural significance will require a re-examination of the assessed significance of the place and conservation policies for its management.	No additional information has been identified that would reasonably change the assessment of heritage significance for the main entrance, Block A and Block B. The gatehouse and a portion of Block A are constructed over an area identified as having archaeological potential- being the former Superintendents residence- and a find procedure is recommended for ground disturbing works in this area.

5.3.3 Fabric specific policies

The following comments are provided in response to specific policies regarding fabric within the Study Area (Table 8):

Table 8: CMP- Response to fabric specific policies (NBR Architecture 2021:241, 244)

Policy	Policy requirement	Response
Policy 24 -Fabric of Little Significance	Fabric of Little Significance may be retained or removed, provided that no adverse effect is created to more significant fabric. Where fabric is proposed for removal, the aim of this removal should be to enhance the established values of the place, and to ensure its continual use, amenity and security.	The Proposed Works are considered to be consistent with the policy for fabric with little heritage significance. There will be no additional adverse effect on fabric identified as part of the original Grafton Gaol.
Policy 52- Murals	Should walls on which Leonard Lawson's murals are painted be proposed for removal, opportunities and methods to capture these murals should be explored. These methods may include the dismantling of the wall and relocation elsewhere, or the photographic recording of the murals.	Three murals by Leonard Lawson are in the visitor reception (Block A-Level 1). The murals are painted on brick walls which cannot be easily removed and relocated. Having consideration of the structure of the murals photographic/ archival recording is the preferred management response.
Policy 53 Murals	If murals are retained or recorded, contact should be made with potential stakeholders such as the NSW State Correctional Services Gaol Museum in Cooma, or any other museum or historical society that may be interested in storing and displaying the murals or photographic recordings.	The SoHI recommends that the archival photographs of the murals are printed and retained or stored within the Old Gaol site with other original Leonard Lawson paintings so that the works have a context with each other.
Policy 124 Unknown Archaeological Potential	As there is documentary evidence relating to the possible burial of an	The Proposed Works do not involve significant additional ground

Policy	Policy requirement	Response
	executed prisoners within or in the immediate vicinity of the Gaol, investigative works should proactively be undertaken to determine whether the graves can be identified. This would reduce the likelihood that any future subsurface impacts or construction works may unexpectedly uncover human remains are significantly reduced. The investigative works should in the first instance be non-intrusive through the use of Ground Penetrating Rader within open spaces in and around the Gaol to see if any evidence of grave cuts can be identified. Should the potential burials sites be located, consideration should be made of undertaking a testing program to determine if the identified features are definitively burial sites.	disturbance as the utilities are all in place. The Study Area includes an area identified as the Superintendents residence- however this dates to the mid-late 20 th century and would not likely meet the criteria of local heritage significance. The CMP makes a passing reference to burials around the Gaol- however there is no documentary or historical evidence that unmarked graves exist in the Study Area.
Policy 126 Heritage Induction	When undertaking works which involve excavation within the study area, all contractors should be made aware of the heritage significance of the study area to ensure that they are aware of the presence of archaeological material and demonstrate care for its identification and conservation.	The Proposed Works do not include any ground disturbance within the area identified as the Superintendents house. Requirements for a Unexpected Find Procedure will be included in induction documents.

5.4 Statements addressing the Clarence Valley LEP and DCP

5.4.1 Clarence Valley LEP (2011)

The following statements are provided to address the requirements of Schedule 5.10 of the Clarence Valley LEP (2011) (Table 9).

Table 9: Statements addressing the requirements of the Clarence Valley LEP (2011)

Clause	Discussion
Objectives The objectives of this clause are as follows: <ul style="list-style-type: none"> to conserve the environmental heritage of the Clarence Valley to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, to conserve archaeological sites, to conserve Aboriginal objects and Aboriginal places of heritage significance. 	The SoHI has been prepared to consider the potential impacts of the Proposed Works on the heritage values of the Grafton Correctional Centre (LEP I109).
2) Requirement for consent Development consent is required for any of the following:	The Proposed Works includes will not affect any fabric from the Old Grafton Gaol.

