



BYRON SHIRE COUNCIL



# Byron Shire Heritage Strategy 2020- 2024

***Document History***

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## Introduction

The purpose of this document is to set out a heritage strategy to be used by Council to provide direction for heritage management, and to link it to wider strategic and organisation planning. This Heritage Strategy is based on the Heritage Branch's 'Recommendations for Local Council Heritage Management' and is linked to the annual reporting template which is a requirement of the Heritage Branch for local government heritage funding arrangements.

Byron Shire Council recognises that *Bundjalung of Byron Bay-Arakwal People* are the traditional custodians of the land in Byron Shire, and form part of the wider Aboriginal nation known as the Bundjalung.

**Byron Shire Council also acknowledge the Widjabal people in the west and the Minjingbal people in the north of the Byron Shire.**

*Note- It was derived from the Byron Council Annual Report 2014-15*

*"In the preparation of this document Council acknowledges that the Bundjalung of Byron Bay – Arakwal People are the Traditional Custodians of the land in Byron Shire, and form part of the wider Aboriginal nation known as the Bundjalung. Council also acknowledges the Aboriginal and Torres Strait Islander people who now reside within this area."*

Local Aboriginal Land Councils (LALCs) have a degree of governance and interface with Local Councils, State and Federal Government bodies. There are three Local Aboriginal Land Councils whose boundaries overlap with the Byron Shire, being the Tweed Byron LALC situated in Tweed Heads, Jali LALC situated in Ballina, and Ngulingah LALC situated in Lismore. Local Aboriginal Land Councils have a right to be informed in the planning, protection and preservation of cultural sites and areas under the NSW Aboriginal Land Rights Act on land within their boundaries. The objectives of each Local Aboriginal Land Council are to improve, protect and foster the best interests of all Aboriginal persons within the Council's area and other persons who are members of the Council. Services include housing, legal affairs, employment, training and property acquisition and management.

- Tweed Byron Local Aboriginal Land Council
- Jali Local Aboriginal Land Council
- Ngulingah Local Aboriginal Land Council

Places of Aboriginal cultural significance are protected by Federal and State legislation, however a detailed study of Aboriginal Cultural Heritage in Byron Shire is recommended as part of this strategy.

Local heritage management and policies have expanded considerably in the last 28 years, when the Byron 1988 LEP Heritage Schedule contained a heritage precinct and 3 individual heritage items in Bangalow, 10 items at Byron Bay, 9 items at Mullumbimby and a site on Ewingsdale Road.

In 2008 an extensive Community Based Heritage Study (Non-Indigenous) was carried out by a steering committee under the leadership of Dr Donald Ellsmore. This study drew information from the local community about the places and items that it considered important to be protected for future generations. As a result of the study many places of heritage significance were identified and formal listings were put in place to protect these places. Byron Shire LEP now has a list of 187 items and 7 Heritage Conservation Areas.

Byron Shire LEP 2014 uses the state wide standard provisions for assessment of future development in relation to Heritage Items and Conservation Areas. In addition, the Byron Shire DCP 2014 contains a suite of more detailed policies which complement the LEP to address heritage conservation and new development.

This strategy also looks beyond decisions about individual developments relating to heritage items, to embrace a wider view and vision of the heritage value of the Shire. It sets out Councils directions for conserving the heritage of the shire and highlights pro active strategies to protect, enhance and promote the conservation of natural and built heritage. This is linked to the vision of Councils Community Strategic Plan 2022, which is:

*"culturally rich and thriving communities living in harmony, responding positively to the challenges of our world, and leading by example"*

This strategy should be reviewed again in 2019 to assess the success of the strategy policies and implementation, and guide future directions for heritage management in the Byron Shire Council.

## **Background**

Byron Shire Council covers an area of 567 sq km in north eastern NSW and includes most of the catchment of the Brunswick River and part of the Richmond River. The shire has a population of approximately 30,000 residents living in the main settlements of Mullumbimby, Byron Bay, Bangalow, and Brunswick Heads and an attractive rural hinterland.

