

Byron Shire Community-Based Heritage Study

Volume I Coordinator's Report

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The *Byron Shire Community Based Heritage Study*, conducted from 2004 to 2006, is reported in three volumes:

- Volume I Coordinator's Report
- Volume II Byron Shire Thematic History
- Volume III Heritage Inventory Forms

Author

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**Byron Shire Community-Based Heritage Study
Volume I Coordinator's Report**

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Byron Shire Community-Based Heritage Study

Volume I Coordinator's Report

Executive summary

Between 2004 and 2006, members of the Byron Shire community participated in a comprehensive Community-Based Heritage Study that aimed to identify, assess and recommend listing of places of heritage significance within the Shire. This report provides the findings and recommendations of the Study.

The Study was coordinated by Dr Donald Ellsmore, the Byron Shire Heritage Adviser, and involved input and contributions from Shire Councilors, Council staff and community members. It was conducted in accordance with NSW Heritage Office guidelines for community-based heritage studies.

The Study would not have been possible without the commitment and ongoing support of the Council and a high level of voluntary community involvement—a key feature of such studies.

Community volunteers actively participated through membership of the Steering Committee, attendance at community and other meetings, providing advice to the thematic history and related research, and their work in identifying and cataloguing places of potential heritage significance.

The Study commenced with awareness-raising activities such as community meetings and calling for volunteers for the Steering Committee. The Shire engaged its Heritage Adviser, Dr Donald Ellsmore, as Coordinator of the Study. The Coordinator engaged local academic and historian, Dr Brett Stubbs, to prepare a thematic history, providing the historical context (but not a definitive history) across key identified themes in relation to the Shire's development.

Community volunteers were assigned to 9 areas in the Shire, and they scoured these, progressively logging and recording details of potential heritage items into State Heritage Inventory data sheets. Progress was overseen by the Steering Committee and the Coordinator.

Initially, the community volunteers found an unexpectedly high number of places of potential heritage significance—over 400. Through subsequent consultation and assessment by the Coordinator, many of these were designated for 'recording only' at this stage, on the basis of there being insufficient evidence to substantiate local heritage significance.

The Study makes recommendations for the ongoing management and protection of heritage places including the inclusion of 200 individual items, 5 conservation areas, and 8 Serial Listings on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan.

It is the consensus view of the combined Byron Shire Community-Based Heritage Study group that the designated places merit inclusion due to their local significance, and that their inclusion, and the uptake of the Study recommendations, is important to the continuing protection of Byron Shire heritage places.

Byron Shire Community-Based Heritage Study Volume I Coordinator's Report

1. Introduction

1.1. Aims

Between 2004 and 2006, the Byron Shire Community-Based Heritage Study was undertaken to identify, assess and recommend places for inclusion on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan, and to make recommendations for the ongoing management and protection of the Shire's heritage places.

1.2. Reporting of the Study

The Byron Shire Community-Based Heritage Study is reported in three volumes.

- This report, *Volume I Coordinator's Report*, introduces the Study, provides its background and methodology, and provides the findings and recommendations.
- *Volume II Byron Shire Thematic History* provides the historic context, based around relevant key historical themes.
- *Volume III Heritage Inventory Forms* documents the community-based research identifying and recording details of items of heritage significance.

1.3. Why a community-based study?

The community-based study methodology was chosen because it ensures that the community is not only consulted about its heritage, but also that it is actively involved in researching and nominating items and places of heritage significance, and in considering recommendations for their management and promotion.

The methodology is based on the premise that the community holds the necessary skills and knowledge when guided by an experienced heritage consultant—and this might or might not be so for every community.

However, the process does assist in promoting the community's sense of identity—its beginnings, its present and its potential—and a sense of ownership of its heritage assets and involvement in their future management.

In addition, the information can assist the Shire in protecting heritage, developing tourism strategies, and in devising education programs to ensure the community's heritage assets become better known, understood and appreciated.

While the Coordinator and Council staff have made all reasonable efforts to verify information, there might be minor factual errors and omissions given that this Study involved many community volunteers over a period of three years. However, it is unlikely that any person would be advantaged or disadvantaged by these.

2. Background

2.1. Byron Shire

Byron Shire occupies an area of 567 square kilometers in north-eastern New South Wales. It is bounded by the South Pacific Ocean on the eastern side and partly by Skinners Creek, Wilson River, Coopers Creek and the Nightcap range on the landward side. It comprises most of the catchment area of the Brunswick River, and part of that of the Richmond River.

The Shire was created in 1906 under the *Local Government (Shires) Act 1905*. It currently has a population of over 34,000 residents.

The area today is dominated by tourism and tourist-related industries, which have progressively replaced or displaced rural-based industries such as dairy farming and sugarcane and banana growing.

Tourism is the subject of most of the development in the area and is largely responsible for the international profile of the Shire in recent years. However, tourism-related matters also appear to feature in much of the conflict that has arisen in recent times around heritage, and in threats to the area's heritage; modern tourism tends to trade on a glamorous image of refined leisure that is in marked contrast to much of the traditional industry and heritage of the district.

2.2. Indigenous recognition

While Aboriginal heritage is not within the scope of this Study, the traditional ownership and occupation of the Byron Shire area by the Bundjalung and Arakwal people is acknowledged.

The Tweed Byron Local Aboriginal Land Council, Arakwal Aboriginal Corporation, and Bundjalung Elders Inc were invited to participate in the Study.

No attempt has been made in the Study to identify Indigenous heritage sites in the Shire or to deal in any comprehensive way with Aboriginal cultural history in the Thematic History. Both will be dealt with in a proposed Byron Shire study of Aboriginal cultural heritage.

3. Study methodology

From 2004 to 2006 the Study involved the following activities—some of which were sequential, some overlapped and some were ongoing throughout the almost three-year Study time-frame.

3.1. Appointing a Coordinator

In late 2003, the Byron Shire Council engaged Dr Donald Ellsmore, the Shire Heritage Adviser, to coordinate the Byron Shire Community-Based Heritage Study—jointly funded by the Byron Shire Council and the NSW Heritage Office.

The brief to Donald Ellsmore was to coordinate the input of Shire councillors, Council staff, community members and others in a study in accordance with guidelines for community-based heritage studies provided by the NSW Heritage Office.¹

3.2. Advising and involving the community

The Shire publicised the Study through various means such as articles in local newspapers and by inviting nominations for the Steering Committee.

The Community-Based Heritage Study Steering Committee was formed in 2004. Its first meeting was held on 17 March of that year, and regular meetings were held and documented throughout the Study time-frame (contributors to the Study, including members of the Steering Committee, are listed in Attachment B).

In addition, the Coordinator held a number of meetings with community groups and met at various times with a range of individuals and organisations to explain the aims of the Study and its processes, underpinning concepts, implications, and role of the community in the Study.

3.3. Commissioning and conducting the thematic history

In early 2004, the Coordinator commissioned the preparation of a thematic history from the local academic and historian Dr Brett Stubbs. It is important to note that in the community-based heritage study methodology, the thematic history is not expected to be a definitive history or an attempt to record history in a conventional way. Rather, in line with the NSW Heritage Office guidelines for community-based heritage studies, it analyses the history of the area by using State historic themes to inform the process of identifying and assessing heritage places.

Dr Stubbs prepared the Byron Shire Thematic History with input from community members, including members of local historical societies and people with detailed knowledge of aspects of local history. In particular, the Brunswick Valley Historical Society, the Bangalow Historical Society, and Douglas Johnston provided valuable input into and comments on drafts, as did most of the Steering Committee.

Themes relevant to the Byron Shire were initially determined with input from Shire staff. These were verified throughout the Study with community and Steering Committee input.

¹ NSW Heritage Office 1999, *Community-Based Heritage Studies: A Guide* and NSW Heritage Manual Update 2001, *Assessing Heritage Significance*. Attachment A provides a summary of recommended steps in the process for community-based heritage studies, reproduced from the NSW Heritage Office *Guide*.

The themes explored were:

- discovery and exploration
- transport and communication
- forest industry and forest conservation
- agriculture, dairying and related industry
- fishing and whaling
- quarrying, mining and mineral processing
- towns and villages
- leisure and tourism.

The resulting Byron Shire Thematic History provided valuable thematic information that contributed to the work of the Study in locating and assessing items of heritage interest (see Volume II Byron Shire Thematic History).

Throughout the Study, the Thematic History was progressively checked to ensure there were no gaps in recording of items of potential significance.

3.4. Gathering and reviewing information

The Coordinator gathered relevant background information from a range of sources, such as the State Heritage Inventory and information held by the Byron Shire Council.

Community volunteers, the Coordinator and other participants in the Study progressively gathered data about places of potential heritage significance. This involved undertaking informal surveys in the following 9 local areas.

Area 1:Byron Bay

Area 2:Suffolk Park, Broken Head

Area 3:Brunswick Heads

Area 4:Bangalow

Area 5:Ewingsdale, Tyagarah, Coopers Shoot, Skinners Shoot, Myocum

Area 6:Ocean Shores, Billinudgel, The Pocket, Middle Pocket, Yelgun, Wooyung

Area 7:Main Arm, Upper Main Arm, Huonbrook, Montecollum, Wilsons Creek

Area 8:Federal, Eureka, Goonengerry, Coorabell, Clunes, Nashua, Booyong

Area 9:Mullumbimby

As this community survey work was undertaken, information and photographic records were entered into State Heritage Inventory data sheets (SHI forms) following criteria provided by the NSW Heritage Office². The SHI forms were reviewed by Steering Committee members and the Coordinator over the Study period.

As the Study proceeded, it became apparent that the process and community resources were insufficient to record all the places and items of interest within the time-frame. Peter Stolz, a local community member, was engaged to undertake

² NSW Heritage Manual Update 2001, *Assessing Heritage Significance*

some of the work identifying, cataloguing and photographing additional items of interest in specific areas, and to assist with the coordination.

Volunteers and Council staff interrogated the Council's record system to gather information missing from the partly completed SHI forms, such as the legal description of the property and correct address and name of the current owners. This information was then added to the forms and the consolidated lists. As records were completed and provided to the Coordinator, they were checked for accuracy as far as possible, and cross-checked onto the consolidated list.

Through this process, over 400 places of potential local heritage significance were initially identified and recorded into SHI forms. The full list of items is appended in Attachment D. This full list divides the items into those that are recommended for listing of the heritage schedule of the LEP and those that are recommended for recording only, pending further research or new information that would establish local heritage significance.

In early to mid 2006, the Coordinator reviewed the completed SHI forms and made determinations about which places would meet the threshold for listing on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan.

3.5. Analysing information and developing recommendations

Through its collaborative work and processes, the Study analysed the information and arrived at a number of recommendations in relation to the ongoing management and protection of Byron Shire's local heritage places. The recommendations are provided in Section 8 of this report.

The Study's recommendations include that 200 individual places, 5 conservation areas, and 8 groups of places of like significance (Serial Lists) should be included on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan.

Details of the recommended listings are provided in Sections 4, 5 and 6 respectively of this Volume of the report and the SHI forms are provided in *Volume III Heritage Inventory Forms*.

Note that the information in the report volumes is complete to the extent that time and resources permit only, and that some SHI forms are not complete. Nevertheless, they should be viewed as a valuable repository for progressive inclusion of information about any changes or discoveries as this becomes available.

In addition, one of the recommendations of the Study is that a Heritage Advisory Committee should be established to assist the ongoing management and protection of Byron Shire heritage places. To assist this, a draft constitution that could be considered by the Council was prepared by the Study Coordinator and is provided at Attachment C.

4. Proposed individual heritage items

The Study recommends the following 200 individual items for inclusion on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan.

* Note: The ID in the following tables is an identifying number from the SHI forms—there are gaps in the sequence of numbers because some places initially listed on SHI forms are now recommended for recording only at this stage (due to insufficient evidence of local heritage significance).

4.1. Byron Bay

*ID	Name	Address
1.1	Railway Station	Jonson Street,
1.2	St Paul's Anglican Church	Kingsley Street
1.4	White's Cottage Clarkes Beach	Massinger Street (Northern end Massinger Street, Clarkes Beach)
1.5	Single fronted timber Cottage	5 Middleton Lane
1.6	Cemetery	Cemetery Road
1.7	Byron Bay Primary School	Cnr Kingsley and Tennyson Streets
1.8	'Palm Court' Residence	52 Kingsley Street, Cnr of Kingsley and Cowper Street
1.9	Balcony Bar and Restaurant	Cnr Jonson and Lawson Streets
1.10	Group of 4 houses, known as the Norco Manager's Houses	79, 81, 83, 85 Massinger Street
1.12	Police Station and Courthouse	Shirley Street & Butler Streets
1.13	Norco Butter Factory	Jonson Street
1.14	Cape Byron Lighthouse and three cottages	Lighthouse Road
1.15	Byron Bay Visitor's Centre	Jonson Street
1.16	Former Railway Water Tower	Butler Street
1.17	Post Office	61 Jonson Street
1.18	Byron Bay Community Centre	69 Jonson Street
1.19	Terrace houses	27-31 Fletcher Street
1.20	Duplex cottages (pair of semi-detached cottages)	33-35 Fletcher Street
1.22	Jasmine House	4 Browning Street
1.23	Great Northern Hotel	35-43 Jonson Street
1.31	Water Tank with painted murals	Massinger & Patterson Streets Junction
1.38	1907 Homestead	58 Kingsley Street
1.39	Arcadia Guesthouse	48 Cowper Street
1.41	Cottage	60 Butler Street
1.42	Pre WW1 building	62 Butler Street Cnr of Burns & Butler Streets
1.51	Green Frog / Simplex Engine	Belongil Rail Crossing
1.52	Kingsley Street precinct	Kingsley Street (Ruskin, Massinger, Carlyle and Middleton Streets)
1.53	Burns St Precinct	Burns Street (bounded by the railway line to the east, Somerset Street to the north, Wordsworth Street to the west and Burns Lane to the south.)

*ID	Name	Address
1.54	Shirley St Precinct	Shirley Street (Shirley and Cavanbah Streets to the north, Kendall Street to the west, Byron Street to the south and Wordsworth Street to the east).
1.55	Main Beach Backpackers	Lawson Street (Corner Lawson & Fletcher Streets)
1.56	Railway Precinct	Jonson Street
1.60	Commercial facade	17 – 31 Jonson Street
1.61	Cottage	88 Jonson Street
1.63	Art Gallery	39 Fletcher Street
1.66	Eli Hayter House	Hayter's Hill, Bangalow Road

4.2. Suffolk Park, Broken Head

*ID	Name	Address
2.1	Norco Pump	222 Broken Head Road
2.2	Suffolk Park Land	Alcorn Street
2.3	Broken Head Hall	Broken Head/Midgen Flat Roads
2.4	Church of St Oswald	Broken Head Road

4.3. Brunswick Heads

*ID	Name	Address
3.6	Brunswick Heads Public School	Fingal Street
3.7	St Thomas Anglican Church	21 Fingal Street
3.8	Memorial Public Hall	24 Fingal Street
3.9	Former Picture Theatre	30 Fingal Street
3.10	Private Residence	5 Booyun Street
3.11	Private Residence	9 Booyun Street
3.13	Footbridge	South Arm (Simpson's Creek) Brunswick River
3.14	'Broadview' Private flats	12 Fawcett Street
3.15	Hotel Brunswick	Mullumbimbi Street
3.17	Barnes Residence	40 Mullumbimbi Street
3.19	Our Lady of Lourdes Catholic Church	50 Mullumbimbi Street
3.26	The Terrace precinct	The Terrace
3.33	Residence	7 Mullumbimbi Street
3.34	Commercial	14-16 Mullumbimbi Street
3.35	Residence	19 Fawcett Street

4.4. Bangalow

*ID	Name	Address
4.1	Conservation Area	Bagalow
4.2	Kings monument	Byron Street
4.3	'Jelbon Leigh'	Pacific Highway
4.4	'Neptune'	Pacific Highway
4.5	'Clover Hill'	Bagalow Bay Road
4.6	Buckley's 'Glenbrook' House	Bagalow Road (1km east of Bagalow)
4.7	Bagalow Police Station	Byron Street

*ID	Name	Address
4.9	'Bangalow House'	Byron Street
4.10	Bangalow Post Office	Byron Street
4.12	Bangalow Public School	Byron Street
4.13	Bank	20-22 Byron Street
4.14	Bank	16-18 Byron Street
4.15	Shops	9-11 Byron Street
4.16	Shops	13-17 Byron Street
4.17	Shops	19 Byron Street
4.18	Shops	23-27 Byron Street
4.19	The Strand	29-35 Byron Street
4.21	Grey's House	68 Byron Street
4.22	'Riverview'	99 Byron Street
4.23	Bangalow Hotel	Byron Street
4.24	Bangalow Bakery Bldg	20 Byron Street
4.26	Shops	36 Byron Street
4.27	'All Souls' C of E	Cnr Byron & Ashton Streets
4.30	Prentice	42 Granuaille Road
4.32	'Avalon'	Granuaille Road
4.33	House	Granuaille Crescent (near cemetery)
4.34	Bangalow Cemetery	Granuaille Crescent
4.39	Campbell's House 'Byron Lodge'	14 - 16 Granuaille Street
4.42	Brick house	55 Granuaille Street
4.44	'George Reading Building'	Lismore Road
4.46	Blanchs	27 Lismore Road
4.49	Railway Station	Station Street
4.50	Masonic Hall	Station Street
4.52	A & I Hall	Station Street
4.54	Uniting Church	Station Street
4.55	Catholic Church 'St Kevins' and	Deacon Street
4.56	Catholic Hall	
4.57	Bangalow Swimming Pool/Park	Deacon Street
4.59	'Hartford House'	16 Charlotte Street
4.65	All Souls C of E Manse	Ashton Street
4.66	Presbyterian Church	Byron Street
4.67	Presbyterian Manse	2 George Street
4.71	House	Bangalow Road Talofa
4.84	House	10 Old Ballina Road
4.88	Showground	Bangalow Showground
4.91	Byron Bay House	549 Bangalow Road, Talofa

4.5. Ewingsdale, Tyagarah, Coopers Shoot, Skidders Shoot, Myocum

*ID	Name	Address
5.1	St Columba's Church Group	Old Pacific Highway, Ewingsdale (William Flick Lane)
5.2	Tyagarah Meat Pool	Kennedys Lane, Tyagarah
5.3	W.A. Flick residence	Tyagarah Road, Tyagarah
5.4	House 'Cornwall'	17 Foxs Lane, Tyagarah
5.6	Plane Crash Site	Barlow property, Myocum
5.9	Walker family farm	939 Myocum Road, Myocum

*ID	Name	Address
5.10	Tulloch homestead	1149 Myocum Road, Myocum
5.11	Higgins homestead	Ewingsdale Road, Ewingsdale
5.12	Johnston homestead	'Weetalabah' Pacific Highway, Ewingsdale
5.15	Bernard McGettigan homestead	McGettigans Lane, Ewingsdale
5.22	'Hazeldene' Armstrong's	355 Cooper Shoot Road, Coopers Shoot
5.23	McLeod's Shoot Lookout'	Pacific Highway, McLeods Shoot
5.24	St Helena railway bridge	Robinsons Shoot Street, Helena Road
5.26	Dulcamer	319 Bangalow Road, Skinners Shoot (Hayters Hill)
5.28	Flick Farm and Sugar Mill (Carabene)	Quarry Lane, Ewingsdale