Clause	Discussion
<p>a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</p> <ul style="list-style-type: none"> (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, <p>b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>e) erecting a building on land:</p> <ul style="list-style-type: none"> i. on which a heritage item is located or that is within a heritage conservation area, or ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, <p>f) subdividing land:</p> <ul style="list-style-type: none"> i. on which a heritage item is located or that is within a heritage conservation area, or; ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance. 	<p>The Proposed Works are consistent with the CMP for the Grafton Correctional Centre (NBRS Architecture 2021).</p>
<p>(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.</p>	<p>The SoHI has concluded that the Proposed Works will not have a significant impact on the heritage values of the Grafton Correctional Centre (I109).</p>
<p>(5) Heritage assessment The consent authority may, before granting consent to any development:</p> <ul style="list-style-type: none"> a) on land on which a heritage item is located, or b) on land that is within a heritage conservation area, or c) on land that is within the vicinity of land referred to in paragraph (a) or (b), <p>Require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>A SoHI is a minimum requirement for the proposal. A CMP already exists for the site.</p>

5.4.2 Clarence Valley Development Control Plan 2011- Business Zones (Part E Heritage Conservation)

The Clarence Valley DCP- Business Zones (2011) provides objectives and controls for proposals that affect heritage items. Part E Heritage Conservation of the DCP requires that heritage conservation controls apply to the Grafton Correctional Centre (I109). The following statements are provided in response to the

controls outlined for in section E.4 of the Clarence Valley DCP- Business (2011) relating to the information requirements for works to a heritage items (**Table 10**).

Table 10: Statements addressing the Clarence Valley DCP- Business (Part E4).

Controls	Response
The heritage significance of the item.	The Study Area, being the Arthur Street Gatehouse, Block A and Block B are located in the curtilage of the heritage item but have been assessed as have 'little' heritage significance to the heritage values of the site (see Figure 32).
The extent to which the carrying out of the proposed development would affect the significance of the heritage item and its setting, or the heritage significance and heritage character of the Conservation Area	The SoHI has concluded that the redevelopment of the Study Area as an administration, training and office space will have a minor adverse impact on the heritage significance of the Grafton Correctional Centre.
Whether any stylistic, horticultural or archaeological features of the building or item or its setting should be retained.	The Proposal will not impact on any specific stylistic, horticultural or archaeological features within the Grafton Correctional Centre.
The scale, height, bulk, setbacks, the pitch and form of any roof and proportions of the proposed development and how it relates to it's streetscape context.	The Proposal includes a covered link between Level 1 of Block A and B. The link is required to connect Block B to the new proposed lift from the reception of Block A. The proposed roof form and pitch of the link bridge will be consistent with the existing roof form. The Proposal includes the removal of the Arthur Street Gatehouse door- however the demolition works will not impact on the scale, height or setback of the external security wall or any adjacent street trees and gardens.
The colour, texture, style, size and type of finish of any materials (including signage) to be used on the exterior of the building	The exterior and interior paint schedule and the materials will change because of the redevelopment. The current fabric is consistent with government architecture from the 1980's and the Proposed Works will not alter any part of the Old Grafton Gaol.
The style, proportion and position of openings for any windows and doors which will result from, or be affected by, the carrying out of the development.	The Proposed Works includes significant modification of the internal layout of Block A and Block B but will not substantially change the windows, doors and other openings on the exterior or structural portions of the buildings.
The appropriate management, establishment or reinstatement of landscape features; and the style, type and height of any fencing.	The Proposed Works do not include any fencing.
Whether the building or work constitutes a danger to the users or occupiers of that item or to the public.	The Proposed Works do not constitute a danger to the public or occupiers to the buildings.

The following statements (**Table 11**) are provided in response to the controls outlined for in section E.6 of the Clarence Valley DCP- Business (2011) relating to the information requirements for demolition of a heritage item.

Table 11: Statements addressing the Clarence Valley DCP- Business (Part E6).