The Shire contains a wide variety of heritage assets including Indigenous sites, natural heritage sites, landscape elements, iconic landmarks such as the Cape Byron lighthouse, industrial heritage such as the Mullumbimby Power Station, plus many examples of civic, commercial and domestic heritage which provide a collective richness of local identity, characterised largely by a built north coast vernacular of timber and iron buildings and many excellent examples of commercial buildings of 1930s.

Byron Bay is a world famous tourist destination, and tourism and related industries are the major economic drivers in the shire. Tourism has gradually replaced much of the early rural industries of dairy farming, sugar cane and banana growing however new rural industries have emerged. Tourism and heritage conservation are synonymous worldwide and this needs to be clearly recognised across organisational planning.

As a highly desirable destination for tourists and new residents, many areas are subject to pressure for increased development and densities. This presents an ongoing challenge to the Council to retain the desired character and significance of heritage and streetscapes with a balance of sympathetic development.

The strategy aims to protect and properly manage identified heritage assets, and in particular promote a wider and more informed understanding of the cultural, economic and social value of heritage by the community to enable it to be conserved for future generations.

## HERITAGE STRATEGY 2020-2024

### 1. Operate a Heritage Committee to provide community input to heritage matters in the Byron Shire Council area.

*Aim: To promote the conservation and maintenance of Byron Shire's natural and built heritage.*

#### **Actions:**

1. Support and promote the operation of the Byron Shire Heritage Committee in highlighting community concerns and providing advice and input to Council staff and elected officials. Provide Committee members with regular e mail notification of notified or advertised Development Applications relating to Heritage Items and in Heritage Conservation Areas
2. Enable the Committee to provide input into local heritage assistance grants and recommendations. (Encourage Council to set up a local heritage grant fund- this is in point 5)
3. Encourage the Committee to provide input to events, studies, and other community heritage initiatives and act as a conduit to relay and take information back to community groups or organisations which they represent.
4. Encourage the Committee to take a leading role in promotion of heritage in the local area for example in Heritage Week events, talks, and walks, open gardens etc.
5. Enable the Committee to work in liaison with Council on identification and review of heritage listings and to consider potential places for nomination of State Heritage Register listing status.
6. Encourage Heritage Advisory Committee members and local historical societies and interested members of the public to provide additional historical information on places of heritage significance within the shire (listed or potential) and where appropriate, include this information on the SHI data base. (a web based application is yet to be developed)
7. Encourage Heritage Advisory Committee members to further explore places of significance to early Pioneer Heritage, Natural heritage, and encourage the conservation of these places.

## 2. Identify Heritage Items in the Byron Shire and list them in the Local Environmental Plan

*Aim: To identify places of heritage significance both Indigenous and Non Indigenous, buildings, sites, natural items, cultural landscapes, archaeological and moveable items) in Byron Shire and implement measures to protect their integrity and significance.*

### Actions

1. Implement successful Office of Environment and Heritage grant funding to undertake Stage Aboriginal Cultural Heritage Study in close association with the Bundjalung of Byron Bay, Arakwal People and the Tweed Byron, Ngulingah and Jali Local Aboriginal Land Councils. Support further development of further stages of the Aboriginal Cultural Heritage Study.
2. Maintain, review and update the Byron LEP 2014 Heritage Schedule and accompanying State Heritage Inventory database.
3. Identify heritage items places of which are considered vulnerable and may require Council to take a pro-active role to encourage conservation works.
4. Consider potential places for consideration of State Heritage Register listing and provide submissions to the NSW Department of Environment and Heritage on any nominations.

## 3. Appoint a Heritage Advisor to assist Council, the community and owners of listed Heritage Items, properties in Heritage Conservation Areas or potential items.