4.6. Ocean Shores, Billinudgel, The Pocket, Middle Pocket, Yelgun, Wooyung

*ID	Name	Address
6.1	Ballast	Entrance, Marshall's Creek, Readings Bay, Ocean Shores
6.3	Wharf Remains	Fig Tree Hole, Brunswick River
6.6	Road Cuttings [Br to Tweed Road]	Nature Reserve
6.7	Tree with blaze	47 Rajah Road, Ocean Shores
6.8	Roundhouse Site	Orana Road, Ocean Shores
6.9	House	10 Kanandah Court, Ocean Shores
6.10	Over-road rail bridge	Wooyung
6.12	Railway underbridge	Yelgun
6.13	House	7 Terrace Street, New Brighton
6.14	Tunnels 1,2 and 3	Railway line between Mullumbimby and Billinudgel
6.16	General Store and PO	2 Wilfred Street, Billinudgel
6.19	Hotel	1 Wilfred Street, Billinudgel
6.21	House	1/1 Brunswick Street, Billinudgel
6.22	Catholic Church	Tunnell Road, Billinudgel
6.24	House 'Coral Grove'	390 The Pocket Road, The Pocket
6.25	House 'Mumbla'	The Pocket Road, The Pocket
6.26	Farmhouse	814 The Pocket Road, Billinudgel
6.31	Ocean Shores Country Club including shield tree and tiff dwarf grass	Orana Road, Ocean Shores

4.7. Main Arm, Upper Main Arm, Huonbrook, Montecollum, Wilsons Creek

*ID	Name	Address
7.1	Power Station & Race	Wilsons Creek Road, Wilsons Creek
7.13	Lavertys Gap Water Treatment Works	Wilsons Creek Road, Lavertys Gap, Wilsons Creek
7.14	Lavertys Gap Weir and water canal	Wilsons Creek Road, Lavertys Gap, Wilsons Creek
7.18	Wilsons Creek Hall	Wilsons Creek Road, Wilsons Creek

4.8. Federal, Eureka, Goonengerry, Coorabell, Clunes, Nashua, Booyong

*ID	Name	Address
8.1	Eureka Uniting Church	Cnr of Eureka and Springvale Roads, Eureka
8.2	St Aidan's Church	Cnr Whian and Federal Roads, Eureka
8.3	Eureka Public Hall	Eureka Road, Eureka
8.4	Eureka Public School	Brunswick River Road, Eureka
8.5	Clunes Cemetery	Lismore Road, Clunes
8.6	Bencluna	Bencluna Lane, Eureka
8.7	Gretel Farm	Springvale Road, Eureka
8.8	Zalmonah	229 Eureka Road, Eureka
8.9	Old Rectory	2 Whian Road, Cnr Whian and Federal Roads, Eureka
8.10	The Cedars	Eureka Road, Eureka
8.11	Flowerdale	Springvale Road, Eureka
8.12	Allansby	103 Federal Drive, Eureka
8.15	School of Arts	Federal Drive, Federal
8.16	Holy Trinity Anglican Church	Federal Drive, Federal
8.17	The Tin Shed	Cnr Eureka Road, Federal Drive and Goonengerry Road, Federal
8.20	Eureka village landscape	Eureka Village
8.21	Pioneer Monument	Federal Road, Eureka
8.22	Scarabelotti's Lookout	Coolamon Scenic Drive, Coorabell

4.9. Mullumbimby

*ID	Name	Address
9.10	SM's Cottage	Argyle Street (at crossing)
9.14	House	11 Argyle Street
9.16	Railway Station	Prince Street
9.19	House	37 Prince Street
9.30	Public Lavatory	Station Street
9.31	House	87 Station Street
9.32	House	93 Station Street
9.35	House	5 Fern Street
9.36	Brunswick Valley Hist Soc Museum	Myocum Street
9.37	The Yellow Church Yoga & Natural Therapies Centre	9 Myocum Street
9.38	Ross Industrial Complex	Mill Street
9.39	House	24 Mill Street
9.47	Heritage Park	Brunswick River Terrace
9.50	House	4 Tyagarah Street
9.51	House	2 Tincogan Street
9.53	House	18 Tincogan Street
9.56	House	6 Jubilee Avenue
9.59	House	Coolamon Scenic Drive
9.62	House	1 Stuart Street
9.71	House	21 Stuart Street
9.78	House 'Botany'	31 Stuart Street
9.81	Rectory C of E	38-42 Stuart Street

*ID	Name	Address
9.82	Church C of E	38-42 Stuart Street
9.91	House	4 Dalley Street
9.97	House	28 Dalley Street
9.99	Mullumbimby Civic Precinct	Dalley Street between Burringbar & Tincogan Streets
9.101	Court House & Lockup	Dalley Street
9.103	Fire Station	Dalley Street
9.105	Civic Memorial Hall	Dalley Street
9.106	Civic Centre	Dalley Street
9.109	Offices	108-110 Dalley Street
9.118	'Cedar House'	140 Dalley Street
9.120	Commercial buildings	Burringbar Street
9.121	Westpac Bank	Burringbar Street
9.122	'Hang It Pot It'	Burringbar Street
9.123	'Simpsons Building'	Burringbar Street
9.124	'Mallams' art deco façade over bottle shop	Burringbar Street
9.125	Commercial Hotel	Burringbar Street
9.126	National Bank	Burringbar Street
9.134	Magnolia House	2 Murwillumbah Road
9.137	Inverary	Main Arm Road
9.138	Catholic Convent, Presbytery and Belltower	Casuarina Street
9.140	'Summerset'	Azalea Street
9.150	Mullumbimby precinct	
9.151	Federation Bridge	Murwillumbah Road
9.155	Book Barn	98 Dalley Street
9.157	Mullumbimby Cemetery	Coolamon Avenue, Poplar and Eugenia Streets

5. Proposed conservation areas

The Study recommends the following 5 conservation areas for inclusion on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan.

- Bangalow Township
- Butler Street Precinct, Byron Bay
- Kingsley Street Precinct, Byron Bay
- Shirley Street Precinct, Byron Bay
- Mullumbimby Town

These conservation areas are defined in appended maps (see Attachment E). They merit listing as places of local heritage significance due to the consistency and composition of their individual elements—they contain individual places that together contribute to the heritage significance of their immediate area.

Due to their individual local heritage significance, some places contained within the conservation areas are also listed individually.

5.1. Bangalow Township

Bangalow is a township of outstanding character because of its setting and because of the number, type and location of individual elements and landscape features within the historical township.

The steeply sloping main street retains a substantial number of single and two-storey buildings of high integrity on both sides of the street (also the venue for the annual downhill billycart derby). Several of these places are significant local heritage items.

The setting of the township is exceptional. It nestles in a green basin with hills all around. The former main road through the town, Byron Street, descends from the railway crossing at Granuaille Street to Byron Creek with the picturesque Anglican Church of All Souls at the Byron Creek. Granuaille Street is lined with substantial buildings and commands a superb view over the town centre to the showground.

The history of Bangalow is linked with the principal agricultural enterprises of timber getting and dairying, and the railway, which provided the means to transport timber and cream to market. Evidence of this history is visible in the landscape and in the names of the streets, including Station Street and Granuaille Street (the original name of the railway station, constructed in 1892).

5.2. Butler Street Precinct, Byron Bay

The area of Byron Bay around Butler and Burns Streets was identified as a precinct of special importance in the local planning process that commenced with the Settlement Strategy. It is an area of freestanding houses of substance in wide tree-lined streets near the busy commercial and tourist hub of Byron Bay.

None of the places within the Butler Street precinct has high significance but some exhibit special local character, such as the home of 'Brickie' Burns, which provides idiosyncratic examples of his bricklaying skills in the fences, chimneys and decorative

masonry elements. Brick construction was uncommon in Byron Bay and the home of one of its few exponents therefore occupies a special place in local history.

5.3. Kingsley Street Precinct, Byron Bay

Like the Butler Street precinct, the Kingsley Street precinct was identified in the local planning Settlement Strategy process as an area of importance to the local community and the town.

This precinct is the 'quality row' of Byron Bay, where the traditional architectural forms, although sometimes modest in style and character, stand on large lots surrounded by richly vegetated sub-tropical gardens. The streets feature mature shade trees and exotic species.

5.4. Shirley Street Precinct, Byron Bay

The Shirley Street precinct occupies a key position at the northern entrance to Byron Bay where the striking avenue of Norfolk Island pines defines a boundary between the brash modern holiday lettings on the eastern seaboard side, and the traditional mostly timber holiday homes on the western side.

The precinct embraces the traditional holiday dwellings and the avenue of pines. It is an area that still reflects Byron Bay's working class and tourism origins. It is proposed to maintain the character of modest scale single storey dwellings on traditional lots.

5.5. Mullumbimby Town

The town of Mullumbimby trades on the title of 'biggest little town in Australia'. It is a place where the physical form reflects the traditional rural character of a small town with wide streets, compact business centre, owner-occupied residential streets and lush green sub-tropical vegetation.

Mullumbimby is also a place with high evidence of 'rainbow culture', which can be observed in the commercial and residential parts. Its two main streets contain buildings of heritage character that endow the town with a strong sense of order. Any change to this character by way of inappropriate development could have a far reaching impact.

Therefore, the place has been identified as having a character that should be managed sensitively by way of a conservation area heritage listing that would influence the nature and extent of change within the area.

6. Proposed serial listings

The Study recommends the following 8 groupings as serial listings for inclusion on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan or for consideration of other protection measures in either the LEP or DCP, whichever is found to be more appropriate.

- Dairy industry artifacts, such as dairy bails and cream boxes
- Grass reserves and stands of grasses
- Timber industry artifacts, such as shoots, logging and timber sites
- Dry stone walls
- Banana industry artifacts, such as packing sheds
- Feature trees
- Old Brunswick Road
- Big Scrub remnants

Serial listings refer to groups in general as a place. The specific locations of individual items or elements that make up the group were entered on the schedule attached to the group listing (see *Volume III Heritage Inventory Forms*).

The serial listings contain items of heritage significance that collectively and individually contribute to the heritage of the Byron Shire.

6.1. Dairy industry artifacts, such as dairy bails and cream boxes

The importance of dairying in the historical development of the Byron Shire was profound—the famous green hills of the Shire are essentially a legacy of the dairying industry, which in turn has left what is now a vulnerable legacy of wooden dairy bails, cream boxes, dip races and cream sheds.

These redundant structures are important in the historical landscape, but challenging to conserve. The idea of listing the surviving elements of dairying is to promote their importance and their preservation by any available appropriate means.

6.2. Grass reserves and stands of grasses

The grass reserves are associated with pre-European and early European activity in the Shire. Ten grass reserves survive in an identifiable form unique to the former Big Scrub and the Byron Shire.

The purpose of listing these grass reserves is to promote awareness of their historical importance and to protect them from inappropriate development.

6.3. Timber industry artifacts, such as shoots, logging and timber sites

Like the dairying industry, the timber industry is strongly associated with the history of the Shire and also with the physical environment—its importance can be observed in the forest conservation areas, place names and various built forms.

The serial listing of places and items of importance in relation to the former timber industry is intended to promote their historical importance so that they will be conserved over the long term.

6.4. Dry stone walls

The dry stone walls of the Byron Shire are few in number, but they are a distinctive element in the local landscape, and well worth preserving. Pioneers of the district used European-derived skills and techniques, and the abundant reserves of rocks produced by ancient geological activity, to create stone boundary walls.

These walls have high significance and their serial listing is intended to promote awareness of their importance and thus encourage their conservation.

6.5. Banana industry artifacts, such as packing sheds

Although only a short-lived activity, the banana industry has a strong association with changes in the landscape and the multi-cultural make up of the Byron Shire. The physical legacy of the industry is small but significant.

It is therefore hoped that by listing the surviving identifiable elements of banana production, the community will participate in the conservation and appropriate use of these elements.

6.6. Feature trees

The greenness of the Byron Shire is one of the strong attractions of the area, and a key plank in the modern-day tourism platform. However, the abundance of sub-tropical and exotic tree species is largely a result of human activity over the period since European settlement—some of the trees, including the avenues and standards of planted decorative trees, as well as some surviving specimens from pre-European settlement, are highly significant in the Shire.

It is intended that the serial listing of identified trees will promote awareness of their importance, and that it will also serve to protect them from inappropriate development.

6.7. Old Brunswick Road

Prior to the arrival of the railway in the 1890s Old Brunswick Road was the principal means of access into the Shire from the Richmond River and settlements to the south. It ran through Clunes and the Federal Eureka area down to the coast at Brunswick Heads and the last section of the 'road' was the beach south of the Brunswick River at low tide.

The road is no longer an intact route, but parts of it exist in a degraded state and some parts form part of the modern-day road pattern. Listing the discontinuous parts of the road on a serial listing is intended to conserve the physical evidence of the historic route that played such an important role in the early settlement of the Shire.

6.8. Big Scrub remnants

The sub-tropical rainforest that covered a large part of the Byron Shire prior to European settlement is known as the Big Scrub. It was possibly the largest tract of sub-tropical rain forest and there are precious few surviving remnants.

The serial listing of these identified remnants is intended to promote awareness of the historical significance of the Big Scrub and to promote conservation of the valuable rainforest resource.

7. Places to be removed from listings

There are 28 items in the Byron Shire listed by Local Government and State Agencies in the State Heritage Inventory. There are others listed in the Regional Environmental Plan (North Coast REP 1988).

The North Coast REP provides local government with state and regional policy guidelines for the preparation of local environmental plans and for certain types of development. The plan sets the basis for new urban and rural development. The emphasis is on progress coupled with careful management. Amendments to the policy deal with heritage items, the NSW Coastal Policy and concurrence and consultation requirements in the REP.

This study does not recommend removal of any of the items identified in either the LEP or REP without further investigation.

8. Recommendations

The NSW heritage management system adopts a three-stage process for investigation, assessing and managing heritage resources by investigating significance, assessing significance and managing significance. The Community-Based Heritage Study deals with the first two steps for the Byron Shire in a broad sense. The third step in the process requires management of heritage significance through the LEP and DCP guidelines and further policies.

The Byron Shire Community-Based Heritage Study Steering Committee recommends that the Byron Shire Council:

- endorses the Byron Shire Community-Based Heritage Study and its report in relation to the ongoing management and protection of heritage places
- advertises the listing recommendations and invites public comment on the items, their significance and the identification of any gaps in the listings
- lists places in Section 4 of this report on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan
- lists conservation areas in Section 5 of this report on the schedule of places of local heritage significance in the Byron Shire Local Environment Plan
- includes groups shown as serial listings in Section 6 of this report for consideration of protection measures in either the Byron Shire Local Environment Plan (LEP) or related Development Control Plans (DCP), whichever is found to be more appropriate
- includes provisions for the management of heritage items and conservation areas within its Local Environmental Plan (LEP) and Development Control Plan (DCP) (refer to Attachments F and G for draft provisions)
- records information about those places that were considered within the Study but not recommended for listing at this point in time due to insufficient information to substantiate local heritage significance
- undertakes further research in an ongoing systematic manner to ensure that places of significance will be added to the list of places of local heritage significance in the Byron Shire Local Environment Plan
- undertakes activities to promote the Shire's heritage and to educate the community and relevant others of the benefits of listing and protecting items of local heritage significance
- establishes a Heritage Advisory Committee with representatives of local historical societies and members of the Heritage Study Steering Committee with terms of reference including a focus on supporting Council to conserve the local heritage (refer to Attachment C)
- establishes an annual local heritage fund based on guidelines issued by the NSW Heritage Office (reproduced at Attachment H)
- undertakes to promote awareness of the Shire's diverse heritage through publications and activities that would inform the wider community about its range and scope
- schedules the proposed study of Aboriginal cultural heritage in the Shire environs.

- Undertakes periodic reviews of this study from time to time to ensure that places are added to the schedule of listed places, or removed according to circumstances, as new and additional information comes to hand, and that the heritage management provisions are consistent with ongoing needs

9. Attachments

The following Attachments are included within the following pages of this report:

Attachment A: The Community-Based Heritage Study Process

Attachment B: Contributors to the Study

Attachment C: Draft Heritage Advisory Committee Constitution

Attachment D: List of Heritage Items and Potential Heritage Items

Attachment E: Conservation Area Maps

Attachment F: Draft LEP Provisions

Attachment G: Draft DCP Provisions

Attachment H: Guidelines for Establishing a Local Heritage Fund

Attachment A: The Community-Based Heritage Study Process

The Byron Bay Community-Based Heritage Study followed the process recommended by the NSW Heritage Office (reproduced below from *Heritage Information Series Community-Based Heritage Studies: A Guide*, NSW Heritage Office 1999).

The Community Based Heritage Study Process

The following steps are suggested. There may be circumstances where it will make sense to change the order, or to delete or add steps.

1. Council appoints a coordinator.
2. Council advises the community about the proposed study and calls for expressions of interest for a heritage study committee, both by advertisement and direct invitation to interested organisations and individuals.
3. The committee holds a workshop with interested members of the community to decide on the scope and direction of the study.
4. The coordinator arranges for a thematic history to be undertaken.
5. The thematic history is undertaken by a professional historian. Where local expertise is available, the historian will use a team of local historians in preparing the history.
6. The committee develops a computerised list of items already identified, e.g. those identified in the National Trust Register and other respected community lists.
7. The committee cross-checks the known items against the draft thematic history to find obvious gaps.
8. The committee calls for community assistance to complete the necessary information and to fill known gaps.
9. The coordinator and committee may hold workshops at this point to assist the community to nominate items and offer further information on identified items.
10. The historian revises the thematic history in the light of community input and comments on the histories of individual items.
11. The coordinator supports the committee in the completion of assessments and inventory sheets for identified items.
12. The coordinator works with the committee to draw up a list of management recommendations.
13. The draft inventory and recommendations are checked with the community through meetings, displays in shopping centres, articles in the local newspaper, etc.
14. Additional community information and advice is included in the final inventory and recommendations.
15. The committee identifies levels of significance (local or State) for each item with the assistance of the coordinator and the historian.
16. The coordinator sends the full inventory to the Heritage Office for entry into the State Heritage Inventory.
17. The committee presents the completed study and management recommendations and evidence of community acceptance to the council for adoption.
18. Council adopts the study and commences implementation, including LEP listings, promotion and incentives.

Attachment B: Contributors to the Study

Study Coordinator

Donald Ellsmore

Community-Based Heritage Study Committee Members and Volunteers

Fae Flick (Area 5: Ewingsdale, Tyagarah, Coopers Shoot, Skinners Shoot, Myocum)

Ian Fox (Area 3: Brunswick Heads)

Jeff Garratt (Area 9: Mullumbimby)

Teresa Gilroy (Area 7: Main Arm, Upper Main Arm, Huonbrook, Montecollum, Wilsons Creek)

Douglas Johnston (Area 8: Federal, Eureka, Goonengerry, Coorabell, Clunes, Nashua, Booyong)

Hilary Kerr (Area 1: Byron Bay)

Noeline Kyle (Area 9: Mullumbimby)

Dierdre Maguire (Area 6: Ocean Shores, Billinudgel, The Pocket, Middle Pocket, Yelgun, Wooyung)

Martin McGettigan (Area 5: Ewingsdale, Tyagarah, Coopers Shoot, Skinners Shoot, Myocum)

Don Osborne (Area 4: Bangalow)

Sue Riley (Area 7: Main Arm, Upper Main Arm, Huonbrook, Montecollum, Wilsons Creek)

Janice Rogers (Area 1: Byron Bay)

Denise Stammers (Area 6: Ocean Shores, Billinudgel, The Pocket, Middle Pocket, Yelgun, Wooyung)

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Byron Shire Councillors

Jan Barham

Ray Kestle

Jan Mangleson

Byron Shire Council Staff

Lizard

Lydia Reading

Steve Smith

Lisa Wrightson (nee Wheeler)

Thematic History

Brett Stubbs (Historian)

Other Contributors

Robyn Gray

Chris Gray

Dawn Lotty

Vivienne Gorec

Alison Draper

Ian McIntosh

Clarence Phillips (Tweed Byron Local Aboriginal Land Council)

Yvonne Stewart (Arakwal Aboriginal Corporation)

Ian Walker

Attachment C: Draft Heritage Advisory Committee Constitution

1. Name

The Advisory Committee, as appointed under the provisions of section 377 of the Local Government Act 1993, shall be known as the Byron Shire Heritage Advisory Committee, and is hereinafter referred to as the 'Advisory Committee'.