Controls	Response
The historic, aesthetic and/or social significance of the building, its	The Study Area, being the Arthur Street Gatehouse, Block A and Block B, are located within the mapped curtilage of the heritage

Controls	Response
nature and degree, and its relationship to the overall character and significance of the locality.	item but have been assessed as having 'little' heritage significance (see Figure 32). The Study Area is separate from the Old Grafton Gaol buildings in terms of built form, design and materials.
The impact of the removal of the building or work on the overall significance of the area.	The SoHI has concluded that the redevelopment of the Study Area as an administration, training and support space will have a minor adverse impact on the heritage significance of the Grafton Correctional Centre.
The reason for the proposed removal, especially why it is considered, and to what extent, the building/site can no longer be used in its existing form or with appropriate adaptation.	The demolition and redevelopment works are required to provide for the administrative, training and support needs of the Grafton Base Hospital during a major redevelopment process. This includes additional communal spaces, training spaces, new amenities and mobility access throughout the buildings.

6 SUMMARY AND RECOMMENDATIONS

6.1 Summary

The SOHI has concluded that the proposed acquisition and enabling works at the Arthur Street Gatehouse, Block A and Block B of the Grafton Correctional centre for the administration, training and support functions of the Grafton Base Hospital will not have a significant impact on the heritage values of the Grafton Correctional Centre heritage site (#SHR 00809/ Clarence LEP #I109 and Section 170). The Proposed Works primarily involve the demolition of internal structures and non-significant fabric- with the exception being the new Link Bridge between Level 1 which is required to allow mobility access throughout the new offices. The renovations are required to update amenities and to provide a layout that meets the support requirements of the Grafton Base Hospital during its redevelopment. The Proposed Works are in accordance with principles and policies of the Grafton Correctional Centre CMP (NBRS Architecture 2021) and are assessed to be below the threshold of material change for items on the SHR (Heritage NSW 2020).

6.2 Recommendations

As the works do not affect any structures which are identified as having a moderate or high heritage significance there are no specific heritage controls for the demolition and renovation works.

6.2.1 Archaeological values

The proposal does not include ground disturbance in the vicinity of the former Superintendents house. However, should the concrete slab between the Arthur Street entrance and Block A be removed a unexpected find procedure should be put in place for and building footings or domestic heritage items. Additionally, the proposed lift is located nearby to the Superintendents house and a unexpected find procedure should be identified for this area, in the event that works occur below the existing slab.

In the event that the footings of former buildings or heritage items relating to the former Superintendent dwelling are identified in the ground, the following procedure should apply:

- Stop work and establish a minimum 10m² exclusion/ no work area
- Complete a preliminary record in accordance with standard project incident reporting/ response procedures
- Engage a qualified archaeologist to undertake a preliminary assessment of the find and to provide an initial management response for the find
- In the event that the finds are determined to meet the definition of a relic under the Heritage Act there is a responsibility to notify the NSW Heritage Council/ Heritage NSW of the site, and
- Works may only recommence following additional research and, if necessary, an appropriate approval under the Heritage Act.

It is additionally recommended that the unexpected find procedure for archaeological sites, and the plan of archaeological sensitivity from the CMP (**Figure 14**), is included in the contractor induction.

6.2.2 Lenord Lawson Murals

The visitor area (Block A- Level 1) includes three murals that are subject to a specific policy in the CMP (see section 3.6 and 5.3.3). The murals are not consistent with the proposed interior design and the back story of the murals is not consistent with the future use of this building as a training and conference area.

- The Marlin mural is located on a wall subject to demolition to provide for a kitchenette.
- The cougar mural is located on a wall which will be demolished for the fire escape, and
- The sunset over the water mural will be covered by the proposed new lift.

These murals are painted on brick and will not easily be removed without damaging them. The management recommendation is to undertake archival recording using a high-resolution digital camera with the prints being retained in the main Gaol site with the remainder of the Leonard Lawson collection.