*Aim: To achieve enhanced awareness and understanding of the importance of heritage conservation in Byron Shire and the need for new development to be sympathetic to these values.*

### Actions:

1. Actively promote free heritage advice to owners and prospective owners in relation to heritage items and places within Conservation Areas , including advice on grant opportunities, conservation, restoration and maintenance, appropriate materials and colour schemes, adaptive re-use, alterations, additions and new work.
2. Actively encourage owners and applicants to have early discussions of proposals with Council's Planning and Building Department and liaison with Councils Heritage Advisor particularly at the pre DA and pre works stage.
3. Make the community aware of the Heritage Advisory service through local newspapers, council newsletters, web pages, e news or other media.
4. Obtain input from the Heritage Advisor in the assessment of Development Applications, or works likely to impact on heritage items or places of significance.
5. Obtain input from the Heritage Advisor to assist Council with the preparation of other related planning and development documents and initiatives.

#### **4. Manage heritage in the Byron Shire area in a positive manner**

*Aim: To take a pro-active approach to the management of heritage in the Shire*

##### **Actions**

1. Link wider Council strategic land use planning and corporate council policies to achieving heritage conservation goals, e.g. community vision plans, asset management plans, budgetary planning and consideration of land use zoning provisions, urban and village plans.
2. Continue to carefully consider Byron Shire LEP 2014 and DCP 2014 heritage provisions in the assessment of development proposals.
3. Enable a flexible and performance based approach to dealing with issues in development proposals such as car parking and building requirements, to maximise heritage conservation outcomes.
4. Work towards long term conservation planning of significant community heritage items or precincts, through detailed Significance Assessments, Conservation Management Plans and Maintenance Plans and Interpretation Plans as appropriate and seek funding where possible to achieve priority projects. Potential projects may include the Bangalow Conservation Area and Main Street Precinct, Social Heritage, identification of significant trees and landscapes, orchards, arboretums and 'Green Frog'.
5. Foster links between Council and the community to improve access to information to residents on advertised and notified developments in the Conservation areas and in relation to Heritage Items.

#### **5. Operate a Local Heritage Fund to provide a small grants program to encourage local heritage projects.**

*Aim: To increase community participation and pro-active conservation works to heritage assets in the local area.*

##### **Actions**

1. Establish a Local Heritage Fund to provide assistance to owners of heritage assets.
2. Allocate Council funds to run the programme and optimise grant funding opportunities.
3. Consider how the grant programme might be augmented through corporate sponsorship and partnership building, to meet potential demand. ( e.g. sponsorship for signage for projects on site, paint and supplies sponsorship )
4. Consider annual priorities for grant funding allocations, possibly on an area basis or type of heritage, e.g. rural heritage, Main Street, domestic or general and shire wide.

## 6. Run Main Street Programmes

*Aim: To develop measures for the protection, enhancement and promotion of Main Streets within Byron Shire and provide opportunities for Council to work with business owners and the community to achieve this.*

### Actions

1. Ensure that the historic significance of any main street precinct is fully considered as part of any urban enhancement projects.
2. Explore ideas for Council incentives for the carrying out conservation works which enhance the heritage significance and integrity of historic properties in the main street, e.g. rate rebates, rebates on DA fees if required for conservation works, reinstatement of original details, removal of unsympathetic alterations etc.
3. Require a very high standard of design for any new or infill developments that respect the context and historic significance of main street precincts.
4. Identify buildings which are considered vulnerable or a high priority for restoration or maintenance works and liaise with property owners to ensure that they are aware of grant incentives and free heritage advisory services. Contact non resident landlords to make them aware of the initiatives.
5. Review signage in the main street and develop strategies to deal with any non compliance and signage which is unsympathetic with the precinct.
6. Work closely with tourism providers, business representatives, Chambers of Commerce and other agencies to ensure that the Main Street heritage values are actively promoted.
7. Ensure that any future development is well designed, sympathetic and enhances the heritage values and significance of the main street precincts. Promote the use of historically appropriate colour schemes and free advice on such schemes to owners.