2. Objectives

- (a) To advise Council about heritage assistance, grant applications review and recommendations;
- (b) To advise Council on long term planning of significant community heritage assets including parks, street trees and cemeteries;
- (c) To advise Council in relation to reviews of local heritage listings;
- (d) To liaise with local communities and businesses in organising promotional activities including annual events such as Heritage Festival events in the Byron Shire;
- (e) To advise Council about increasing the community's awareness of heritage matters and undertaking promotional activities in conjunction with Council.

3. Role and Authorities

- (a) Whereas the Advisory Committee is appointed by Byron Shire Council under the terms of the Local Government Act 1993, the Advisory Committee is to abide at all times with the terms of reference of this clause, and with the authorities delegated under this clause whilst remaining in force (unless otherwise cancelled or varied by resolution of Council).
- (b) The Advisory Committee shall have the following authorities delegated to it in accordance with the provisions of section 377 of the Local Government Act 1993:
 - (i) to recommend to Council policies drawn up by professional staff for:
 - Heritage Assistance Grant Applications, review and recommendations;
 - Advice on long-term planning of significant community heritage assets;
 - Review of the Local Heritage Listings;
 - Organising Heritage Festival events in the Byron Shire;
 - Increasing community awareness of heritage matters.
 - (ii) To bring to Council's attention, by way of recommendation, any item requiring a policy decision outside the authority granted to the Advisory Committee under section 377;
- (c) The Council retains the responsibility for all budgetary considerations;
- (d) The General Manager (or his/her delegate) retains, and shall be entirely responsible for the appointment and dismissal of staff (either permanent or temporary) within the Heritage Advisory Committee in accordance with the Local Government Act 1993;
- (e) The General Manager (or his/her delegate) retains all responsibility for the direction of any staff member, including any disciplinary action, be it for permanent, temporary or part time staff. The Advisory Committee will, however,

have the right to bring to the attention of the Director of the Department within Council responsible for the Heritage Advisory Committee, any issues which, in its opinion, require disciplinary action; and

- (f) Any authorities conferred upon the Advisory Committee under this Constitution may be varied by Council.

4. Term

The Advisory Committee members' term shall be for four years to coincide with Council's term of office. Advisory Committee members shall cease to hold office at the expiration of three months after the Ordinary election of the Council, but be eligible for re-appointment, subject to the condition that the Advisory Committee may be dissolved by Council at any time.

5. Structure and Membership

- (a) The structure and membership of the Advisory Committee shall be as follows, and all the under-mentioned appointments will have voting rights:
- (i) At least one (1) Councillor of the Byron City Council; and
 - (ii) Up to nine (9) community appointments, appointed by Council following the calling of applications as detailed in clause 6(b) of this Constitution;
- (b) Whereas the appointments detailed in clause 5(a) will form the Advisory Committee, the Director of Environmental Planning will be required to attend meetings of the Advisory Committee;
- (c) The Director of Environmental Planning charged with the responsibility for the Heritage Advisory Committee within the Byron Shire Council shall attend meetings and may delegate a member of the Planning and Environment staff, as his/her delegate when deemed necessary;
- (d) The Advisory Committee shall, at its first meeting following appointment, and each twelve (12) month period thereafter, elect one of its members from those appointed under clause 5 to be the Chairperson of the Advisory Committee, and one of its members appointed under the same clause to be Deputy Chairperson, who shall act in the absence of the Chairperson;
- (e) The position of Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (f) The position of Deputy-Chairperson shall not be held by the same person for any longer than three (3) consecutive years;
- (g) No staff member of Byron Shire Council shall be elected as Chairperson or Deputy Chairperson of the Advisory Committee;
- (h) Each member of the Advisory Committee entitled to vote shall only have one vote except that of the casting vote of the Chairperson in the case of equality of votes;
- (i) The Advisory Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance, but such co-opted members shall only serve on the Advisory Committee for the period of time required, and will not, whilst serving in the position of co-opted member, have any voting rights; and
- (j) The Advisory Committee may invite as observers citizens or other representatives for the purpose of clarifying certain matters as decided by the Advisory Committee. Such observers will not be permitted to vote.

6. Appointment and Election of Members

- (a) At least one (1) Councillor will be appointed to the Advisory Committee in accordance with practices and procedures of the Council;
- (b) The Council shall, in the month of October following the quadrennial election place advertisements in appropriate newspapers inviting nominations from members of the community for membership to the Advisory Committee;
- (c) The Council shall select and appoint the community representatives to the Advisory Committee;
- (d) The Advisory Committee shall have the power to fill casual vacancies at its discretion;
- (e) Members of the Advisory Committee shall cease to hold office:
 - (i) if the Advisory Committee is dissolved by Council;
 - (ii) upon written resignation or death;
 - (iii) if absent without prior approval of the Advisory Committee for three consecutive meetings; or
 - (iv) if the Council by resolution determines that the member has
 - (v) breached Council's Code of Conduct (as it is in force from time to time).
- (f) For the purposes of sub-clause 6(e)(iv), the Code of Conduct is to be taken to apply to community and representative members as referred to in clause 5(a) in the same way as the Code of Conduct applies to Councillors.

7. Procedures and General

- (a) Ordinary meetings of the Advisory Committee shall be held on a quarterly basis; no less than four (4) times per year. Special meetings may be convened at the discretion of the Chairperson, or, in his/her absence, the Deputy Chairperson;
- (b) The Director of Environment and Planning shall be the Executive Officer to the Advisory Committee, and will be responsible for preparation of specialist reports, and any and all correspondence associated with the Advisory Committee;
- (c) The Council will provide a Minute Clerk for the purpose of recording the Minutes of the Advisory Committee meetings and for the distribution of Minutes following meetings of the Advisory Committee;
- (d) No meeting of the Advisory Committee shall be held unless three (3) clear days notice thereof has been given to all members;
- (e) The Minute Clerk shall forward a copy of the Minutes of each Advisory Committee meeting to all Advisory Committee members, as well as to Council, for submission to the appropriate Standing Committee, as soon as possible following such Advisory Committee meeting;
- (f) At any meeting of the Advisory Committee, the Chairperson, or the person acting in the position of Chairperson, shall, in addition to his or her ordinary vote, have a casting vote where such a situation occurs where there is an equality of votes;
- (g) The rules governing meetings and the procedures of the Advisory Committee shall, so far as they apply, be those covered by the Byron Shire Council's Code of Meeting Practice, as may be altered from time to time by resolution of the Council;
- (h) A quorum of the Advisory Committee shall be constituted by five (5) members being present at meetings;

- (i) Any members having a pecuniary interest in any matters being discussed by the Advisory Committee shall declare such interest at the meeting of the Advisory Committee and refrain from voting or discussion thereon.
- (j) The requirements applying to pecuniary interests for members as detailed in clause 7(i) above shall apply equally to any other appointed or invited observers or co-opted members, and also to the Executive Officer/Secretary;
- (k) Any recommendations of the Advisory Committee shall, as far as adopted by the Council, be resolutions of the Council, provided that recommendations or reports of the Advisory Committee shall not have effect unless adopted by the Council;
- (l) It shall be competent for the Advisory Committee to appoint a sub-committee or specific work groups comprised of members or non-members to exercise and carry out specific investigations for the Advisory Committee, and then to report back to the Advisory Committee. These appointed sub-committees or work groups may be dissolved by the Advisory Committee at any time;
- (m) Any appointed sub-committees or work groups have no power to make any decisions whatsoever on behalf of the Advisory Committee, and any recommendations of any sub-committee or work group will only have effect once adopted by the Advisory Committee, or by the Council, as the case may be;
- (n) The Director of Environment and Planning shall prepare an Annual Report of the Heritage Advisory Committee's activities for submission to the Advisory Committee, who will, in turn, present such report to the Council.
- (o) The Committee's role shall specifically exclude discussion and advice relating to development applications and Council development projects.

Attachment D: List of Heritage Items and Potential Heritage Items

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PROPOSED LISTINGS CONSOLIDATED LIST OF HERITAGE ITEMS BYRON SHIRE COMMUNITY-BASED HERITAGE-BASED STUDY

AREA 1 BYRON BAY

BYRON BAY: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
1.1	Railway Station	Jonson Street	Lot: 1 DP: 1001454
1.2	St Paul's Anglican Church	Kingsley Street	Lot: 7 Sec: 48 DP: 758207
1.4	White's Cottage Clarkes Beach	Massinger Street (Northern end Massinger Street, Clarkes Beach)	Part Lot: 10 DP: 1049827
1.5	Single fronted timber Cottage	5 Middleton Lane	Lot: B DP: 377425
1.6	Cemetery	Cemetery Road	Lots: 374, 375, 376, 377, 378 DP: 728177
1.7	Byron Bay Primary School	Cnr Kingsley and Tennyson Streets	Lot: 2 Sec: 43 DP: 758207
1.8	'Palm Court' Residence	52 Kingsley Street Cnr of Kingsley and Cowper Street	Lot: A DP: 338529
1.9	Balcony Bar and Restaurant	Cnr Jonson and Lawson Streets	Lot: 2 DP: 830504
1.10	Group of 4 houses, known as the Norco Manager's Houses	79, 81, 83, 85 Massinger Street	Lot: 1 DP: 625184 Lot: 2 DP: 625184 Lot: 3 DP: 6441 Lot: 4 DP: 6441
1.12	Police Station and Courthouse	Shirley Street & Butler Streets	Lot: 387 DP: 728536
1.13	Norco Butter Factory	Jonson Street	Lot: 1 DP: 804082 Lot: 4 DP: 604983 Lot: 5 DP: 258071 Lot: 6 DP: 258081
1.14	Cape Byron Lighthouse and three cottages	Lighthouse Road	Lot: 1 DP: 847753 Lot: 2 DP: 847753 Lot: 3 DP: 847753
1.15	Byron Bay Visitor's Centre	Jonson Street	Lot: 1 DP: 827049
1.16	Former Railway Water Tower	Butler Street	
1.17	Post Office	59-67 Jonson Street	Lot: 1 DP: 736784
1.18	Byron Bay Community Centre	69 Jonson Street	Lot: 1 DP: 524709
1.19	Terrace houses	27-31 Fletcher Street	Lot: 1 Sec: 26 DP: 758207
1.20	Duplex cottages (pair of semi-detached cottages)	33-35 Fletcher Street	Lot: 0 SP: 20654
1.22	Jasmine House	4 Browning Street	Lot: A DP: 403383
1.23	Great Northern Hotel	35-43 Jonson Street	Lot: 2 DP: 597016
1.31	Water Tank with painted murals	Massinger & Patterson Streets Junction	Lot: 172 DP: 755695
1.38	1907 Homestead	58 Kingsley Street	Lot: 1 DP: 105579
1.39	Arcadia Guesthouse	48 Cowper Street	Lot: 2 DP: 551681
1.41	Cottage	60 Butler Street	Lot: 10 DP: 1027557

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BYRON BAY: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
1.42	Pre WW1 building	62 Butler Street Cnr of Burns & Butler Streets	Lot: 11 Sec: 34 DP: 758207
1.51	Green Frog / Simplex Engine	Belongil Rail Crossing	
1.52	Kingsley Street precinct	Kingsley Street (Ruskin, Massinger, Carlyle and Middleton Streets)	
1.53	Burns Street Precinct	Burns Street (bounded by the railway line to the east, Somerset Street to the north, Wordsworth Street to the west and Burns Lane to the south.)	
1.54	Shirley Street Precinct	Shirley Street (Shirley and Cavanbah Streets to the north, Kendall Street to the west, Byron Street to the south and Wordsworth Street to the east).	
1.55	Main Beach Backpackers	Lawson Street (Corner Lawson & Fletcher Streets)	Lot: 1 DP: 876261
1.56	Railway Precinct	Jonson Street	
1.60	Commercial facade	17 – 31 Jonson Street	Lot: 1 DP: 171102 Lot: 1 DP: 713659 Lots: 4 & 5 DP: 11407
1.61	Cottage	88 Jonson Street	Lot: 1 DP: 1001454
1.63	Art Gallery	39 Fletcher Street	Lot: B DP: 302467
1.66	Eli Hayter House	Hayter's Hill, 253 Bangalow Road	Lot: 2 DP: 1056283

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BYRON BAY: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
1.3	Avenue of Norfolk Pines	Bay Street (<i>Araucaria heterophylla</i>)	See serial listing
1.11	Captain's cottage	78 Massinger Street	See note below*
1.21	Early cottage	59 Tennyson Street	See note below*
1.24	Weatherboard cottages	21, 28, 29, & 31 Keats Street	See note below*
1.25	Weatherboard cottage	79 Massinger Street	See group listing
1.26	Weatherboard cottage	81 Massinger Street	See group listing
1.27	Weatherboard cottage	83 Massinger Street	See group listing
1.28	Weatherboard cottage	85 Massinger Street	See group listing
1.29	Small weatherboard cottages	26 & 28 Ruskin Street	See note below*
1.30	Small cottage	55 Kingsley Street	See note below*
1.32	War Memorial gates and Memorial Park Community Sports Fields	Tennyson Street	See note below*
1.33	Auracle Visionaries in Business Early cottage	43 Kingsley Street	See note below*
1.34	Early double-fronted cottage	44 Kingsley Street	See note below*
1.35	Byron Palms Guest House	47 Kingsley Street	See note below*
1.36	Weatherboard cottage (Massage & Beauty Therapy)	49 Kingsley Street	See note below*
1.37	Weatherboard cottage	51 Kingsley Street (Cnr of Kingsley & Cowper Streets)	See note below*
1.40	Weatherboard cottage	58 Butler Street	See note below*
1.43	Cottage (the blue house)	3 Burns Street	See note below*
1.44	Barbara's Budget Accommodation	5 Burns Street	See note below*
1.45	Lavender Blue Cottage	6 Burns Street	See note below*
1.46	Worker's Cottage	12 Burns Street	See note below*
1.47	Burns at Byron Guest House	14 Burns Street	See note below*
1.48	Double fronted Cottage	16 Burns Street	See note below*
1.49	Avenue of Norfolk Pines	Bay Street (<i>Araucaria heterophylla</i>)	See serial listing
1.50	Beach Cottages Eastern end of Clark's Beach	Lighthouse Road	See note below*
1.57	Swimming Pool – memorial pavilion	Jonson Street	See note below*
1.58	Fresh Cafe	7 Jonson Street	See note below*
1.59	First National Real Estate Office	5 Lawson Street	See note below*
1.62	La Vie Apartments	2 Jonson Street	See note below*
1.64	Cottage	54 Cowper Street	See note below*
1.65	Cottage	60 Carlyle Street	See note below*

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

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AREA 2 SUFFOLK PARK, BROKEN HEAD

SUFFOLK PARK, BROKEN HEAD: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
2.1	Norco Pump	222 Broken Head Road	Lot: 1 DP: 798493
2.2	Suffolk Park Land	Alcorn Street	Lot: 1 DP: 42470 Lot: 100 DP: 1023737
2.3	Broken Head Hall	Broken Head/Midgen Flat Roads	Lot: 222 DP: 755695
2.4	Church of St Oswald	Broken Head Road	Lot: 287 DP: 755695

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AREA 3: BRUNSWICK HEADS

BRUNSWICK HEADS: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
3.6	Brunswick Heads Public School	Fingal Street, Brunswick Heads	Lot: 399 DP: 724683
3.7	St Thomas Anglican Church	21 Fingal Street, Brunswick Heads	Lot: 3 DP: 4694
3.8	Memorial Public Hall	24 Fingal Street, Brunswick Heads	Lot: 10 DP: 758171
3.9	Former Picture Theatre	30 Fingal Street, Brunswick Heads	Lot: 13 Sec: 7 DP: 758171
3.10	Private Residence	5 Booyun Street, Brunswick Heads	Lot: 8 DP: 758171
3.11	Private Residence	9 Booyun Street, Brunswick Heads	Lot: 6 Sec: 7 DP: 758171
3.13	Footbridge	South Arm (Simpson's Creek) Brunswick River Brunswick Heads	
3.14	'Broadview' Private flats	12 Fawcett Street, Brunswick Heads	Lot: 1 DP: 1026275
3.15	Hotel Brunswick	Mullumbimbi Street, Brunswick Heads	Lot: 3 Sec: 5 DP: 758171 Lot: 1 DP: 779883
3.17	Barnes Residence	40 Mullumbimbi Street, Brunswick Heads	Lot: 1 DP: 331137
3.19	Our Lady of Lourdes Catholic Church	50 Mullumbimbi Street, Brunswick Heads	Lot: 1 DP: 977156
3.26	The Terrace precinct	The Terrace, Brunswick Heads	Lot: C DP: 954913 Lot: A DP: 366520 Lot: C DP: 366521 Lot: 4 DP: 508603 Lot: 3 DP: 508603 Lot: 2 DP: 508603 Lot: 1 DP: 508603 Lot: F DP: 371269 Lot: 1 DP: 772866 Lot: 2 DP: 523572 Lot: B DP: 954913 Lot: B DP: 366522
3.33	Residence	7 Mullumbimbi Street, Brunswick Heads	Lot: 1 DP: 9369
3.34	Commercial	14-16 Mullumbimbi Street, Brunswick Heads	Lot: 1 DP: 301444
3.35	Residence	19 Fawcett Street, Brunswick Heads	Lot: 1 DP: 931884

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BRUNSWICK HEADS: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
3.1	Private Residence	3 Mona Lane, Brunswick Heads	See note below*
3.2	'Paradise View' Private flats	5 Mona Lane, Brunswick Heads	See note below*
3.3	Private Residence	7 Mona Lane, Brunswick Heads	See note below*
3.4	Private Residence	8 South Beach Road, Brunswick Heads	See note below*
3.5	Old Methodist Church	Fingal Street, Brunswick Heads	See note below*
3.12	Private Residence	37 Booyun Street, Brunswick Heads	See note below*
3.16	Private Residence	36 Mullumbimbi Street, Brunswick Heads	See note below*
3.18	Private Residence	48 Mullumbimbi Street, Brunswick Heads	See note below*
3.20	Private Residence	58 Mullumbimbi Street, Brunswick Heads	See note below*
3.21	Private Residence	60 Mullumbimbi Street, Brunswick Heads	See note below*
3.22	Private Residence	68 Mullumbimbi Street, Brunswick Heads	See note below*
3.23	CWA Hall	Parks Street, Brunswick Heads	See note below*
3.24	Private Residence	Cnr Short/Tweed Streets, Brunswick Heads	See note below*
3.25	Private Residence	18 Short Street, Brunswick Heads	See note below*
3.27	Housie Shed	Banner Park	See note below*
3.28	Private Residence	13 Mullumbimbi Street, Brunswick Heads	See note below*
3.29	Private Residence	22 Tweed Street, Brunswick Heads	See note below*
3.30	Private Residence	24 Nana Street, Brunswick Heads	See note below*
3.31	Private Residence	14 Park Street, Brunswick Heads	See note below*
3.32	Private Residence	34 Tweed Street, Brunswick Heads	See note below*

