

New heritage items for Byron Local Environmental Plan 2014



Submitted on 28 April 2024, 10:35PM
Receipt number 20
Related form version 4

Name James Willis House

Email

Provide your feedback here

Dear Sir/Madam,
I am writing in connection with my property at 40 Cowper St , Byron Bay. The cottage is currently in a quite deteriorated state, rotten windows, frames and window sills. The cottage is also sinking into the ground at the rear , once the external cladding has been removed this will undoubtedly reveal other areas that will require rectification.
If this cottage is selected as worthy of preservation i would be expecting that Byron Shire Council will assist with works to preserve the building, for example , re-stumping to re-level the structure, stripping off the Fibro cladding , repainting, repairs to timber windows etc. In meetings i have had with your previous Heritage advisor She indicated that Byron Shire Council would provide financial assistance to preserve the cottage. If this is still something that BSC would assist with i would be in agreement to add the cottage as a Heritage Item. If this is not the case, i would NOT be in agreement with this proposal.

Yours sincerely,
James W House.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on	18 March 2024, 2:32PM
Receipt number	1
Related form version	4

Name	Michael Fahey & Carrie Christensen
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Email

Provide your feedback here

Hi Guys,
We are the owners of 7 Leslie Street, Bangalow. We have owned the property since Feb 2022.
I found out last year through the local paper that our property had an application submitted to be heritage listed by the previous owners Janne Coleman and Timothy Coleman. I spoke to council and told them we were the new owners and we didn't approve of this and would like it removed. I would love to know when they submitted the application? Council should have contacted us before this went to submission.

I have spoken to Noreen Scott today regarding the issue. Can someone please call me as I would like this removed from submission. Noreen told me they didn't know we were the new owners. I find that highly unlikely when our names are on the rates for 7 Leslie Street, Bangalow

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on 20 March 2024, 4:38PM
Receipt number 2
Related form version 4

Name Peter Barnes

Email

Provide your feedback here

I am the owner of 19 Lismore Road Bangalow my house is not heritage it was built here around 1995 on a vacant block of land and sold. I purchased the property in 1998 it looks nothing like the other properties listed in the Byron Local Environmental Plan and never existed prior to the above mentioned years.
It does not fall into the category of heritage.
For more information contact the writer Peter Barnes on

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on	23 March 2024, 4:09PM
Receipt number	3
Related form version	4

Name Gregory Hall

Email

Provide your feedback here

Hello,

I'm the owner of 5 Leslie St, Bangalow. Our property sits on the low side of 7 Leslie Street.

I would like to make council aware of the storm water issues we have coming off 7 Leslie Street onto our property. Seeing there is no Stormwater easement at the rear of the property, all storm water from 7 Leslie Street discharges straight into our yard.

During the Feb 2022 floods we were inundated with stormwater discharge and the over land flow path to where we had water come through our back door. We had to sand bag it to stop our house from flooding.

9 Leslie Street was made to lift their ground levels for their DA to allow for their storm water to discharge onto Leslie St. The works have already been completed, which has already slowed down the overflow

7 Leslie Street has also had a DA approval for the same design. This design will make a huge impact on the over land flow path to Leslie St. We are currently in the planning stage of doing a similar DA to our titles, which will also help our neighbours at 3 Leslie Street as our storm water discharges onto their property. It is a literal waterfall / flow on effect for all properties down the hill.

I understand that 7 Leslie Street has heritage significance, but due to the stormwater and overland flow path on 7 Leslie Street, the land needs to be raised in due course to resolve this major issue. Because of the stormwater plans that have already been put into place by council at 9 Leslie and the ongoing effect down the hill, to heritage list 7 Leslie St is not viable.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on	24 March 2024, 9:39AM
Receipt number	4
Related form version	4

Name Michael Fahey & Carrie Christensen

Email

Provide your feedback here

To whom it may concern,

We are the Owners of 7 Leslie Street, Bangalow. I wrote a submission against our property being heritage listed this week, but we didn't receive a copy of the submission to my email. I'm writing another one just in case.

We received a letter in the mail on 19/03/2024 regarding our house being included in the planning proposal to be Heritage listed. I was originally made aware of this when I read the February 2023 edition of the Bangalow Herald and saw on page 8 under Heritage Amendments our house to be potentially Heritage listed. This stated that there was landowner approval for the heritage listing. I rang the council straight away as this was news to me! On this call, Council advised that it was nothing to worry about, that heritage listing takes a very long time and for us to lodge our DA on these lots for approval as soon as possible. However - nothing was noted down on your side to advise that the landowners do not approve or for the application to be removed. The original owner of our house - Janne Maree Coleman - submitted the application in September 2021. We exchanged contracts for the sale/purchase of the house with them in August 2021. If we were made aware that she had plans to heritage list the property, we would have not settled on the purchase / we would not have bought the house. We are currently seeking legal advice on this matter.

