Heritage Fact Sheet
Consent requirements for Heritage Items and Heritage Conservation Areas

This fact sheet provides general information about the consent process when planning changes, alterations or new works to a property which is listed as a heritage item or located within a Heritage Conservation Area.

Why are heritage listings made?
Heritage items are protected to protect places for future generations. Heritage items tell a story of Aboriginal culture, natural areas, early settlement, the development of agriculture, timber and fishing, industry, towns and villages, technology, the role of government, education, leisure, tourism, sport and the arts in this area. The Heritage Conservation Areas are precincts with groups of buildings, streetscapes, road reserves, and street trees with particular heritage values. They apply to the older areas of Bangalow, Byron Bay and Mullumbimby.

Heritage listing is a way of ensuring that any proposed changes respect and retain its values. The heritage significance of a place tells us why it is important. Significance can be based on one or more of the following:

- Historical origins
- Association with particular people
- Visual Qualities
- Construction or technical qualities
- Community Religious or symbolic role
- Archaeological research potential

Can I make changes?
Yes, heritage listing still allows changes to be made provided changes are sympathetic to the heritage values of the place and will not impact on the significance of the place. For example, traditional weatherboard dwellings can generally be sympathetically extended at the rear to provide modern open plan living and dining areas without alteration to the principal layout and the original appearance of the item from the street. Buildings which have lost original uses such as churches often need to be adapted to a new use.

Works that require consent
- Demolishing or moving a heritage item, building, work, relic or tree in a conservation area
- Altering or making changes to the exterior including the detail, fabric, finish and appearance.
- Structural alterations to the interior of a heritage item
- Erecting a new building
- Subdividing land
- Disturbing or excavating an archaeological site that is a place of aboriginal significance.

Clause 5.10 of The Byron Shire LEP 2014 sets out these requirements in detail. The NSW Heritage Act 1977 also applies to items which are listed as state significant. Some development may be carried out as Exempt Development or as Maintenance or Works of a Minor Nature as outlined below. It is important that you check whether you need written consent before carrying out any work.
Heritage Advisory Service

Council offers a free Heritage Advisory Service and you are encouraged to discuss your proposals before submitting an application.

Types of approvals

Works fall into three main categories:

<table>
<thead>
<tr>
<th>Exempt Development</th>
<th>No Consent Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Works</td>
<td>Approval by letter required (no fee)</td>
</tr>
<tr>
<td>Development Consent</td>
<td>Development Application Required</td>
</tr>
</tbody>
</table>

For further enquiries or to seek advice from the Heritage Advisory Service, please contact our Development Support Officers.

E: DSO@byron.nsw.gov.au
P: 02 6626 7025