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AREA 4: BANGALOW

BANGALOW: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
4.1	Conservation Area	Bangalow	
4.2	Kings monument	Byron Street	
4.3	'Jelbon Leigh'	Pacific Highway	Lot: 1 DP: 1077265
4.4	'Neptune'	Pacific Highway	Lot: 102 DP: 846899
4.5	'Clover Hill'	Bangalow Road	Lot: 281 DP: 837699
4.6	Buckley's 'Glenbrook' House	Bangalow Road (1km east of Bangalow)	Lot: 5 DP: 259624
4.7	Bangalow Police Station	Byron Street	Lot: 2 DP: 808373
4.9	'Bangalow House'	Byron Street	Lot: 1 DP: 1062312
4.10	Bangalow Post Office	Byron Street	Lot: 7 Sec: 5 DP: 4358 Lot: 1 DP: 930216
4.12	Bangalow Public School	Byron Street	Lot: 1 DP: 782555
4.13	Bank	20-22 Byron Street	Lot: 4 Sec: 5 DP: 4358
4.14	Bank	16-18 Byron Street	Lot: 0 SP: 60067
4.15	Shops	9-11 Byron Street	Lot: 2 DP: 311059
4.16	Shops	13-17 Byron Street	Lot: 1 DP: 964623 Lot: 1 DP: 981918
4.17	Shops	19 Byron Street	Lot: 8 DP: 929015
4.18	Shops	23-27 Byron Street	Lot: 0 SP: 72220
4.19	The Strand	29-35 Byron Street	Lot: C DP: 23455 Lot: 1 DP: 1092239
4.21	Grey's House	68 Byron Street	Lot: 14 Sec: 6 DP: 4358
4.22	'Riverview'	99 Byron Street	Lot: 9 Sec: 3 DP: 4358
4.23	Bangalow Hotel	Byron Street	Lot: 1 DP: 105901
4.24	Bangalow Bakery Bldg	20 Byron Street	Lot: 4 Sec: 5 DP: 4358
4.26	Shops	36 Byron Street	Lot: 10 Sec: 5 DP: 4358
4.27	'All Souls' C of E	Cnr Byron & Ashton Streets	Lot: 1 Sec: 13 DP: 4974 Lot: 2 Sec: 13 DP: 4974 Lot: 3 Sec: 13 DP: 4974
4.30	Prentice	42 Granuaille Road	Lot: 1 DP: 926589
4.32	'Avalon'	Granuaille Road	Lot: 200 DP: 849228
4.33	House	Granuaille Crescent (near cemetery)	Lot: 348 DP: 755695
4.34	Bangalow Cemetery	Granuaille Crescent	Lot: 7 DP: 739871
4.39	Campbell's House 'Byron Lodge'	14 - 16 Granuaille Street	Lot: 6 DP: 566909
4.42	Brick house	55 Granuaille Street	Lot: 2 DP: 556714
4.44	'George Reading Building'	Lismore Road	Lot: 2 DP: 232916

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BANGALOW: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
4.46	Blanchs	27 Lismore Road	Lot: 1 DP: 727917
4.49	Railway Station	Station Street	
4.50	Masonic Hall	Station Street	Lot: 6 Sec: 8 DP: 4596
4.52	A & I Hall	Station Street	Lot: 2 DP: 366810
4.54	Uniting Church	Station Street	Lot: 20 DP: 828062
4.55	Catholic Church	Lot 2 DP122668 Deacon Street	Lot: 2 DP: 122668
4.56	'St Kevins' and Catholic Hall	Deacon Street	Lot: 2 DP: 122668
4.57	Bangalow Swimming Pool/Park	Deacon Street	Lot: 2 DP: 747876
4.59	'Hartford House'	16 Charlotte Street	Lot: 2 DP: 1090008
4.65	All Souls C of E Manse	Ashton Street	Lots: 5 & 6 Sec: 13 DP: 4974
4.66	Presbyterian Church	Byron Street	Lot: 19 DP: 629994
4.67	Presbyterian Manse	2 George Street	Lot: 18 DP: 629994
4.71	Cook	Bangalow Road, Talofa (just before railway bridge)	Lot: 1 DP: 859552
4.84	House	10 Old Ballina Road	Lot: 1 DP: 974496
4.88	Showground	Bangalow Showground	Lot: 1 DP: 359227
4.91	Byron Bay House	549 Bangalow Road, Talofa	Lot: 1 DP: 359816

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BANGALOW: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
4.8	Abracadabra	Byron Street	See note below*
4.11	Bangalow Newsagent	Byron Street	See note below*
4.25	Urban Café	Cnr Byron & Station Sts	See note below*
4.28	Catholic Church Manse	Cnr Byron & Deacon Streets	See note below*
4.29	House	26 Granuaille Road	See note below*
4.31	'Burgess Hall'	44 Granuaille Road	See note below*
4.35	Fred Reading's house	2 Granuaille Street	See note below*
4.36	House	3 Granuaille Street	See note below*
4.37	Station Masters house	10 Granuaille Street	See note below*
4.38	House	11 Granuaille Street	See note below*
4.40	House	28 Granuaille Street	See note below*
4.43	'Sunnyside'	Lismore Road (0.5km west)	See note below*
4.45	'Temperance Hall'	Lismore Road	See note below*
4.47	'Grasmere'	284 Lismore Road	See note below*
4.48	Dry Stone Wall	Bangalow / Lismore Road	See serial listing
4.51	Slate Roof	13 Station Street	See note below*
4.53	'RSL Hall'	Station Street	See note below*
4.58	House	5 Deacon Street	See note below*
4.60	Robinson's House	17 Charlotte Street	See note below*
4.61	Edward's	18 Charlotte Street	See note below*
4.62	Layton's	20 Charlotte Street	See note below*
4.63	Readings	21 & 23 Charlotte Street	See note below*
4.64	Anglican Church Hall	Ashton Street	See note below*
4.68	'Glasnevin'	15 Rifle Range Road	See note below*
4.69	House	1 Rifle Range Road	See note below*
4.70	House	1 Wright Place	See note below*
4.72	Workers Cottage	4 Robinson Street west	See note below*
4.73	G Reading's workers cottage	12 Robinson Street	See note below*
4.74	House	6 Keith Street	See note below*
4.75	House	13 Keith Street	See note below*
4.76	Holms	15 Keith Street	See note below*
4.77	Wilson's House	1 Leslie Street	See note below*
4.78	House	7 Leslie Street	See note below*
4.79	House	23 Leslie Street	See note below*
4.80	'Emily's Farm'	Slatterys Lane	See note below*
4.81	House	7 Old Byron Bay Road	See note below*
4.82	House	19 Old Byron Bay Road	See note below*
4.83	House	4 Old Ballina Road	See note below*
4.85	'Fairwater'	Old Ballina Road	See note below*
4.86	House	15 Old Ballina Road	See note below*
4.87	House	17 Old Ballina Road	See note below*
4.89	House	1 Sunnycrest Lane	See note below*
4.90	'Dickibusch'	19 Campbell Street	See note below*

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

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AREA 5: EWINGSDALE, TYAGARAH, COOPERS SHOOT, SKINNERS SHOOT, MYOCUM

EWINGSDALE, TYAGARAH, COOPERS SHOOT, SKINNERS SHOOT, MYOCUM: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
5.1	St Columba's Church Group (including Church, Hall, former school site and trees)	Old Pacific Highway, Ewingsdale (William Flick Lane)	Lot: 1 DP: 124387 Lot: 1 DP: 134548 Lot: 377 DP: 47409
5.2	Tyagarah Meat Pool	Kennedys Lane, Tyagarah	Lot: 2 DP: 1013646 Lot: 3 DP: 1013646 Lot: 4 DP: 1013646
5.3	W.A. Flick residence	Tyagarah Road, Tyagarah	Lot: 27 DP: 607289
5.4	Cornwell House	17 Foxs Lane, Tyagarah	Lot: 50 DP: 881232
5.6	Plane Crash Site	Barlow property, Myocum	Lot: 11 DP: 878735
5.9	Walker family farm	939 Myocum Road, Myocum	Lot: 1 DP: 1073755
5.10	Tulloch homestead	1149 Myocum Road, Myocum	Lot: 1 DP: 123280
5.11	Higgins homestead	Ewingsdale Road, Ewingsdale	Lot: 17 DP: 816451
5.12	Johnston homestead	'Weetalabah', Pacific Highway, Ewingsdale	Lot: 11 DP: 858256
5.15	Bernard McGettigan homestead	McGettigans Lane, Ewingsdale	Lot: 4 DP: 1088268
5.22	'Hazeldene' Armstrong's	355 Cooper Shoot Road, Coopers Shoot	Lot: 9 DP: 614484
5.23	'McLeods Shoot Lookout'	Cnr Coolamon Scenic Drive and Pacific Highway, McLeods Shoot	
5.24	St Helena railway bridge	Robinsons Shoot, St Helena Road	
5.26	'Dalcamer' House	319 Bangalow Road, Skinners Shoot	Lot: 1 DP: 396801
5.28	Flick Farm & Sugar Mill site – 'Carabene'	Quarry Lane, Ewingsdale	Lot: 8 DP: 7189

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EWINGSDALE, TYAGARAH, COOPERS SHOOT, SKINNERS SHOOT, MYOCUM: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
5.5	Big Scrub remnant	211-237 Manse Road	See serial listing
5.7	Dairy and cow bails	Myocum Road	See serial listing
5.8	Working dairy farm	Myocum Road Myocum	See serial listing
5.13	Big Scrub remnant	Southern end McGettigans Lane	See serial listing
5.14	Fig tree restaurant	Sunrise Lane Ewingsdale	See note below*
5.16	Weir homestead 'Balrath'	McGettigans Lane Ewingsdale	See note below*
5.17	Part of 5.1		See 5.1
5.18	Ewingsdale Hall		See 5.1
5.19	Ewingsdale school grounds		See 5.1
5.20	Ewingsdale school residence		See 5.1
5.21	Avenue of weeping fig trees		See 5.1
5.25	Country road	St Helena – Hayters Hill Road	See serial listing
5.27	Koreelah	Bangalow Road Ewingsdale	See note below*

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

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AREA 6: OCEAN SHORES, BILLINUDGEL, THE POCKET, MIDDLE POCKET, YELGUN, WOoyUNG

OCEAN SHORES, BILLINUDGEL, THE POCKET, MIDDLE POCKET, YELGUN, WOoyUNG: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
6.1	Ballast	Entrance, Marshall's Creek, Readings Bay, Ocean Shores	
6.3	Wharf Remains	Fig Tree Hole, Brunswick River	
6.6	Road Cuttings [Br to Tweed Road]	Nature Reserve	
6.7	Tree with blaze	47 Rajah Road, Ocean Shores	Lot: 1150 DP: 809112
6.8	Roundhouse Site	Orana Road, Ocean Shores	Lot: 530 DP: 238451
6.9	House	10 Kanandah Court, Ocean Shores	Lot: 1 DP: 1013078
6.10	Over-road rail bridge	Wooyung	
6.12	Railway underbridge	Yelgun	
6.13	House	7 Terrace Street, New Brighton	Lot: 13 Sec: 1 DP: 6745
6.14	Tunnels 1,2 and 3	Railway line between Mullumbimby and Billinudgel	
6.16	General Store and PO	2 Wilfred Street, Billinudgel	Lot: B DP: 970472
6.19	Hotel	1 Wilfred Street, Billinudgel	Lot: 1 DP: 330033
6.21	House	1/1 Brunswick Street, Billinudgel	Lot: 1 DP: 540815
6.22	Catholic Church	The Tunnell Road, Billinudgel	Lot: 3 DP: 952096
6.24	House "Coral Grove"	390The Pocket Road, Billinudgel	Lot: 2 DP: 596723
6.25	House 'Mumbla'	The Pocket Road, Billinudgel	Lot: 3 DP: 586187
6.26	Farmhouse	814 The Pocket Road, Billinudgel	Lot: 1 DP: 553033
6.31	Ocean Shores Country Club including shield tree and tif dwarf grass	Orana Road, Ocean Shores	Lot: 2 DP: 859951

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OCEAN SHORES, BILLINUDGEL, THE POCKET, MIDDLE POCKET, YELGUN, WOYUN: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
6.2	Pilot House's Footings		See note below*
6.4	Graveyard Site	Cnr Pacific Highway ,east of Traffic Bridge, Ocean Shores	See note below*
6.5	Hainsville Site	Pacific Highway	See note below*
6.15	Railway station	1 Wilfred Street, Billinudgel	See note below*
6.18	House	8 Wilfred Street, Billinudgel	See note below*
6.20	Baker's Oven Shops	7 Wilfred Street, Billinudgel 5-9 Wilfred Street, Billinudgel	See note below*
6.27	Farmhouse [and slab shed]	Middle Pocket Road, Billinudgel	See note below*
6.29	Farmhouse	Middle Pocket Road, Billinudgel	See note below*
6.30	Cattle race and dip	Middle Pocket Road, Billinudgel	See serial listing

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

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AREA 7: MAIN ARM, UPPER MAIN ARM, HUONBROOK, MONTECOLLUM, WILSONS CREEK

MAIN ARM, UPPER MAIN ARM, HUONBROOK, MONTECOLLUM, WILSONS CREEK: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
7.1	Power Station and Race	Wilsons Creek Road, Wilsons Creek	Lot: 10 DP: 1107625 Race – Lot: 2 DP: 635195 Lot: 1 & 2 DP: 314096 Lot: 1 DP: 314094
7.13	Lavertys Gap Water Treatment Works	Wilsons Creek Road, Lavertys Gap, Wilsons Creek	Lot: 1 DP: 395638
7.14	Lavertys Gap Weir	Wilsons Creek Road, Lavertys Gap, Wilsons Creek	
7.18	Wilsons Creek Hall	Wilsons Creek Road, Wilsons Creek	Lot: 3 DP: 964224

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MAIN ARM, UPPER MAIN ARM, HUONBROOK, MONTECOLLUM, WILSONS CREEK: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
7.2	Upper Main Arm Public School	Main Arm Road, Main Arm	See note below*
7.3	Durrumbul School	Main Arm Road, Main Arm	See note below*
7.4	Farmhouse	Lot 450 Left Bank Road Mullumbimby Creek	See note below*
7.5	Mooyabil School	Left Bank Road, Mullumbimby Creek	See note below*
7.6	Old house	Left Bank Road, Mullumbimby Creek	See note below*
7.7	Shearwater Steiner School	Left Bank Road, Mullumbimby Creek	See note below*
7.8	Dairy Bails	Left Bank Road, Main Arm (opposite RMB448)	See serial listing
7.9	Yankee Creek Road	Yankee Creek Road Mullumbimby Creek	See serial listing
7.10	House	Lot 771 Mullumbimby Creek Road	See note below*
7.11	House	3 Upper Mullumbimby Creek Road	See note below*
7.12	Wilsons Creek Bridge	Wilsons Creek Road, Wilsons Creek	See note below*
7.15	Three Ways Cafe	Wilsons Creek Road (Malcolms Corner)	See note below*
7.16	The Red Road	Red Road, Wilsons Creek	See serial listing
7.17	Old house Wanganui	Wanganui Road	See note below*
7.19	Wilsons Creek Public School	Wilsons Creek Road	See note below*
7.20	Wanganui Cricket fields	Wanganui Road	See note below*
7.21	Old house and shed	Left Bank Road, Mullumbimby Creek	See note below*

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

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AREA 8: FEDERAL, EUREKA, GOONENGERRY, COORABELL, CLUNES, NASHUA, BOOYONG

FEDERAL, EUREKA, GOONENGERRY, COORABELL, CLUNES, NASHUA, BOOYONG: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
8.1	Eureka Uniting Church	Cnr of Eureka and Springvale Roads, Eureka	Lot: 1 DP: 924528
8.2	St Aidan's Church	Cnr Whian and Federal Roads, Eureka	Lot: 1 DP: 920128
8.3	Eureka Public Hall	Eureka Road, Eureka	Lot: 1 DP: 94229
8.4	Eureka Public School	Brunswick River Road, Eureka	Lot: 292 DP: 755697
8.5	Clunes Cemetery	Lismore Road, Clunes	Lot: 140 DP: 728507 Lot: 139 DP: 728507
8.6	Bencluna	Bencluna Lane, Eureka	Lot: 1 DP: 925310
8.7	Gretel Farm	Springvale Road, Eureka	Lot: 8 DP: 825255
8.8	Zalmonah	229 Eureka Road, Eureka	Lot: 1 DP: 923903
8.9	Old Rectory	2 Whian Road, Cnr Whian and Federal Roads, Eureka	Lot: 1 DP: 932072
8.10	The Cedars	Eureka Road, Eureka	Lot: 32 DP: 707706
8.11	Flowerdale	Springvale Road, Eureka	Lot: 1 DP: 124432
8.12	Allansby	103 Federal Drive, Eureka	Lot: 2 DP: 246970
8.15	School of Arts	Federal Drive, Federal	Lot: 1 DP: 122284
8.16	Holy Trinity Anglican Church	Federal Drive, Federal	Lot: 1 DP: 966172
8.17	The Tin Shed	Cnr Eureka – Federal and Goonengerry Roads, Federal	Lot: 1 DP: 303967
8.20	Eureka village landscape	Eureka Village	
8.21	Pioneer Monument	Federal Road, Eureka	

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FEDERAL, EUREKA, GOONENGERRY, COORABELL, CLUNES, NASHUA, BOOYONG: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
8.13	Andrew Johnston, Nobles, Midlands, Tarraweena and Church Big Scrub remnants	Andrew Johnston Big Scrub Nature Reserve	See serial listing
8.14	Road Avenues	Springvale Road (south end) and Goremans Road (north end)	See serial listing
8.18	Logging site	Possum Shoot, Coolamon Scenic Drive Coorabell	See serial listing
8.19	Byrangery Grass Reserve	Byrangery	See serial listing
8.22	Scarabelotti's Lookout	Coolamon Scenic Drive, Coorabell	

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

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AREA 9: MULLUMBIMBY

MULLUMBIMBY: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
9.10	Stationmaster's Cottage	Argyle Street (at crossing)	Lot: 11 DP: 850902
9.14	House	11 Argyle Street	Lot: 11 Sec: 1 DP: 4721 Lot: 12 Sec: 1 DP: 4721 Lot: 13 Sec: 1 DP: 4721
9.16	Railway Station	Prince Street	Lot: 11 DP: 850902
9.19	House	37 Prince Street	Lot: 4 Sec: 1 DP: 4721
9.30	Public Lavatory	Station Street	Lot: 6 Sec: 3 DP: 2772
9.31	House	87 Station Street	Lot: 16 Sec: 4 DP: 2772 Lot: 17 Sec: 4 DP: 2772
9.32	House	93 Station Street	Lot: 22 Sec: 4 DP: 2772
9.35	House	5 Fern Street	Lot: 1 DP: 384372
9.36	Brunswick Valley Historical Society Museum	Myocum Street	Lot: 132 DP: 755692
9.37	The Yellow Church Yoga & Natural Therapies Centre	9 Myocum Street	Lot: 2 DP: 858380
9.38	Ross Industrial Complex	Mill Street	Lot: 3 DP: 540706
9.39	House	24 Mill Street	Lot: 2 DP: 540706
9.47	Heritage Park	Brunswick River Terrace	Lot: 1 DP: 47449
9.50	House	4 Tyagarah Street	Lot: 11 DP: 518613
9.51	House	2 Tincogan Street	Lot: 3 DP: 303076
9.53	House	18 Tincogan Street	Lot: A DP: 350883
9.56	House	6 Jubilee Ave	Lot: 3 Sec: 15 DP: 758725
9.59	House	2/232513 Coolamon Scenic Drive Mullumbimby	Lot 23 DP1089627
9.62	House	1 Stuart Street	Lot: 9 Sec: 2 DP: 2772
9.71	House	21 Stuart Street	Lot: 3 DP: 5046
9.78	House 'Botany'	31 Stuart Street	Lot: 1 DP: 122660
9.81	Rectory C of E	38-42 Stuart Street	Lot: 73, 74 & 75 Sec: 3 DP: 2772
9.82	Church C of E	38-42 Stuart Street	Lot: 69, 70, 71 & 72 Sec: 3 DP: 2772
9.91	House	4 Dalley Street	Lot: 1 DP: 817318
9.97	House	28 Dalley Street	Lot: 1 DP: 122662
9.99	Mullumbimby Civic Precinct	Dalley Street between Burringbar & Tincogan Sts	Lot: 10 Sec: 8 DP: 758725
9.101	Court House & Lockup	Dalley Street	Lot: 387 DP: 728164
9.103	Fire Station	Dalley Street	Lot: 388 DP: 728164
9.105	Civic Memorial Hall	Dalley Street	Lot: 10 Sec: 8 DP: 758725
9.106	Civic Centre	Dalley Street	Lot: 8 Sec: 8 DP: 758725
9.109	Offices	108-110 Dalley Street	Lot: 1 DP: 727350 Lot: 1 DP: 927977