Council are aware there is a serious issue with stormwater and the overland flow path that occurs on Leslie Street. There is no stormwater easement at the rear of the property to discharge stormwater. I was issued a DA for Lot 11 DA 10.2021.767.1. We have been made to raise our levels as part of the DA so stormwater will discharge to Leslie Street. I commend the council on approving this as it will help the flow on effect of the Overland flow path.

Our house sits over Lot 12 & 13 - these two lots will need the same stormwater design to be approved as Lot 11 when that time comes. 5 Leslie Street is currently in the planning stage to build on their two lots. Their hydraulic engineers will be doing a similar design to what's been approved on Lot 11. DA 10.2021.767.1.

9 Leslie Street has already built their house on Lot 9 DP6041 with the same design as our DA. Their stormwater now discharges to Leslie Street. They currently have a DA submission for Lot 10 DP6041 for the same design. Once these works have been completed for 9, 7 and 5 Leslie St, it's going to make a huge impact on the overland flow path & storm water issues for the Street and will stop any flooding happening in the future.

Our house does have heritage qualities but due to the above mentioned

issues, the house will need to be removed. We would be happy to donate it to Byron council, they can have it located in a more suitable area within Bangalow. The house does need major work done to it. During the winter months it's barely liveable as it has no thermal properties. Once the heating is turned off the heat disappears within minutes. Structurally needs be brought up to code

It is unacceptable that we were not contacted by council regarding the Heritage Planning as soon as there was a name change on the rates. It has taken 2 years to be advised as new owners, when it is already well through the process and already at exhibition stage. No due diligence was done. We were told this week that Council had no idea we were the new owners - but we called 1 year ago to advise our non-approval and nothing was actioned, we have been paying rates for 2 years and the letter we received this week is addressed to us stating that 'our property' is included in the planning proposal.

Feel free to contact me with any further timeline enquiries or any other questions.

Thank you
Michael Fahey & Carrie Christensen

Upload your feedback

[IMG_1154.JPG](#)

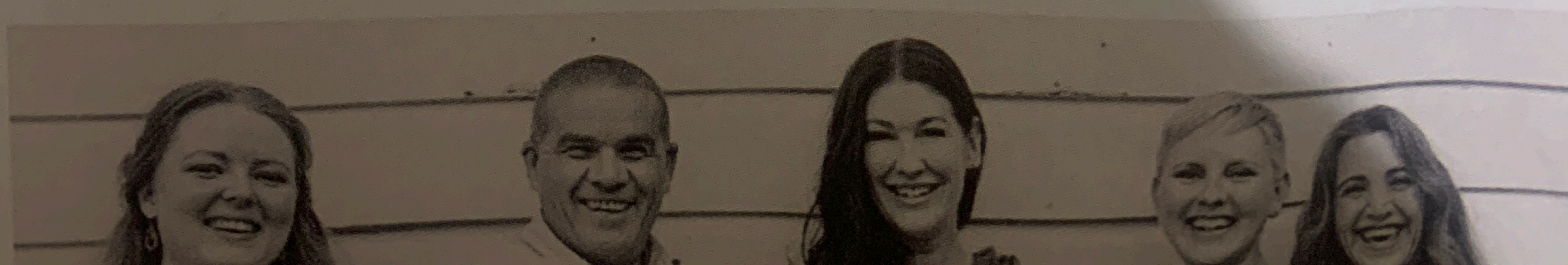
Anyone with a dog
new Dogs in Public Space Strategy and Guide to Dog Areas in the Byron Shire at its December 2022 meeting. The area in Bangalow designated for off-lead exercise is now Bangalow Parklands – bonded by Ashton Street, Deacon Street and Byron Creek. The Bangalow Showground is no longer an approved area for exercising dogs off-lead.