## 7. Present Educational and Promotional Programs

*Aim: To actively assist and promote cultural heritage projects and awareness in the shire.*

### Actions

1. Development the webpage to facilitate easy access to the community based heritage study and other information on Councils website. Council's web pages to include local history and the cultural heritage of the Byron Shire area, the Community Based Heritage Study, heritage listings, and information on heritage conservation and the need for ongoing maintenance.
2. Increase awareness in the community of Development Consent requirements. Consider developing a brochure or information kits /frequently asked questions for owners of heritage items and in Conservation Areas to be available on line and at the Council offices.
3. Develop information on Colour Schemes for heritage buildings and consider a case study for Bangalow or Mullumbimby with good examples.



4. Contact OEH to make the Byron Community Based Heritage Study State Heritage Inventory data sheets readily available on its website.
5. Ensure all council staff have access to the SHI and utilise the information in the assessment of development proposals.
6. Integrate heritage conservation with tourism promotion.
7. Forge strong links with the museum groups in the shire, and provide links to the museum websites on Councils heritage pages. Give support to heritage promotions.
8. Upgrade interpretative material in the shire, with particular emphasis on street signage and the website and new digital QR codes for mobile phones and devices.
9. Consider developing a 'Walk of Fame' for notable people of historic social significance within each Community
10. Promote heritage facilities operating in the shire and assist in pursuing funding opportunities Promote activities for cultural tourism which links to heritage conservation.
11. Send relevant Council staff to heritage conservation courses.
12. Consider running a heritage maintenance course for owners of heritage properties by skilled local builders/experts.
13. Organise community forums to promote discussion and awareness of heritage conservation.
14. Run a competition in heritage week /April-May for school students: "Where Does My Family Come From?" to promote interest in historical research, and heritage.

#### **8. Set a good example to the community by properly managing places owned or operated by Byron Shire Council**

*Aim: To maintain a register of Council Heritage Assets and to ensure adequate funds to be allocated to enable proper maintenance and long term protection.*

#### **Actions**

1. Identify and maintain a list of all items/places/trees of heritage significance which are in Council's ownership or management.
2. Assess long term maintenance and conservation planning requirements and provide for these costs to be identified in Council budget planning.
3. Develop a protocol for Council staff that are responsible for these assets in order that they are aware of Aboriginal cultural heritage due diligence, heritage conservation legal requirements and best practice issues for maintenance and management.
4. Ensure that any works requiring consent are dealt with in the correct manner to set an example to the community. Use the correct materials and methods

for repairs, carry out Statements of Heritage Impact or Review of Environmental Factors, where required as part of the infrastructure planning process where heritage assets are likely to be impacted upon.

5. Prioritise the preparation of Conservation Management Plans for significant Council owned or managed heritage buildings.
6. Prepare a simple plan of management for historic cemeteries covering broad aspects of care and conservation.
7. Identify record and catalogue and safely store any significant historic equipment, relics, documents, photographs, and paintings etc that are owned by or are under the care of Council. Prepare a plan of management for the particularly significant items.
8. Prepare interpretative material where appropriate.

## **9. Promote sustainable development as a tool for heritage conservation**

*Aim: to promote sustainable development as a tool for heritage conservation*

### **Actions:**

1. Promote and encourage adaptive re-use, infill or sympathetic additions to historic buildings in favour of demolition and rebuilding. Use the pre DA process to actively support this policy.
2. Consider providing a 'heritage rebate' on DA charges and fees for positive projects that support those principles in Byron Shire, e.g. changes of use of heritage items.
3. Encourage owners to adopt sustainable building principles including the provision of water tanks, solar panels and solar hot water and other emerging technologies and work with the heritage advisor to find sensitive solutions to any installations on heritage buildings or sites where consent is required.