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MULLUMBIMBY: PLACES RECOMMENDED FOR LISTING			
ID NO	NAME OR DESCRIPTION	ADDRESS	LOCALITY DESCRIPTION
9.118	'Cedar House'	140 Dalley Street	Lot: 4 Sec: 12 DP: 758725
9.120	Commercial buildings	Burringbar Street	Part of Lot: 2 DP: 592980
9.121	Westpac Bank	Burringbar Street	Lot: 41 Sec: 4 DP: 2772
9.122	'Hang It Pot It'	Burringbar Street	Lot: 39 Sec: 4 DP: 2772
9.123	'Simpsons Building'	Burringbar Street	Part of Lot: 5 Sec: 7 DP: 758725
9.124	'Mallams' art deco façade over bottle shop	Burringbar Street	Lot: 1 DP: 19395
9.125	Commercial Hotel	Burringbar Street	Lots: 95 & 96 Sec: 3 DP: 2772
9.126	National Bank	Burringbar Street	Lot: 5 Sec: 3 DP: 2772
9.134	Magnolia House	2 Murwillumbah Road	Lot: 293 DP: 755687 Lot: 1 DP: 123836
9.137	Inverary	Main Arm Road	Lot: 1 DP: 216754
9.138	Catholic Convent, Presbytery and Belltower	Casuarina Street	Lots: 59 & 56 DP: 755687
9.140	'Summerset'	Azalea Street	Lot: 2 DP: 209440
9.150	Mullumbimby precinct		
9.151	Federation Bridge	Murwillumbah Road	
9.155	Book Barn	98 Dalley Street	Lot: 1 DP: 368079
9.157	Mullumbimby Cemetery	Coolamon Avenue, Poplar and Eugenia Streets	Lots: 184, 185 & 186 DP: 728513

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MULLUMBIMBY: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
9.1	Mallam house	3 New City Road	See note below*
9.2	House	4 New City Road	See note below*
9.3	House	5 New City Road	See note below*
9.4	House	12 New City Road	See note below*
9.5	House	14 New City Road	See note below*
9.6	House	18 New City Road	See note below*
9.7	House	19 New City Road	See note below*
9.8	House	27 New City Road	See note below*
9.9	House	32 Queen Street	See note below*
9.11	House	1 Argyle Street	See note below*
9.12	House	5 Argyle Street	See note below*
9.13	House	6 Argyle Street	See note below*
9.15	House	43 Argyle Street	See note below*
9.17	House	29 Prince Street	See note below*
9.18	House	31 Prince Street	See note below*
9.20	House	3 Station Street	See note below*
9.21	'St Albans'	5 Station Street	See note below*
9.22	House	7 Station Street	See note below*
9.23	House	14 Station Street	See note below*
9.24	House	23 Station Street	See note below*
9.25	House	33 Station Street	See note below*
9.26	House	35 Station Street	See note below*
9.27	House	37 Station Street	See note below*
9.28	House	53 Station Street	See note below*
9.29	'Poinciana'	55 Station Street	See note below*
9.33	House	101 Station Street	See note below*
9.34	'Rose Cottage'	105 Station Street	See note below*
9.40	House	7 Mill Street	See note below*
9.41	House	9 Mill Street	See note below*
9.42	House	1 Train Street	See note below*
9.43	House	12 Train Street	See note below*
9.44	House	7 Whian Street	See note below*
9.45	House	11 Whian Street	See note below*
9.46	House	14 River Terrace	See note below*
9.48	House	6 Brunswick River Terrace	See note below*
9.49	House	1 Tyagarah Street	See note below*
9.52	House	14 Tincogan Street	See note below*
9.55	Drill Hall Theatre	2 Jubilee Avenue	See note below*
9.57	House	8 Jubilee Ave	See note below*
9.58	House	14 Jubilee Ave	See note below*
9.60	Bowling Club	Jubilee Ave (west side)	See note below*
9.61	Avenue of fig trees	Jubilee Ave between Myocum Street & Co-op	See serial listing
9.63	House	3 Stuart Street	See note below*
9.64	House	5 Stuart Street	See note below*
9.65	House	11 Stuart Street	See note below*
9.66	House	12 Stuart Street	See note below*
9.67	House	14 Stuart Street	See note below*
9.68	House	17 Stuart Street	See note below*
9.69	House	18 Stuart Street	See note below*
9.70	House	19 Stuart Street	See note below*
9.72	House	23 Stuart Street	See note below*
9.73	House	24 Stuart Street	See note below*
9.74	House	25 Stuart Street	See note below*
9.75	House	26 Stuart Street	See note below*
9.76	House	27 Stuart Street	See note below*
9.77	Collection of worker's cottages	28, 30, 32 & 34 Stuart Street	See note below*
9.79	House	39 Stuart Street	See note below*
9.80	House	41 Stuart Street	See note below*
9.83	Collection of worker's cottages	46, 48, 50, 52, 54, 56 & 58 Stuart Street	See note below*
9.84	House	107 Stuart Street	See note below*

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M 2007

MULLUMBIMBY: PLACES RECOMMENDED FOR RECORDING			
ID NO	NAME OR DESCRIPTION	ADDRESS	STATUS
9.85	House	110 Stuart Street	See note below*
9.86	House	112 Stuart Street	See note below*
9.87	House	126 Stuart Street	See note below*
9.88	House	127 Stuart Street	See note below*
9.89	House	1 Dalley Street	See note below*
9.90	House	3 Dalley Street	See note below*
9.92	House	6 Dalley Street	See note below*
9.93	House	10-12 Dalley Street	See note below*
9.94	House	17 Dalley Street	See note below*
9.95	Collection of worker's cottages	18, 20, 22 & 24 Dalley Street	See note below*
9.96	House	25 Dalley Street	See note below*
9.98	House	34 Dalley Street	See note below*
9.100	Police Residence		See note below*
9.102	Clerk of Court's office	Dalley Street	See note below*
9.104	War Memorial	Dalley Street	See note below*
9.107/ 9.108	Waterfall fountain and surrounding parklands	Dalley Street	See note below*
9.110	Stewart Motors	112 Dalley Street	See note below*
9.111	House	124 Dalley Street	See note below*
9.112	House	126 Dalley Street	See note below*
9.113	House	127 Dalley Street	See note below*
9.114	House	131 Dalley Street	See note below*
9.115	House	134 Dalley Street	See note below*
9.116	House	136 Dalley Street	See note below*
9.117	House	138 Dalley Street	See note below*
9.119	ANZ Bank	Burringbar Street	See note below*
9.127	House	16 Gordon Street	See note below*
9.128	House	21 Gordon Street	See note below*
9.129	House	22 Gordon Street	See note below*
9.130	House	23 Gordon Street	See note below*
9.131	House	25 Gordon Street	See note below*
9.132	House	33 Gordon Street	See note below*
9.133	House	12 Palm Ave	See note below*
9.135	House	5 Main Arm Road	See note below*
9.136	House	71 Main Arm Road	See note below*
9.141	House	4 Argyle Street	See note below*
9.142	House	17 Station Street	See note below*
9.143	House	77 Station Street	See note below*
9.144	House	16 Tincogan Street	See note below*
9.145	House	9 Dalley Street	See note below*
9.146	House	13 Gordon Street	See note below*
9.147	Scout Hall	Jubilee Avenue	See note below*
9.148	Water Trough	River Terrace	See note below*
9.149	St John's Anglican Church	McGougans Lane	See note below*
9.152	Former Bank	71 – 77 Burringbar Street	See note below*
9.153	BP Service Station	Cnr Dalley Street & Tincogan Street	See note below*
9.154	RSL	Dalley Street	See note below*
9.156	Byron Shire Chamber	Station Street	See note below*

* Note: These places do not meet the threshold for listing according to available information about heritage significance and/or is within a nominated heritage conservation area.

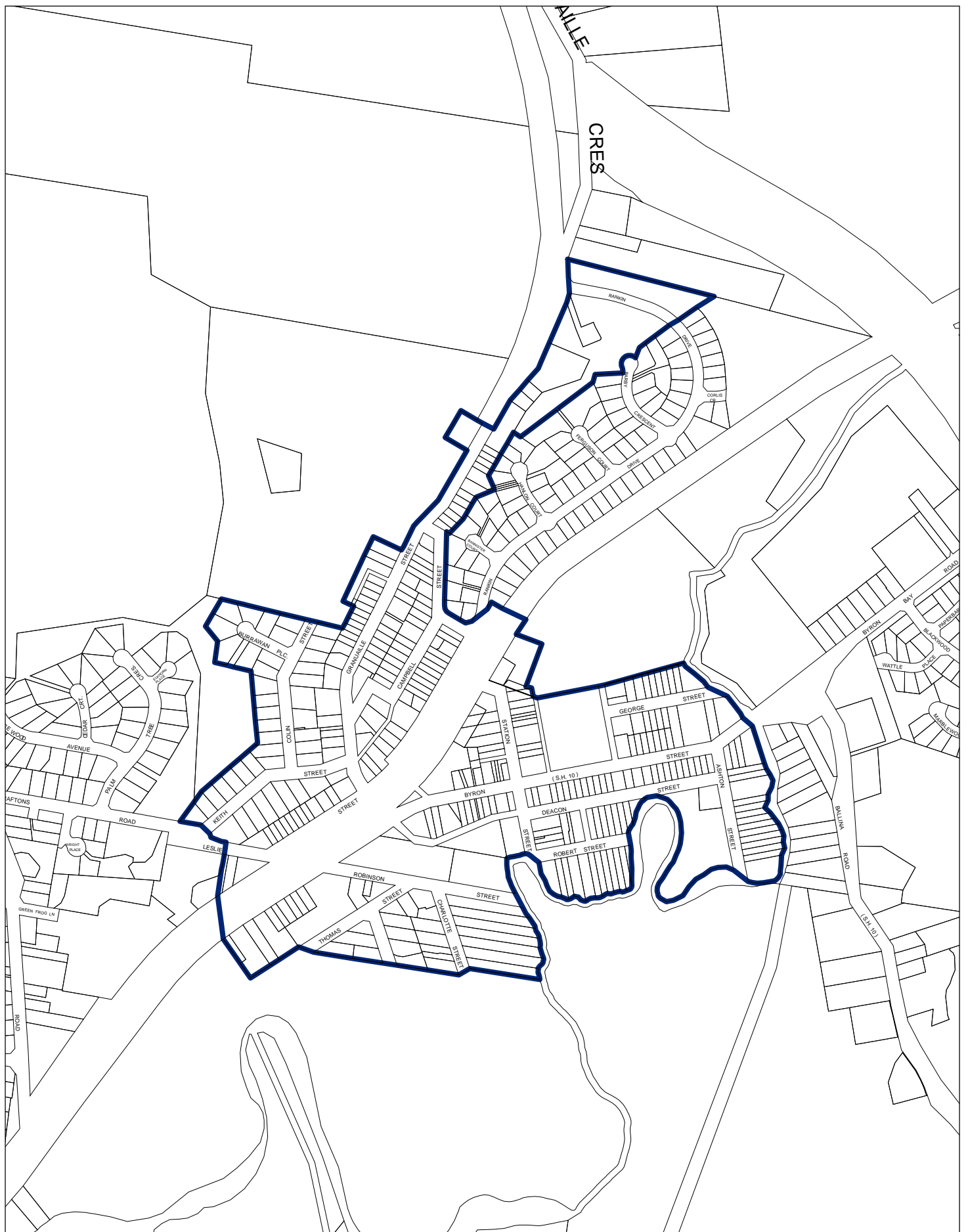
DRAFT

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SERIAL LISTS

ID No	Name or description	Address
S1	Dairy industry artifacts – bails, cream boxes etc	See list @ back of SHI form for locations
S2 (10 nos)	Grass reserves & Stands of grasses	See list @ back of SHI form for locations
S3	Timber industry artifacts – logging, timber sites, shoots	See list @ back of SHI form for locations
S4	Dry stone walls	See list @ back of SHI form for locations
S5	Banana industry artifacts (e.g. packing sheds)	See list @ back of SHI form for locations
S6	Feature trees	See list @ back of SHI form for locations
S7	Old Brunswick Road	See list @ back of SHI form for locations
S8	Big Scrub Remnants	See list @ back of SHI form for locations

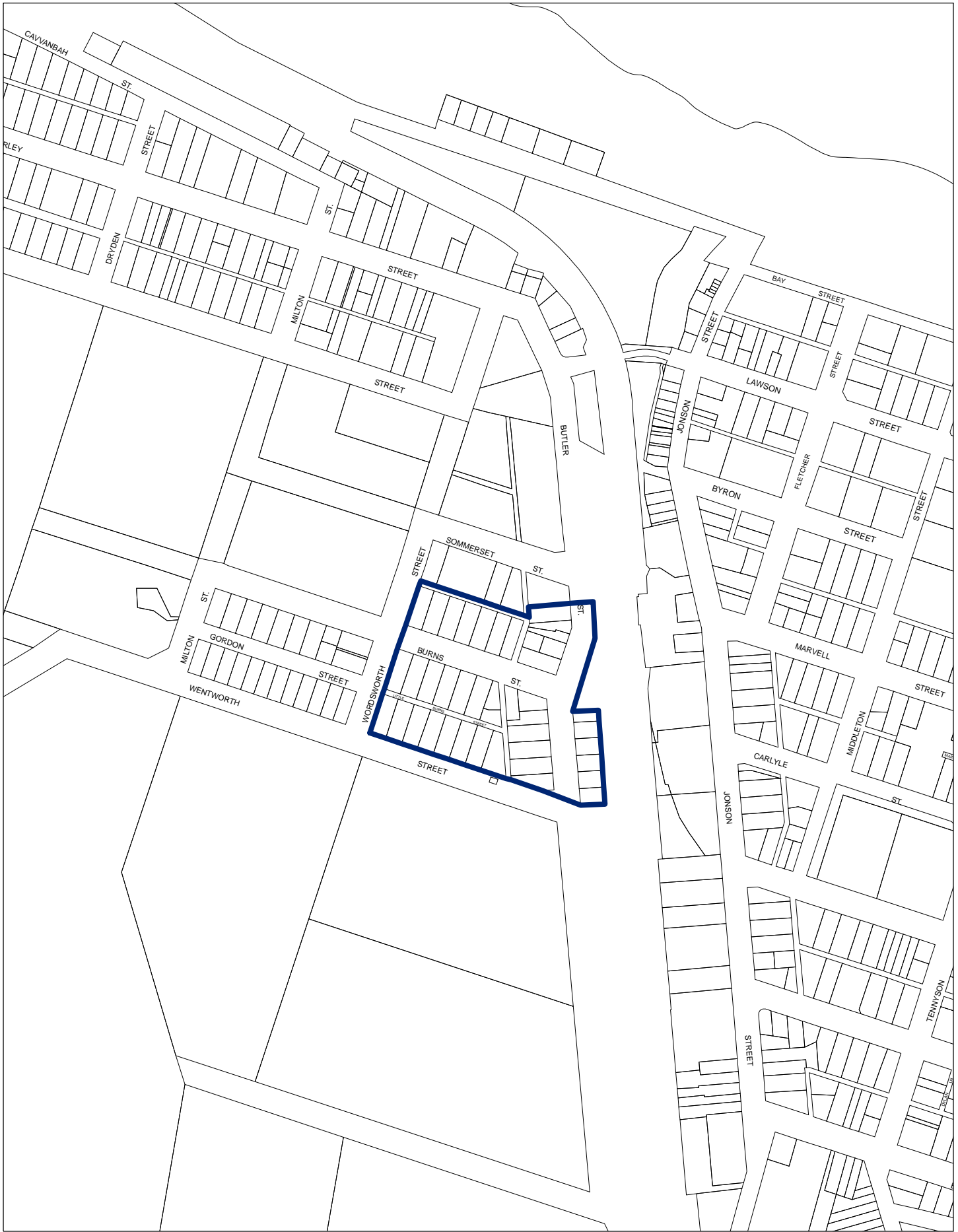
Attachment E: Conservation Area Maps



Disclaimer : While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.
 Note : The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

DRAFT Bangalow Township Conservation Area

Locality : BANGALOW
 Drawn by : LM Scale : 1:8000
 Date : 30 April 2007
 File No : PLN657200



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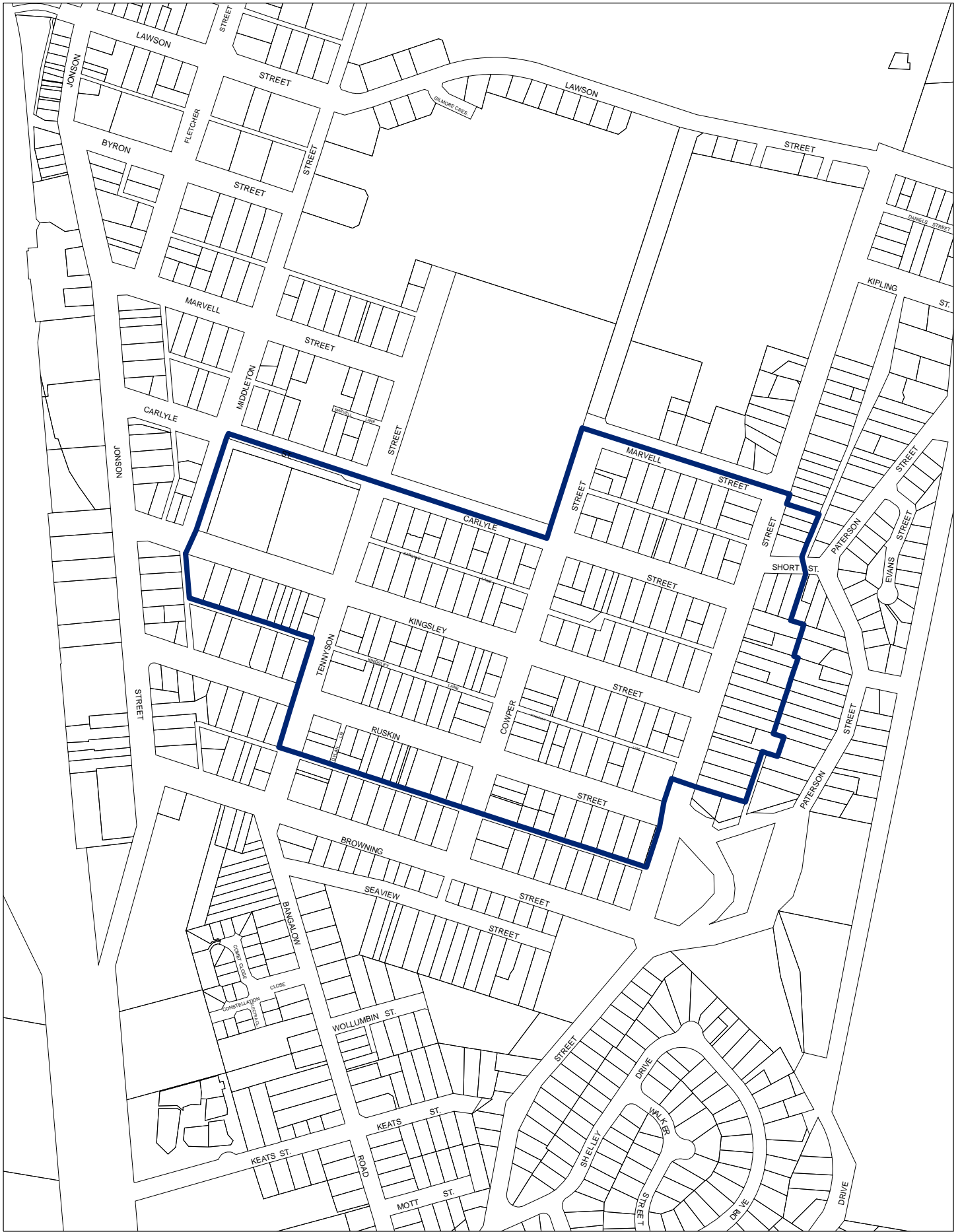
DRAFT
Butler Street Precinct
Byron Bay Conservation Area