Under the Local Government Act 1993, dogs are also not allowed within 10m of playgrounds, food preparation and eating areas. You can find all the off-lead exercise areas in the Shire at byron.nsw.gov.au/Community/Pets/Dog-exercise-areas

Heritage amendments

The December Planning Committee saw three requests for properties in 2479 to be individually listed as heritage items in the Byron Local Environment Plan 2014. The properties are 7 Leslie Street Bangalow, 221 Coolamon Scenic Drive Coorabell and the Robinson Subdivision, and group of cottages on Lismore Road Bangalow. Council postponed the item until the new year. Each property/group has had a heritage assessment and has landowner support. Readers interested in the heritage of Bangalow and 2479 will enjoy the heritage assessment reports, found in the Council minutes, Item 13.6. byron.infocouncil.biz/Open/2022/12/PLAN_08122022_AGN_1490_WEB.htm

Jenny Bird



New heritage items for Byron Local Environmental Plan 2014



Submitted on 25 March 2024, 10:41AM
Receipt number 5
Related form version 4

Name Sam Campbell

Email

Provide your feedback here

I am a neighbour of 7 Leslie Street Bangalow. We have had significant stormwater issues in the past few years and have endeavored to repair and facilitate the overland flow of water out to the street. I note that this block sits lower than the street and has no stormwater easement at the rear of the block to take this water away from the houses that sit lower down the slope. If left as is, it will continue to cause major damage to neighboring properties.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on	26 March 2024, 3:41PM
Receipt number	6
Related form version	4

Name	Andy Meguyer
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Email

Provide your feedback here

Upload your feedback	HERITAGE LISTING OF 5 MAIN ARM ROAD.odt
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26.2022.9.1

BYRON SHIRE COUNCIL
 DOC NO:.....
 RECD 27 MAR 2024
 FILE NO: F2622
 ASSIGNEE: R. Meech

Andy Meguyer Mob

5 Main Arm Road
Mullumbimby
NSW, 2482

Concerning the proposed Heritage Listing for 5 Main Arm Road, Mullumbimby

As the owner of this property I would like to submit the following information to be considered regarding this proposal.

When purchasing the property in 2006 I was drawn by the classic bull nose wrap around verandah and the roof silhouette and have always liked period houses but the house needed extensive repairs.

18 years ago I was a younger man with big ideas and the ambition to restore the property to something like the condition it deserves but as a low earning self employed removalist and one man operator there was neither the time or funds to do the work. I also had little idea of the extent of the work required and my builder friend committed suicide just a few days before he was to walk around the property advising me on the condition just prior to my purchase in 2006.

At this point I should add that as a local removalist with a historical interest and some knowledge in old buildings and their features, and also having been inside many local historical property's, I know that my property is not in the same league as many local heritage homes such as those to the north of Mullum CBD.

I have also worked as an antique restorer in the past and have an interest in Art Nouveau and Art Deco and often point out these related features in the homes of my customers. I notice design detail in buildings wherever I go, hand made bricks versus machine made, I notice a lot of things in many different ways.

With my house the interior while mostly original in appearance does not have the same decorative features that are often found in a heritage home of similar age in the heritage areas of Mullumbimby, and likely built for wealthy Mullumbimby families or business people.

RECEIVED BY FRONT COUNTER
 26 MAR 2024
 BYRON SHIRE COUNCIL

1/

My house is very plain inside because it was primarily a working farm house and old photos confirm the farm house status. This is also indicated by the multiple surrounding and adjoining land holdings of the early owners. Those land holdings were paddocks.

I did research my home around 10 years ago in the Brunswick Valley Historical Society Museum in Mullumbimby and have spoken with many long term residents of Mullum regarding my property.

I discovered the Walker family origin and that during the history of the property it has had another name other than "Wilooona" which is written on one of the museum's black & white photos of my house and in my opinion, a nicer name than "Wilooona".

I also had the good fortune to meet in person by pure chance an elderly lady relative of Emily Hopf, Emily lived at my address from about 1947 until her passing in April 2005. This other lady was also a Hopf and she regaled stories from her youth of crossing the Chinbible creek and cattle paddock between my home and hers, her home being "Bellevue" on the corner of Main Arm Road and Coolamon Scenic Drive / Murwillumbah Road. The lady also gave me some historic photos of my home from more recent years (1970's).

My neighbour at 7 Main Arm Road has also given me much detail and history on my property as his father built Number 7 after the land was sold off by Emily Hopf in 1965 and his father and brother in law did a lot of maintenance and alteration work for Emily Hofp on my house as she was living alone, elderly, and not capable of house maintenance.

Concerning the Land

My copy of the property plan from 1965 shows the current eastern and western boundaries and indicates the original historical boundary's of 5 Main Arm Road from when the house was built.

In 1965 approximately 3 metres of land either side of the house were sold off or transferred to the joining 7 and 3 Main Arm Road lots.