7 REFERENCES

- Austral Archaeology
2021 *Baseline Historical Archaeological Assessment for Grafton Correctional Centre, Grafton, New South Wales*
- Australia ICOMOS
2013, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, Australia ICOMOS, Burwood (revised 2013).
- Clarence Valley Council
2011 *Local Environment Plan*
2011 *Development Control Plan Business Zones*
- Department of Planning and Environment
2023 *Guidelines for preparing a statement of heritage impact.*
- Heritage NSW
2020 *Material Threshold Policy*
- NSW Heritage Inventory
Grafton Correctional Centre
< <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5011970>>
<<https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=3360073>>
< <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=1640217>>
- NBRS Architecture
2021 *Conservation Management Plan Grafton Correctional Centre 170 Hoof Street Grafton*
- Stubbs B.J
2007 *Volume 2 of Community-based Heritage Study*. Clarence Valley Council

HMS Application ID: 5154

Mr Timothy Hill
64 REIDS RD
HYDES CREEK NSW 2454

By email: timhill.heritage@gmail.com

Dear Mr Hill

APPLICATION UNDER SECTION 60 OF THE HERITAGE ACT 1977

Grafton Correctional Centre
State Heritage Register No. 00809

Address: 170 Hoof Street, GRAFTON NSW 2460

Proposal: Redevelopment of Block A and B as administrative/ training and support for Grafton Base Hospital during major development, and
Redevelopment of Block C (former low security cells) as key worker accommodation for Grafton base Hospital redevelopment

Section 60 application no: HMS ID 5154, received 5/12/2023

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above Section 60 application. Pursuant to section 63 of the Heritage Act 1977, approval is granted subject to the following conditions:

APPROVED DEVELOPMENT

1. All work shall comply with the information contained within:
 - a) Architectural drawings, prepared by *Woods Bagot* as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Grafton Base Hospital Redevelopment-Acquisition site - GBHR-AR-DA-ACQ			
00-001	EXTERNAL FINISHES AND 3D ISOMETRIC VIEW	5/10/2023	A
13-003	SITE PLAN - PROPOSED	5/10/2023	A

20-001	DEMOLITION PLAN - L01	5/10/2023	A
20-002	DEMOLITION PLAN - L02	5/10/2023	A
20-003	DEMOLITION PLAN - ROOF	5/10/2023	A
21-001	GA PLAN - L01	5/10/2023	A
21-002	GA PLAN - L02	5/10/2023	A
21-003	GA PLAN - ROOF ATTIC	5/10/2023	A
21-004	GA PLAN - ROOF	5/10/2023	A
30-001	OVERALL ELEVATIONS	5/10/2023	A
31-001	OVERALL SECTIONS/ELEVATIONS	5/10/2023	A
58-101	LINK BRIDGE	5/10/2023	A

- b) Report: *Statement of Heritage Impact: Grafton Base Hospital Administration and Training Support, Grafton Correctional Centre*, prepared by *Heritage Management & Planning Pty Ltd*, dated 18 October 2023;
- c) Report: *Conservation Management Plan*, Grafton Correctional Centre, 170 Hoof Street, Grafton, prepared by *NBRS*, dated June 2021.

EXCEPT AS AMENDED by the conditions of this approval:

WORKS NOT APPROVED

2. Works to Blocks C & D as described are not approved.

Reason: The details requested were not supplied during the assessment of the application.

UNEXPECTED FINDS

3. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. **This** is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

ABORIGINAL OBJECTS

4. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

5. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

DURATION OF APPROVAL

6. This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works

Advice

Section 148 of the Heritage Act 1977 (**the Act**), **allows people authorised by the Minister to enter and inspect**, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

Stamped documents

Any stamped documents (e.g. approved plans) for this application are available for the Applicant to download from the Heritage Management System at <https://hms.heritage.nsw.gov.au> under 'My Completed Applications.'

If you have any questions about this correspondence, please contact James Quoyale, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely

'Michael Ellis.

Michael Ellis

Manager Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
1 February 2024
cc: Clarence Valley Council,