Locality : Butler St BYRON BAY

Drawn by : LM Scale : 1:6000

Date : 30 April 2007

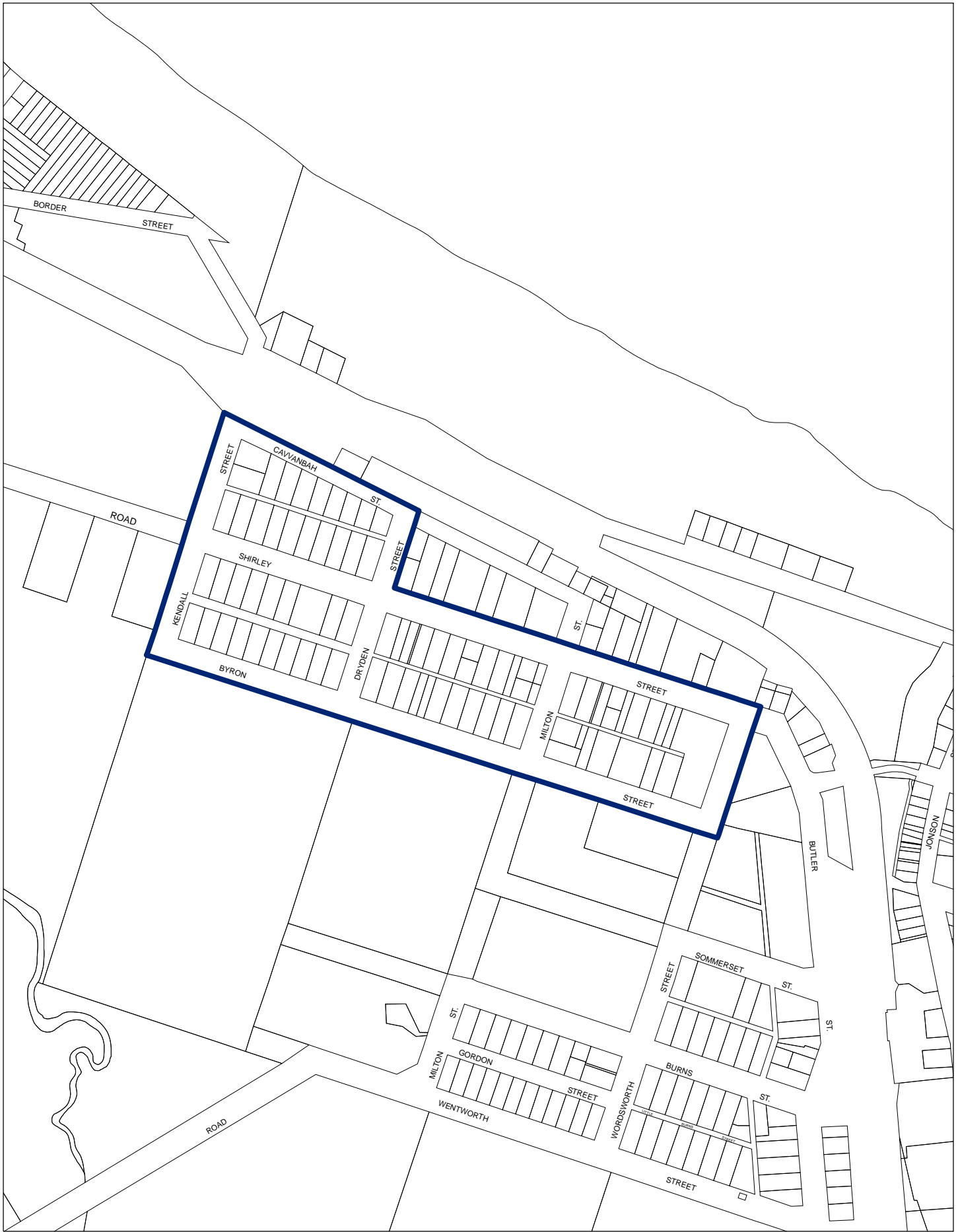
File No : PLN657200



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DRAFT
Kingsley Street Precinct
Byron Bay Conservation Area

Locality : Kingsley St BYRON BAY
 Drawn by : LM Scale : 1:6000
 Date : 30 April 2007
 File No : PLN657200



Disclaimer : While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.
 Note : The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

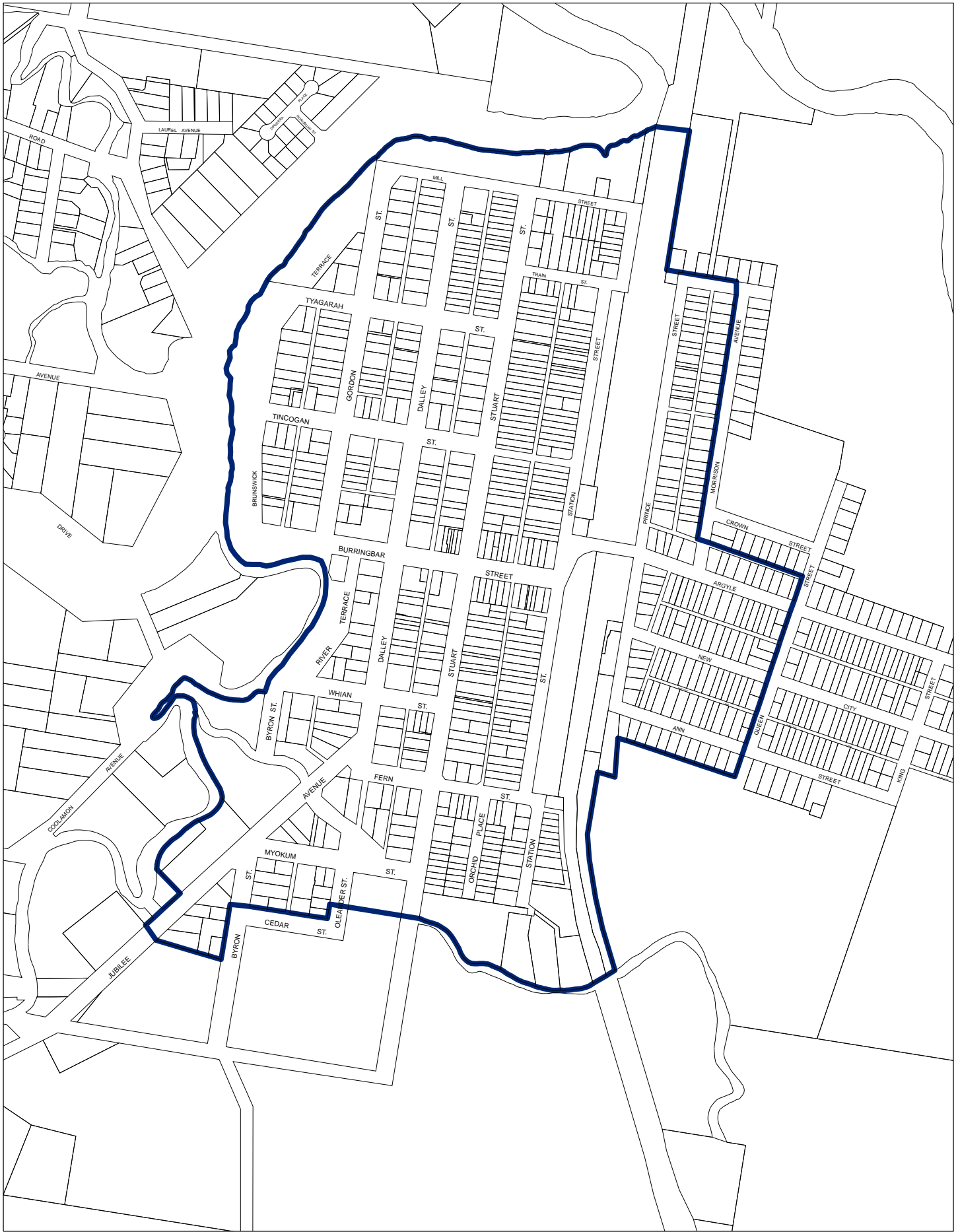
DRAFT
Shirley Street Precinct
Byron Bay Conservation Area

Locality : Shirley St BYRON BAY

Drawn by : LM Scale : 1:6000

Date : 30 April 2007

File No : PLN657200



Disclaimer : While all reasonable care has been taken to ensure the information contained on this map is up to date and accurate, no warranty is given that the information contained on this map is free from error or omission. Any reliance placed on such information shall be at the sole risk of the user. Please verify the accuracy of the information prior to using it.
 Note : The information shown on this map is a copyright of the Byron Shire Council and the NSW Department of Lands.

DRAFT Mullumbimby Town Conservation Area

Locality : MULLUMBIMBY

Drawn by : LM Scale : 1:8000

Date : 30 April 2007

File No : PLN657200

Attachment F: Draft LEP Provisions

Draft LEP Provisions for Heritage

(Please Note: These provisions are part of the State Government's Standard Template for LEP preparation and will be part of the new Shire-wide LEP. There will need to be Shire specific information included in these clauses when completed.)

35 Heritage conservation [compulsory]

(1) Objectives

The objectives of this clause are:

- (a) to conserve the environmental heritage of [*Name of local government area*], and
- (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- (c) to conserve archaeological sites, and
- (d) to conserve places of Aboriginal heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
- (c) altering a heritage item that is a building, by making structural changes to its interior,
- (d) 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,
- (e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,
- (f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,
- (g) subdividing land on which a heritage item is located or that is within a heritage conservation area.

(3) When consent not required

However, consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
 - (i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and
 - (ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or

- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) Heritage impact assessment

The consent authority may, before granting consent to any development on land:

- (a) on which a heritage item is situated, or
- (b) within a heritage conservation area, or
- (c) within the vicinity of land referred to in paragraph (a) or (b),

require a heritage impact statement 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.

(5) Heritage conservation management plans

The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(6) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(7) Places of Aboriginal heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

(8) Demolition of item of State significance

The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State heritage significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received within 28 days after the notice is sent.

(9) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan if the consent authority is satisfied that:

- (a) the conservation of the heritage item is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Attachment G: Draft DCP Provisions

Draft DCP Provisions for Heritage

(Please Note: These provisions were written prior to the Standard Template being released by the State Government. Changes may need to be made to these provisions in the new Shire-wide DCP to ensure consistency with the Heritage Provisions in the new Shire-wide LEP as per the Standard State Government Template.)

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Note: ^(D) = definitions included in Section ?? of this DCP

1. INTRODUCTION

What is the purpose of this Section?

Byron Shire is one of the most desirable residential and tourist locations in New South Wales, as much for its unique natural environment as for its lifestyle and climate attractions. The form of the built environment and its relationship to the natural environment will be a crucial factor in determining the future development of the Shire, particularly in ensuring its heritage values are protected.

Any development near heritage places will need to be in harmony with the surroundings, both natural and constructed, and enhance the physical context valued by the community and by the Shire's increasing number of visitors.

This section of the Development Control Plan (DCP) has been adopted by Council to incorporate controls and guidelines complementing the Shire-wide *Local Environmental Plan* (LEP) in relation to development near and of heritage items and heritage conservation areas.

This policy must be read in conjunction with any additional sections of this DCP and other planning controls that apply to specific areas of the Byron Shire.

What development does this Section apply to?

This Section of the DCP applies to all development relating to the erection, additions alterations, or use of buildings or places that have heritage significance within the Byron Shire.

What are the Objectives of this Section?

The Objectives of this Section of the DCP are:

- To guide and provide a management framework for the development of heritage items, components of heritage conservation areas and buildings and land in the vicinity of these items and areas.
- To encourage a high standard of heritage-related development that is sympathetic with the cultural heritage of the Byron Shire.
- To provide detailed criteria against which heritage-related development proposals can be measured.
- To provide convenient and clear information on Council's requirements for heritage conservation.
- To ensure that the significance of heritage items and heritage conservation areas are identified and retained.
- To ensure that alterations and extensions to existing buildings/items respect those buildings/items and do not compromise the significance and character of the individual heritage items or components of the heritage conservation areas.
- To ensure that new development respects the context and is sympathetic in terms of form, scale, character, bulk, orientation and setback, fabric, colours and textures and does not mimic or adversely affect the significance of heritage items and components of heritage conservation areas and their settings
- To encourage a high quality of design for any new development in achieving compatibility with the heritage significance of individual heritage items or components of heritage conservation areas.
- To provide controls for new development of land within the vicinity of heritage items.
- To encourage and promote public awareness, appreciation and knowledge of the value of heritage items and components of heritage conservation areas.

2. DEVELOPMENT APPLICATION REQUIREMENTS

This Section of the DCP relates to the development application requirements for developments that require consent in relation to heritage items and within heritage conservation areas.

2.1 Development requiring consent

Except as provided by the part of the LEP that refers to Exempt and Complying Development, development involving heritage items or components of a heritage conservation area will generally need consent for:

- Demolition, in whole or in part, of any buildings, works or landscape features;
- Alterations to heritage items and heritage items and components of heritage conservation areas;
- New construction;
- Subdivision; and
- Disturbance to relics.

Applications for demolition will only be considered in conjunction with a development application for the subsequent development of the site.

If you are in doubt as to whether a Development Application is required, consult with Council's Planning Development and Environment Section.

An additional approval from the Heritage Council of NSW is required if the property is protected by an interim heritage order under the *Heritage Act, 1977*, or the works involve the disturbance of relics or the item is listed on the State Heritage Register. To find out if your property is covered by an interim heritage order, contact Council or the NSW Heritage Office.

Maintenance

Regular and sensible maintenance is essential to all buildings whether it is heritage listed or not, and does not require development consent from Council.

Maintenance is a process which helps prevent damage to a property and protect it from the effects of ageing and corrosion. It requires familiarity with your house and will save money in the long run. Maintenance includes works required because of structural inadequacy or concerns about public safety, but do not extend to major changes to the appearance of the building. Maintenance includes works such as:

- removing leaf litter from gutters to prevent deterioration;
- tightening screws and bolts to ensure fixtures are securely held in place;
- re-hinging doors/gates;
- replacing broken windows, fly screens etc.;
- sealing gaps;
- pest control; and,
- repainting surfaces which are already painted, using the same colours. (Repainting in different colours from the existing is not regarded as maintenance and requires development consent, unless specifically exempted by Council).

Maintenance does not include works that result in changes to the external appearance of the building or the introduction of new materials. For example, the replacement of an old metal roof with new concrete tiles.

Repair works are slightly different to essential maintenance, as they generally involve restoration and reconstruction. Repair works, however, are equally important to ensure the building is appropriately looked after and conserved.

Maintenance and repair works are encouraged for heritage items and components of heritage conservation areas and generally do not require development consent from Council. Building or demolition consent may, however, be required. It is recommended that Council be contacted prior to undertaking the work to determine if consent is required and to ensure the proposed work is appropriate.

2.2 Information requirements

2.2.1 General

If you are considering making changes to a heritage item or component of a heritage conservation area it is important that you understand the significance of the place prior to deciding what alterations you should make. The guidelines contained in this section of the DCP are provided to assist in this process.

Generally the level of information required in the heritage assessments, will relate to the nature and complexity of the application and the level of significance of the heritage item or component of the heritage conservation area. This can be discussed with the Heritage Advisor or Planner when investigating your proposal, prior to submitting it to Council.

In addition to the usual development application requirements, you may need to provide the following:

- Heritage Impact Statement;
- Heritage Conservation Management Plan;
- Heritage Report for Demolition /Archival Recording; and/or
- Archaeological Assessment.

The following table summarises what is required:

Work	Heritage Conservation Area	Heritage Item subject of State or regional significance <small>(refer to NSW Heritage Office for details)</small>	Heritage Items of Local Significance
Minor work	SEE	HIS	HIS
Other work (including subdivision)	HIS	HCMP	HIS or HCMP
Demolition	DR	HCMP and DR	DR

Notes:

SEE To be addressed in Statement of Environment Effects

HIS Heritage Impact Statement

HCMP Heritage Conservation Management Plan

DR Demolition Report

An archaeological assessment will only be required if the site is a known or a potential archaeological site

A HCMP can be submitted with an application for an item of local significance – refer to NSW Heritage Office for requirements.

2.2.2 Demolition

The demolition of heritage items and components that contribute to the character of a heritage conservation area, is contrary to the intent of the heritage listing and should be treated as a last resort.

In assessing an application for the demolition of a heritage item, Council will need to consider the following:

- The heritage significance of the item;
- The structural condition;
- Comparative analysis;
- The contribution the item makes to the streetscape; and
- The design and suitability of the proposed replacement development.

Similar issues will be considered where a building or item in a heritage conservation area is proposed to be demolished.

If the structural capability of the building is being argued, Council may request the submission of a report by a structural engineer to determine whether the building is, or is not, structurally capable of reasonable and economic use.

Demolition Reporting

Where demolition is proposed for a building the site of a heritage item or within a heritage conservation area, Council will require a detailed report submitted with the development application.

A qualified Heritage Specialist should prepare the report in conjunction with any other professional needed to carry out the condition assessment on the building, such as a structural engineer.

The Demolition Report is to comprise two parts, the Heritage Assessment and the Impact Assessment.

It should be noted that for demolition of a heritage building to be approved:

- It must be shown that the heritage item is unsound, unsafe, or beyond reasonable conservation and is incapable of viable continued use or adaptive reuse. A structural engineer who has experience in heritage conservation must assess the structural stability of a heritage item; and
- The development application relating to the demolition must also be referred to the NSW Heritage Council for their comment.

In the case of partial demolition, the proposed development would need to conserve the heritage significance of the item, would need to facilitate its continued use or adaptive reuse, and would need to contribute to the ongoing conservation of the item or the affected part of the item that will be retained.

Where demolition of a heritage item or component of a heritage conservation area is approved, it will generally be conditional upon an archival record of the building and site. This must be prepared in accordance with guidelines in *How to Prepare Archival Guidelines of Heritage Items* produced by the Department of Planning and NSW Heritage Council.

2.2.3 Heritage Impact Statement

A Heritage Impact Statement (HIS) is a: " a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained."

The *NSW Heritage Manual* contains a document entitled "Statement of Heritage Impact" (or otherwise known as a Heritage Impact Statement) which outlines the requirements for preparing these statements. This document recommends that the statement should address the following:

- Why the item/s is of significance?
- What impact the proposed works will have on the significance?

- What measures are proposed to mitigate any negative impacts?

Generally, the impact should be minimal so that the heritage significance of the item is not compromised in any way. However if the proposed works will have an impact on the heritage significance of the item, item or area, the Heritage Impact Statement, must provide clear arguments as to why such action is required.

The statement should also demonstrate whether other options, which may have less impact, were not viable or explored.

When is a HIS required?

A heritage impact statement is required for all work on heritage items. A HIS is required for sites located within a heritage conservation area where the work is of a minor nature and does not impact on the streetscape. A HIS is not needed where a Heritage Conservation Management Plan is required.

The amount of information required depends on the nature of work carried out and the significance of the place. Where only minor work is proposed, such as new skylights, windows or work not visible to the public, a less detailed heritage impact statement may be required. This can form part of the Statement of Environmental Effects. However it is suggested that you liaise with Council's Heritage Advisor or Planner as to what Council's requirements will be in such instances.

What should the HIS include?

A Heritage Impact Statement comprises two parts, the Heritage Assessment and the Heritage Impact Assessment. The specific requirements for preparing Heritage Impact Statement (including the details for the heritage assessment and impact assessment) for heritage items and for heritage conservation areas are outlined in the checklists included in Appendix A.

Who prepares a HIS?

An appropriately qualified heritage practitioner should prepare a Heritage Impact Statement. The NSW Heritage Office has a Consultants Register, a copy of which is available from the NSW Heritage Office and on their website www.heritage.nsw.gov.au. It may be possible for the historical research to be done by the applicant.

At what stage in the design process should a HIS be written?

Part One: The Heritage Assessment should be carried out prior to the design stage. In some instances, it may be appropriate to carry out this assessment earlier such as before purchasing the property. The design of any proposal should take into account the findings of the heritage assessment.

Part Two: The Heritage Impact Assessment addresses the elements of the proposed design of the development.

Subdivision

Subdivision applications for land either in the vicinity of or on which heritage item is situated or in a heritage conservation area is required to be accompanied by adequate plans, showing the building envelopes, siting and setbacks of the proposed buildings, that must demonstrate to Council's satisfaction that the:

- Rhythm of buildings in the streetscape of heritage conservation areas are retained;
- Vistas and views to and of heritage items, and significant buildings, especially the principal elevations of buildings, are not interrupted or obscured;
- Landscape quality of the streetscape in heritage conservation areas is retained;
- Setting of the heritage item and a satisfactory curtilage, including important landscape and garden elements, are retained; and
- Subdivision will not require demolition of existing building stock or re-arranged vehicular access and car parking (on or off the site of the proposal), that would adversely affect the streetscape in the heritage conservation areas or the principal elevations of heritage items.

3. CONSERVATION GUIDELINES

This Section identifies element objectives, performance criteria and prescriptive measures for the various conservation guidelines applicable to development of heritage items and within heritage conservation areas in the Byron Shire.

3.1 Design Guidelines for Alterations and Additions

3.1.1 Element – General Streetscape Context

Element Objectives

To promote development that complements the existing heritage character and amenity of the area, and the heritage significance of the heritage item or heritage conservation area.

To maintain and enhance the existing heritage character of the streetscape and the vicinity of the heritage item or within the heritage conservation area.

To ensure that new development respects the established patterns and visual setting in the streetscape including setbacks, siting, landscaped settings, car parking and fencing.

Performance Criteria

- The side and front setbacks are to be typical of the spacing of buildings both from each other and from the street, such that the streetscape is retained;
- The established landscape character of the locality including height of canopy and density of boundary landscape plantings should be retained in any new development;
- New developments must respect and complement the existing heritage character of the streetscape and the vicinity by maintaining the general scale, height and bulk and proportions of traditional and new buildings in the streetscape. The effects of new development should be minimised.

Prescriptive Measures

The following components of a streetscape are to be considered to ensure development complements the character and heritage significance of established streetscapes:

- front setback of dwellings
- materials, colours, textures
- roof form and pitch
- scale, height and proportion of buildings
- landscaping and garden treatment
- spaces between buildings
- facade treatment, verandahs and window placement
- floor levels
- height and design of fences
- placement and design of garages and driveways
- existing street trees
- balance between solid walls and openings

3.1.2 Element – Roof Form and Chimneys

Element Objective

To retain the characteristic scale and massing of roof forms within a heritage conservation area and of heritage items.

To ensure that the original chimney elements are retained and any new roof elements relate to the existing heritage fabric of the heritage item or component of a heritage conservation area.

Performance Criteria

- Use uncoloured galvanised steel where possible or reinstate a painted roof where evidence of this exists. If necessary the use of corrugated, galvanized steel in an unpainted finish or dark tones is the preferred roofing material for the replacement of corrugated iron.
- Use correct gutters in the maintenance of older buildings. Quad, half round and ogee gutters are the most appropriate profiles, depending on original details.
- Roofs of extensions should be carefully related to the existing roof in materials, shape and pitch, replacement materials shall match existing or use approved alternatives. They should minimise large, blank areas of roofing to reduce the impact on the existing building and adjoining properties.
- Skylights or other structures attached to the exterior roof such as solar hot water heaters, ventilators, satellite dishes and the like shall not be located where visible on the principal elevations of the buildings and must be kept below the ridgeline.
- Attic rooms are to use existing roof forms, which retain the streetscape appearance of the existing building and are preferred to complete floor extensions, which alter the overall design of the building.
- New buildings must have roofs that reflect the orientation, size, shape, pitch, eaves and ridge heights, and bulk of existing roofs in the locality, and be in proportion with the proposed building.
- Where possible all chimneys should be retained internally and externally and where necessary repaired, even if the fireplace is no longer used. Demolition of chimneys is not favoured unless necessary for structural reasons and preceding construction.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.3 Element – Verandahs

Element Objective

To ensure that original verandahs or verandah elements are retained where possible and any new verandah elements relate to the proportions and scale of the existing heritage fabric of the heritage item or component of a heritage conservation area.

Performance Criteria

- Removal of verandahs is not favoured and construction or reconstruction of original detail is supported.
- In altering existing buildings, original verandahs should be kept, repaired and respected. Additional verandahs should not compete with the importance of the original and should be simple in design.
- Open up enclosed verandahs where possible and re-instate missing details. However, in some cases, the verandah infill may itself have historic or aesthetic value and the removal of the infill may not be appropriate. These cases should be justified in any application.
- The reconstruction of verandahs which once existed and whose detail is known is also encouraged. Where the form of the verandah survives but the details are missing, these can be reinstated if known from documentary evidence such as photographs or original drawings.
- The infilling of front and side verandahs is generally not encouraged, although infilling verandahs at the rear of houses may be appropriate.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.4 Element – Windows and Doors

Element Objective

To ensure that original windows and doors or window and door elements are retained and where new elements occur that the character and patterns of door and window openings and their construction is clearly related to the proportions, placement and scale of the existing heritage fabric.

Performance Criteria

- Where possible retain and repair/restore original doors and windows. Authentic reconstruction of similar material to the original is encouraged where repair of the original doors is not possible.
- Original leadlight and coloured glass panes should be kept.
- New doors and window openings should reflect the existing style, size, proportion, position and where possible match all sill and head heights of existing doors and windows. Where possible in new buildings they are to be compatible with the proportions, position and size of those typical of the locality.
- Use timber windows for restoration of traditional buildings. Modern aluminium windows are not favoured.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.5 Element – Building Materials

Element Objective

To ensure that the selection of building materials is based on an understanding of the original building finishes.

Finishes employed in new development should be selected with regard to the significance and character of the heritage item they adjoin or of development in the street or heritage conservation area, and the likely impact of that proposed work.

Performance Criteria

- It is important to use the right materials to maintain the integrity and character of heritage buildings and streetscapes. Weatherboard cladding and metal roofing are the most commonly used building materials in heritage conservation areas. Modern materials that replicate original materials such as veneer claddings, replicating weatherboards, reproduction slate roof sheeting and stamped or stencilled concrete do not have the same richness and often give a one-dimensional appearance. These materials are not appropriate on heritage items and are discouraged in heritage conservation areas.
- Alteration of the form and materials of principle elevations is not favoured – removal of the external skin or rendering of exterior walls is not favoured unless associated with acceptable reconstruction works and unpainted surfaces should not be painted
- Matching materials shall be used in repairing the fabric or external surfaces
- Any new development on the site of a heritage item shall use similar materials to or compatible with that of the original building or item.
- Additions should be designed and detailed in materials that complement the character of the existing heritage item and the area generally.
- New decorative detailing is inappropriate on a heritage item unless documentary or physical evidence indicates it once existed.
- The colour and texture of bricks, the joining profile and mortar colour should match the existing building as closely as possible. In circumstances where existing bricks cannot be matched, contemporary materials may be appropriate, particularly on rear elevations.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.6 Element – Colours

Element Objective

To ensure that the selection of colours for heritage items and heritage components of a heritage conservation area is based on an understanding of the original finishes.

To ensure colours employed in new development are selected with regard to the significance and character of the heritage item they adjoin or of development in the street or heritage conservation area, and the likely impact of the proposed colours is minimised.

Performance Criteria

- Heritage items should be painted in traditional colour schemes based on photographic, physical or documentary evidence. Where this is not available, a colour scheme appropriate to the particular style of the building may be used. Seek advice from Council, paint companies, and numerous books on this subject.
- Colour schemes should respect and enhance the individual architectural details of the building.
- Face brickwork, stone, tiles or shingles should not be painted or rendered, as this will compromise the original character of the building. It will also create an ongoing maintenance requirement. Existing unpainted brickwork is to remain unpainted except if part of an unsympathetic infill or addition.
- Use variations to traditional colours for new development but still maintaining colours, which will be harmonious in the streetscape.
- Where possible additions and alterations shall reinstate traditional colour schemes.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.7 Element – Garages and Carports

Element Objective

To allow for reasonable on site car parking while retaining the character and significance of the heritage item or heritage conservation area.

To ensure that car parking facilities (such as garages, carports and driveways) do not have any adverse visual impact on heritage streetscapes and are visually discreet.

Performance Criteria

- The introduction of car parking should not interfere with the visual appreciation of the item or heritage conservation area.
- Attachment of garages and carports to the buildings they service is generally not favoured unless the structure is located at the rear of the building and is not visible from the surrounding streets or it is well setback from the front façade and unobtrusively attached.
- Retain early garages, carports and sheds wherever possible as they contribute to the character of the heritage item or heritage conservation area.
- Garages and carports should normally be of a simple design. Match the roof pitch, form and materials of the main building as closely as possible. They should not dominate existing buildings on site.
- The location of car parking should respect the existing vegetation and original garden layouts on the site.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.8 Element – Fences

Element Objective

To provide or retain fencing which contributes to the heritage significance of the item or heritage conservation area, and complements the overall character of the streetscape.

Performance Criteria

- Original fencing and gates retention is encouraged and they should be retained where possible. If fences and gates are in good condition they should be maintained, if not, they can be reconstructed with new, matching elements. Any good sections of the old fence should be integrated where possible.
- New fencing on heritage properties should be of a traditional design. The design may be based on photographic evidence, or if this is not available, a design appropriate to the age and style of the house. They should be consistent with traditional fences in the streetscape.
- New fencing should respect the traditional hierarchy of fences for the front, side and rear boundaries. Use a simple fence style for new development that will harmonise in the streetscape.
- Fences should be consistent with the heights of the predominating fences in the street.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.9 Element – Outbuildings and Swimming Pools

Element Objective

To ensure that out buildings and swimming pools do not detract from the heritage significance of the heritage item or heritage conservation area through inappropriate siting, excessive scale, bulk or visibility.

Performance Criteria

- Ensure swimming pools and additional shed space are well positioned to respect the setting and spaces around the heritage item and component of a heritage conservation area and should generally be located at the rear of properties.
- They should respect original garden layouts retaining mature trees, shrubs, plants and pathways.
- Locate swimming pool safety fencing where it will be screened from public view and add landscaping to soften the impact on a heritage item.
- Ensure that the proposed structure is well integrated with its intended site including the need for landscaping such as screening or planting.
- Ensure the retention of any significant outbuildings, which may form part of a historical curtilage.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.1.10 Element – Signage and Advertising

Element Objective

To ensure that inappropriate signage/advertising does not detract from the significance of the heritage item or heritage conservation area through its inappropriate location, colour or scale.

Performance Criteria

- Signage on commercial or civic buildings can contribute to the character of the streetscape provided that it is visually sympathetic.

- Use signs of an appropriate size and in appropriate locations, e.g. hanging signs or signs within a fascia.
- Use traditional hand painted signage, or individually mounted letters in preference to pre-cut vinyl lettering.
- Use colour schemes that are effective and readable through use of contrast.
- Refer to Section ? of this DCP for more details in relation to signs.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.2 New development

3.2.1 Element – New Development in the vicinity of a heritage item

Element Objective

To ensure that any new development achieves a sympathetic relationship with the nearby heritage items in terms of its scale, massing, character, setback, orientation, materials and detailing.

To ensure that any new development respects the established streetscape, and the patterns of development within the vicinity of the heritage item.

To ensure the careful siting of new development retains the integrity and setting of the heritage item.

Performance Criteria

- New development should complement, not compete with, the elements that contribute to the uniqueness and heritage significance of the heritage item. They should not stand out and draw attention to themselves, or clash with the heritage character of their context
- New development should be located so as to not overshadow, nor impede existing views of the heritage item or its/their setting. New development must respect the visual curtilage of the heritage item and must not visually dominate, compete with or be incompatible with the form of the heritage item.
- New development can be contemporary in design however the scale, form, bulk and detail of the proposal must not detract from the scale, form, unity, cohesion and predominant character of the heritage item in the vicinity. Avoid making a replica copy of a heritage item.
- Keep it simple - do not use a mixture of features from different eras or add historic features to new buildings. Contemporary kit/project designs which purport to be “heritage homes” are generally poorly integrated mixtures of design elements from different eras and do not fulfil the objectives for new development in the vicinity of heritage items.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.2.2 Element – New Development in a heritage conservation area

Element Objective

To ensure the careful siting of new development retains the integrity of the heritage conservation area.

To ensure that any new development achieves a sympathetic relationship within the heritage conservation area of which it is a part.

To ensure that new development respects the established streetscape, and the patterns of development, including setbacks, siting, landscape settings, car parking, height, dominant ridgelines and building envelopes within the heritage conservation area.

Performance Criteria

- New development should be positioned to ensure that an appropriate setting is maintained.
- New development should respect or utilise the topography and existing vegetation within the heritage conservation area.
- Construction, demolition or modification should not adversely affect the existing setting of the heritage conservation area.
- New development should complement, not compete with, the elements that contribute to the uniqueness and heritage significance of the heritage conservation area. They should not stand out and draw attention to themselves, or clash with the heritage character of their context

- New development should respond to the established development patterns such as subdivision layout, setbacks, and spaces between buildings. The predominant setbacks in the street should be retained to ensure the visual uniformity of the heritage conservation area is maintained.
- New development can be contemporary in design however the scale, form, bulk and detail of the proposal must not detract from the scale, form, unity, cohesion and predominant character of the heritage conservation area. Incorporating basic design elements such as the characteristic roof form and massing, proportions of windows, doors and verandahs is encouraged.
- Keep it simple - do not use a mixture of features from different eras or add historic features to new buildings. Contemporary kit/project designs which purport to be “heritage homes” are generally poorly integrated mixtures of design elements from different eras and do not fulfil the objectives for new development in the vicinity of heritage items.
- For new development in the heritage conservation areas also refer to section O4 of this DCP.

Prescriptive Measures

There are no Prescriptive Measures for this Element.

3.3 Element – Subdivision

Element Objective

To retain the development and subdivision pattern of the heritage conservation areas including their characteristic rhythm and spacings of the built form.

To retain significant curtilages, views and vistas and landscape elements associated with individual heritage items that may be lost through subdivision.

Performance Criteria

- The allotment and building spacing, that is, frontage widths, side and front boundary setbacks should not impact on vistas and views to and of heritage items and heritage items, especially the principal elevations of buildings, should not be interrupted or obscured.
- The setting of the heritage item and a satisfactory curtilage, including important landscape and garden elements, should be retained.
- The subdivision should not require rearranged vehicular access and car parking (on or off the site of the proposal) that would adversely affect the principal elevation of the heritage item or components of a heritage conservation area.
- Landscape quality of the streetscape in heritage conservation areas should be retained
- Subdivision of land must comply with the minimum allotment size requirements of the LEP and with the general design guidelines for new development (see sections 3.2.1 & 3.2.2).

Prescriptive Measures

There are no Prescriptive Measures for this Element.

4. CONSERVATION AREAS

This section outlines the controls applicable specifically to the heritage conservation areas.

The heritage conservation areas are representative of particular phases in the development of the Byron Shire. They have distinctive historic, stylistic and streetscape values that are essential to retaining the heritage of the Byron Shire *<specific area where necessary>*. Components which contribute to this significance are to be retained, and new development must reflect and reinforce this character.

The special characteristics required for retention are summarised below for each area, together with specific policies for achieving this. The onus rests upon the applicant to justify any variation to these requirements based on any special circumstances of the site and having regard to the objectives.

The intent of these controls is not to inhibit genuinely innovative design solutions but rather to ensure that new development respects and responds to the heritage value of the area in which it is to be located.

4.1 *<name of Area>*

Character and Description

Statement of Significance

Policy

-

4.2 *<name of Area>*

Character and Description

Statement of Significance

Policy

-

ANNEXURE A

Checklist of Requirements for Heritage Impact Statements for places within Heritage Conservation Areas

The Heritage Impact Statement contains two parts, the Heritage Assessment and the Heritage Impact Assessment of the proposal.

Part A - Heritage Assessment

1. Historical Development of the Site

A concise history of the site based upon full historical Title Search, Sands Directory Search and Council files. It should include:

- Development of the site over time, date of construction and additions /alterations.
- Original subdivision pattern in street and relationship of the building to adjoining and other buildings/items in the street.

2. Site Assessment

- Description of the building/item and its setting such as garden, fencing and ancillary buildings.
- Measured drawings of the building/item, all floor plans and their condition
- An assessment of the architectural integrity of the building/item, extent of original finishes and their condition, and originality of the building/item's setting.
- Photographs of external elevations and rooms, where appropriate.

3. Streetscape Assessment

Assessment of the building/item's streetscape contribution should include:

- Building form – height, scale, mass, setback
- Character- architectural style and period, details of any existing external modifications
- Assessment of contributory and non-contributory buildings/items in the streetscape and whether these contributory and non-contributory features are found in the building/item in question

4. Statement of Significance

A concise statement of significance taking into account the historical development of the site/area, the site assessment and the street assessment.

Part B - Heritage Impact Assessment

1. Description of Scope of Works

A clear and comprehensive account of the work to be carried out including structural alterations, changes in finishes, colour schemes, internal subdivision etc.

2. Design Options

What options were considered and reason for desired option.

3. Statement of Impact

A statement of the impact the proposal has on the building/item (including its architectural integrity and its originality) and on the streetscape / heritage conservation area. Measures to be undertaken to minimise any effects from the proposal are also to be indicated.

Checklist of Requirements for Heritage Impact Statements for Heritage Items

The Heritage Impact Statement contains two parts, a Heritage Assessment and a Heritage Impact Assessment of the proposal.

Part A - Heritage Assessment

1. Historical Development of the Site

A concise history of the site based upon a full historical Title Search, Sands Directory Search and Council files. It should include:

- Development of the site over time, date of construction and additions/alterations.
- Original subdivision pattern in street and relationship of the building/item to adjoining and other buildings/items in the street.

2. Site Assessment

- Description of the building/item and its setting such as garden, fencing and ancillary buildings.
- Measured drawings of the building/item, all floor plans and their condition
- An assessment of the architectural integrity of the building/item, extent of original finishes and their condition, and originality of the building/item's setting.
- Photographs of external elevations and rooms, where appropriate.

3. Statement of Significance

Criteria for assessing the Heritage Significance of an item is to be in accordance with the guidelines set out in the document entitled *Heritage Assessments* in the *NSW Heritage Manual*. A statement of significance is to be prepared with a succinct set of statements that answer the question "Why is this building/item significant?"

4. Conservation Policy

The building/item condition, current zoning and statutory requirements and client requirements are constraints, which need to be considered in determining realistic policies to protect the heritage significance.

The policy needs to address the following:

- Protection of the existing significant fabric
- Appropriate location for alterations or new uses
- Appropriate scale for alterations and additions so that they do not detract from the heritage significance.

The Conservation Policy must be based on the Conservation Principles of the *Burra Charter*.

Part B - Heritage Impact Assessment

1. Description of Scope of Works

A clear and comprehensive account of the work to be carried out including structural alterations, roof form and shape, changes in finishes, colour schemes, internal subdivision etc.

2. Design Options

What options were considered and reason for desired option.

3. Statement of Impact

A statement of the impact the proposal has on the significance of the heritage item. This is to address:

- The interior, exterior and setting of the building/item
- How the proposal conforms to the conservation policy outlined in the Heritage Assessment and the conservation principles of the *Burra Charter*
- The impact on the architectural integrity and originality of the building/item
- Measures to be undertaken to minimise any adverse effects from the proposal.

Attachment H: Guidelines for Establishing a Local Heritage Fund

The publication, *How to Establish a Local Heritage Fund* NSW Heritage Office 2004, is reproduced in the following pages.

HERITAGE INFORMATION SERIES

HOW TO ESTABLISH A LOCAL HERITAGE FUND



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Introduction

There is increasing interest from local councils to establish local heritage funds to promote heritage conservation in their areas. These guidelines have been prepared by the Heritage Office to assist councils in formulating appropriate procedures for establishing and managing such funds.

Benefits

Local funds:

- encourage the conservation of heritage items, and promote a positive community attitude to heritage conservation;
- encourage much work because funding is provided on a contributory basis. One of the best examples of the use of a local fund is the town of Lockhart where all thirty buildings in the main street of the town were restored through the establishment of a relatively small \$15,000 fund which generated total conservation work of some \$64,000;
- provide a tool for more closely targeting particular projects e.g. implementing the recommendations of a heritage main street or precinct study.

Existing Local Heritage Assistance Funds

Many Councils have been operating local heritage funds: Armidale-Dumaresq, Ballina, Bathurst Regional, Bega Valley, Bellingen, Berrigan, Blacktown, Bland, Blayney, Boorowa, Bourke, Brewarrina, Broken Hill, Cabonne, Cessnock, Cobar, Coffs Harbour, Coolah, Coolamon, Coonamble, Cowra, Culcairn, Deniliquin, Dubbo, Dungog, Fairfield, Gosford, Great Lakes, Greater Argyle, Gundagai, Guyra, Harden, Hastings, Holbrook, Hornsby, Inverell, Jerilderie, Junee, Kiama, Lachlan, Leeton, Lismore, Liverpool Plains, Lockhart, Maclean, Maitland, Mid-Western Regional, Moree Plains, Muswellbrook, Narrandera, Narromine, Orange, Parkes, Port Stephens, Queanbeyan, Richmond Valley, Rockdale, Shoalhaven, Snowy River, Sutherland, Tamworth Regional, Taree, Temora, Upper Lachlan, Uralla, Urana, Upper Hunter, Wagga Wagga, Walgett, Weddin, Wellington, Wentworth, Wingecarribee, Wollongong and Yass Valley.

How much money is required to establish a fund?

Local funds can be set up with quite a modest amount to begin with, for example \$10,000 (\$5,000 from your council and \$5,000 from the Heritage Office) which could be administered as 10 X \$1,000 \$-for-\$ grants.

What support funding is available from the NSW Heritage Office?

In the metropolitan area councils fund their own programs. In rural areas councils are automatically eligible for grants of up to \$7,500 per year under the NSW Heritage Assistance Program. Greater amounts can be considered for larger local fund projects under a program run every two years. e.g. \$200,000 in heritage grant funding has been provided over four years to the Broken Hill City Council to assist a major verandah restoration program in the main street.

Out of a fund of \$15,000 (\$7,500 plus \$7,500) an amount of up to \$10,000 can be provided to any one project in any one year.

How can I apply for a heritage grant to establish a local fund?

Simply ring the Heritage Office at any time on 9873 8500 and ask for the funding officer or e-mail victoria.throp@heritage.nsw.gov.au

Legal basis for councils to establish funds

Section 356 of the Local Government Act 1993 provides the legal basis for establishing local funds.

What type of assistance should councils provide to applicants?

The simplest form of assistance is **\$-for-\$ grant assistance**. With larger projects, consideration could be given to providing low interest loans or grants which would be refundable on sale with or without indexation.

Loans are advantageous in that they enable more heritage funds to be recycled, but they require more staff time and paperwork. It is suggested that where loans are offered, they should be offered at the lowest rate possible and even interest-free. To reduce administration it is suggested that the

paperwork be kept as simple as possible and there be a minimum of repayments - say at six monthly.

Indexed refundable grants are an appropriate alternative to loans where larger sums are involved and where applicants are not in a position to repay loans e.g. pensioners. The grants are made on the understanding that they will be repaid on the sale or disposal of the subject property, together with an indexation amount to ensure that the grant retains its value over time. These grants are equitable because they enable repair work to be carried out for people of limited means but the fund is reimbursed from the sale of the property. Simple documentation for these grants is available from the Heritage Office.

Whatever form the assistance takes, it is important that the applicant's contribution is taken into account in assessing applications. **Joint funding** provides a strong indication of the applicant's commitment to the project and is one of the best means of ensuring financial responsibility as the recipient must bear at least half the cost of all work.

Calling Applications

It is recommended that applications be called on a once-a-year basis as this provides:

- the best overview of needs in the area;
- enables the selection committee to prioritise applications and recommend funding accordingly;
- is equitable because the program can be properly advertised and all applicants are dealt with at the same time.

Advertising

The fund should be advertised in local newspapers and it is also suggested that where feasible you direct mail all interested parties including all owners of heritage properties.

Standard templates for you to use

A suggested template for the guidelines is at **Appendix A** - alter this to suit your own situation.

A suggested template for an application form is at **Appendix B** - alter the format to suit your own situation.

Managing a Local Heritage Assistance Fund

The following two matters are considered to be important.

1.

A person with heritage conservation experience and qualifications should be available to promote and assess applications for assistance. This person could be on the council's staff or be a heritage adviser.

Each item being considered for financial assistance should be inspected. Inspection may reveal that the work proposed by the applicant should be given lower priority than other work which may be needed. For example, an owner may apply for assistance to repair or reinstate a picket fence in front of his house, but inspection may reveal that the roof is leaking, in which case assistance should be offered for roof repairs in the first instance.

The local heritage adviser can assess applications for assistance in terms of whether the works proposed constitute conservation works which are in the best interests of the heritage item. If necessary, the adviser can negotiate changes to the proposed works. The adviser is also able to assess the works as they proceed and upon completion.

2.

There needs to be some arrangement for the consideration of applications. One suggestion is the use of a heritage committee. A heritage committee usually includes elected council members, the heritage adviser, town planning and health & building staff members and community representatives.

The advantage of a heritage committee is that it raises the community's awareness of the council's heritage conservation initiatives, and often also makes available to the council local expert advice free of charge.

For information on establishing heritage committees see Suggestion No. 1 in the Heritage Office's brochure *Suggestions on how local councils can promote heritage conservation* available on our website at www.heritage.nsw.gov.au.

Yearly Report on the Fund

A yearly report to Council should be prepared by Council's planning department reviewing the operation of the fund and, if necessary, making recommendations for variations to procedures. This yearly report can be used to formally advise the Heritage Office on how any heritage grant funding has been spent and it can also be used to reapply for further funding.

Setting priorities

Before each year's program commences you need to decide what categories of project should receive priority in the forthcoming year, eg. main street verandahs, gardens, picket fences in residential areas, etc. These priorities should be made clear to all applicants and they need to be used in assessing applications.

Eligibility for Funding

The following three basic criteria are suggested:

- the item should be a recognised heritage item. As at June 2004 the Heritage Office does not require local environmental plan listing on local funding, however preference should be given to those items legally protected in a heritage schedule to a local environmental plan. This action would provide positive reinforcement for such protection;
- all owners or lessees should be eligible except the local council and government departments which have access to other funds;
- applications must only be for appropriate conservation work.

Assessment Criteria

These following criteria provide a useful checklist for assessing projects:

- the applicant's ability to demonstrate technical and financial responsibility with regard to the project, and demonstrated ability to complete the project within 12 months;
- the degree to which the applicant is financially contributing to the project and/or their ability to quickly return borrowed heritage funds;
- projects which clearly complement broader conservation objectives, eg. projects which implement key findings of heritage studies or projects in designated heritage main street or conservation areas;
- projects which would encourage the conservation of other heritage items;
- projects of demonstrated heritage value to the community (commonly the item concerned will appear on many heritage lists) e.g. the restoration of a local hall or school of arts building;
- projects which are highly visible to the public, eg. the replacement of a verandah to a building in a main street location;

- projects which have high public accessibility, eg. a local museum or church.
- projects which are in an area which has received little or no funding;
- projects involving aspects of heritage which have received little or no funding eg. historic gardens;
- projects subject to conservation controls where the owner is able to show hardship arising from conservation work required to the item; and
- urgent projects to avert a threat to a heritage item.

Projects not funded

Funding should generally **not** be provided for the following projects:

- where assistance is reasonably available from another source;
- where substantial assistance has been previously provided, or where the applicant has yet to complete other assisted projects;
- purchase of a building, site or movable item;
- a new addition to a heritage building (including new internal fittings such as new kitchens and bathrooms);
- the relocation of a heritage building or work on relocated building; and
- work on a government owned building still used for a government purpose.

Template documents for you to send to successful applicants

It is suggested that these be limited to:

- a brief letter of offer from your council, and;
- a plain English agreement, see template at Appendix C.

In the case of loans and indexed refundable grants, documents should be kept as simple as possible, e.g. a deed of agreement secured by a caveat on the land title.

Special conditions

The council's heritage adviser should advise if the assistance should be made subject to any special conditions for the work to be considered satisfactory. For example, financial assistance for repointing of brickwork may be made conditional upon the use of lime mortar as opposed to cement. Such special conditions should be clearly set out in the agreement given to the applicant.

Method of Payment

The simplest and safest method is to pay on the satisfactory completion of the project. All work should be certified by the heritage adviser or other specialist prior to payment. Advance payment is **not** recommended.

APPENDIX A SUGGESTED GUIDELINES TEMPLATE

COUNCIL LOGO

LOCAL HERITAGE ASSISTANCE FUND FOR

BACKGROUND

A Local Heritage Fund has been established by Council with the aid of a grant from the NSW Heritage Office.

There is a total of \$..... in the fund made up of a government grant of \$..... and \$..... from the Council.

AIM OF THE FUND

The aim of the project is to encourage as much positive work on heritage items in the area as possible. In the past, many grant programs were for individual buildings only. This program will provide kick start funding to encourage the joint funding of a number of projects. In the process, it is hoped that this will engender greater interest and concern for conservation for all heritage items within the Council's area.

INVITATION TO APPLY

Owners of heritage buildings in this area are invited to apply. It is essential that you prepare the best application possible because of the limited funds and these guidelines have been prepared to assist you.

ELIGIBLE PROJECTS

Projects which involve the repair, maintenance or reinstatement of missing items on heritage buildings in the nominated area. These include fences, verandahs, roof cladding and decorative detail. Projects include structural work through to final painting of projects.

PROJECTS NOT FUNDED

Funding will generally **not** be provided for the following projects: where assistance is reasonably available from another source, where substantial assistance has been previously provided, or where the applicant has yet to complete other assisted projects, purchase of a building, site or movable item; a new addition to a heritage building (including new internal fittings such as new kitchens and bathrooms); the relocation of a heritage building or work on relocated building; work on a government or council owned building still used for a government or council purpose.

ASSESSMENT CRITERIA

The following matters will be taken into account by the council in assessing the priority of your application. Please note that it is not necessary for your project to meet all of these criteria.

- the applicant's ability to demonstrate technical and financial responsibility with regard to the project, and demonstrated ability to complete the project within 12 months;
- the degree to which the applicant is financially contributing to the project and/or their ability to quickly return borrowed heritage funds;
- projects which clearly complement broader conservation objectives, eg. projects which implement key findings of heritage studies or projects in designated heritage main street or conservation areas;
- projects which would encourage the conservation of other heritage items;
- projects of demonstrated heritage value to the community; commonly the item concerned will appear on many heritage lists: e.g. the restoration of an important local heritage house;
- projects which are highly visible to the public, e.g. the replacement of a verandah to a building in a main street location;
- projects which have high public accessibility, e.g. a local museum, church or a private home which is open to the public several times a year;
- projects which are in an area which has received little or no funding;
- projects involving aspects of heritage which have received little or no funding e.g. historic gardens;
- projects subject to conservation controls where the owner is able to show hardship arising from conservation work required to the item; and
- urgent projects to avert a threat to a heritage item.

LEVEL OF FUNDING AVAILABLE

It is proposed that the maximum level of funding per project will be limited to \$..... Greater funding may be made if the circumstances warrant it. You will be required to provide at least matching finance for the projects. There will clearly be cases where you may yourself wish to contribute more to the project.

TIMING OF PROJECTS

From approval you will have months to complete your project.

WHAT YOU NEED TO DO

Firstly contact the heritage advisor for your area

It is suggested that you set down the work you propose to do and then contact the heritage advisor to discuss the eligibility and other details of your project. This service is provided free of charge. The advisor will be able to assist you in making an application. If the project is too large the advisor may suggest you get the services of a conservation architect for the project.

The heritage advisor is
and you can make an appointment by ringing

Background Research

It will assist your case if you can properly demonstrate why the work you propose is appropriate from a heritage point of view. To do this you may need to do some research, e.g. the council may have information on the building, or the library or you may be able to obtain photographs. The heritage advisor may also have some suggestions to follow up.

Work to be carried out

You then need to decide in detail what work you want to carry out. This should be put down in a clear item by item job schedule.

Quotes

Next, as with any work, you need to get quotes and it is suggested that you get at least two for the work. Put these costs alongside the schedule of work you have prepared.

Plans and Sketches

Depending on the size of the job you may need these to attach to your application for funding.

Photographs

Take a photograph of the setting of the building, each elevation and close ups of any particular job to be done. Keep the negatives and a set of photographs for your final report.

Fill in the application form

Fill in the attached simple form, keep a copy for your records, staple on the attachments and take it immediately to the council.

APPENDIX B

APPENDIX B SUGGESTED GUIDELINES TEMPLATE

COUNCIL LOGO

LOCAL HERITAGE ASSISTANCE FUND

APPLICATION FOR FINANCIAL ASSISTANCE

Please refer to guidelines before completing this application

APPLICANT

NAME:
POSTAL ADDRESS:
.....
POSTCODE:.....
PHONE NUMBER:.....
PRIVATE:BUSINESS:.....

SUBJECT LAND

STREET & NUMBER:
SUBURB:.....

THE PROPOSAL

PROPOSED WORKS:
.....
.....
PRESENT USE OF BUILDING:
.....
.....

FUNDS

ESTIMATED COST OF WORKS:
THE AMOUNT YOU ARE SEEKING WITH THIS APPLICATION:
(NOTE: MAXIMUM \$..... AMOUNT SOUGHT MUST BE MATCHED DOLLAR FOR DOLLAR BY APPLICANT)

ADDITIONAL INFORMATION SUBMITTED WITH THIS APPLICATION

Tick quotes for the cost to carry out work	<input type="checkbox"/>
Tradesmen qualifications	<input type="checkbox"/>
Plans/sketches of the proposed works	<input type="checkbox"/>
Photographs of existing structure	<input type="checkbox"/>
Samples of finished materials/colours	<input type="checkbox"/>
Historical background of the Property	<input type="checkbox"/>

SIGNATURE OF APPLICANT

I/we, the undersigned, being the applicant(s) nominated in this application, hereby apply for financial assistance under the Local Heritage Assistance Fund to carry out works described in this application on the land specified in this application.

Signature(s)..... Capacity..... Date.....

APPENDIX C SUGGESTED TEMPLATE FOR AN ASSISTANCE AGREEMENT

COUNCIL LOGO

AGREEMENT FOR ASSISTANCE ON A HERITAGE PROGRAMS

Project Number:

Details of Assistance:

Applicants name:

Postal Address:

Project Address:

Project Name:

Amount of Assistance:

Type:

Your Contribution:

Funding Source:

Purpose of the Assistance:

Special Conditions:

Final date for the completion of the project:

CONDITIONS APPLYING TO ALL PROJECTS

You the applicant, by entering into this agreement, agree to comply with the following conditions:

1. Acceptance

You must accept this offer of assistance within 6 (six) weeks of the date of this offer otherwise it will be withdrawn.

2. Permission to Commence Work

You must provide the following information before permission to commence work will be granted:

- (a) a draft schedule of work;
- (b) who is to carry out the work;
- (c) a time schedule for the completion of the project;
- (d) name of a suitably qualified person who will be responsible for supervising the proposed work.

3. Funding from other sources

You must immediately advise the council of any changes to financial resources and arrangements connected with the project.

4. Claims

Claims for payment should be supplied in letter form and you should set out clearly what work was carried out, by whom and how much you are claiming. Attach originals of any bills.

5. Progress Reports

You must provide brief progress reports as requested.

6. Revocation

You agree that this financial assistance may be reviewed or revoked at any time under any one or more of the following circumstances:

- (a) unsatisfactory work;
- (b) failure to meet time schedule constraints;
- (c) failure to provide progress reports;
- (d) non disclosure, misleading or false disclosure of information.

You also agree, in case of revocation, that where monies have been advanced you are obliged to refund those monies plus interest equal to the current rate used for local government rate arrears.

7. Taxation and other regulations

You agree that it is solely your responsibility to ensure you comply with any taxation liability and or regulations under any Federal or State legislation.

8. Loan and Index Refundable Grant Conditions

You agree to enter into a separate agreement to provide whatever form of security for this assistance which may be required.

9. Reusable Equipment

You agree that assistance is not to be used for expenditure on reusable equipment without the prior written approval of the council.

10. Appropriate Conservation Work and Financial Management

You agree that all work must be carried out in a manner consistent with appropriate conservation practice and in accordance with generally accepted sound financial practice.

11. Long Term Protection

You agree to take all reasonable measures to protect in perpetuity the item for which this assistance is granted.

You the applicant, and owner of the item assisted, agree not to object to the inclusion of the item in a Local Environment Plan or, where the item is of state heritage significance, to its inclusion on the State Heritage Register.

You agree to insure and keep insured at all times the item for which this assistance is granted.

12. Acknowledgment of Assistance

You agree to acknowledge this assistance in any form required and approved by the council.

Acceptance

I, the applicant, hereby agree to the above conditions and accept this offer of assistance.

Signature Date

To be completed for projects where the applicant is not the owner of the item being conserved.

I, the owner of the item for which this assistance is granted, also agree to the conditions of this assistance and give permission for work to commence.

Signature Date