I heard Emily Hopf wanted to cut down on her gardening workload and I presume the money was very useful to an old lady. Old museum photos also indicate the original larger land width.

With this in mind the original Land plot to House proportions no longer exist which is quite a shame.

Concerning the House

I heard anecdotally from neighbours that at one point in the past, part of the house was down on the ground and when clearing under the house years ago I found the remains of several original termite eaten wooden stumps and stump holes.

The out of square door frames and shaved down doors including the front door testify to such an occurrence and in particular the north western corner is obviously down on floor level with some slope in the floor.

While many internal features still exist as they were when the house was built including a rust decayed original range and incomplete coal fireplace, the house is bare of any interior decoration excepting some unexceptional paper mache ceiling roses and is very plain with tongue and groove board and minimal architraves. The original Chimney for the range and fireplace was also removed long ago from the ceiling level up, presumably to make re-roofing easier and cheaper.

The only stand out redeeming feature is the blond teak floorboards and high ceilings.

The original interior doors and front door and door frame are there but all the original verandah double doors are missing.

At some point in the past and possibly from 1945 to the 1960's, the western and eastern decks were enclosed and I suspect that some of the linings are asbestos. I am yet to test these.

The now existing open to the weather wrap around verandah is missing in part on the eastern side as this was

converted to a car port for Emily Hopf and her low mileage immaculate Morris Minor, although it could be reinstated as the roof and posts still exist.

The rest of the verandah where not previously enclosed is in very poor condition though the bull nose roof is still waterproof. Many of the posts are hanging rather than supporting the roof and I have had to support the roof with builders steel Acro supports to prevent further deterioration or potentially eventual collapse.

The verandah deck flooring timber is severely rotted and has been overlaid with cement sheets by the neighbours many years ago which have been tested and are thankfully not asbestos.

The verandah deck / flooring bearers are mostly in good or reasonable condition excepting those around the periphery which have varying degrees of rot and need replacing.

I intended to completely demolish the wrap around verandah deck flooring and replace all floor bearers while also retaining and renovating the bull nose roof support posts and all the other original roof support timbers.

The house (and verandah) roof is currently watertight and I check for leaks regularly but it should be renewed. The guttering is shot and urgently needs replacing but I delayed on that because first of all the bull nose roof needs to be realigned level as it has dropped in places due to the decay of ground bearers and the general state of the verandah deck and periphery underfloor bearers that also support the roof posts.

This condition has worsened since I bought the house in 2006 but was a bad fault even then that needed to be taken care of asap.

There are indications of historical termite attack on some outside wall sections as original weatherboard was replaced prior to my purchase of the property in 2006 and the bathroom is missing original internal tongue and groove panelling.

The wrap around verandah excepted, the under house bearers are in remarkably good condition and at least one

is marked "Walker" though a few periphery ones may need replacing but are also still serviceable.

The house was long ago re-stumped with home cast concrete stumps and while most of the house is level, the north western corner has dropped and the kitchen floor obviously slopes down and also likely, the toilet and western enclosed deck floors are not level.

There was originally an open deck at the back which is indicated by weathered floor boards that are now inside the house external walls, and external weather boards on what are now internal walls. The adjoining wash area with the old copper is now long gone and the cast iron remains of the fire housing for the copper, I found in the creek.

More than 10 years ago a reasonable guess of cost to renovate and repair to a good standard and by retaining all the remaining period features was \$150,000 and upwards, according to some builders I talked with. I suspect you could now more than double that.

I am on a New Start pension working semi part time and hitting retirement age in November this year with no superannuation and no significant assets bar my home.

For this reason I do not wish my home to be Heritage listed as the obligation to maintain the property as a Heritage listed property is beyond my means and capability and I'm guessing that obligation could force me to sell the property.

I suspect that a sale forced by a heritage listing and the associated repair & maintenance costs would incur a disadvantageous sale price as high repair costs would force a lower sale value, and there is no development potential for a future buyer either.

I have also provided a clear assessment of the house condition and it's internal merits that reflect a farm house which it was, and not a period town house with all the extra features that wealthy owners put into their houses around the time it was built. Internally it is as plain as can be.

There may also be the consideration of the original land plot size not matching the current boundary's and not having that desirable land to house area balance that is so appealing in the old photos. It is also missing the verandah doors and there are 1970's aluminium windows that have replaced them. The Verandah doors are also the hard to find narrow type and not the size more easily found in period building salvage yards and reclaimed period suppliers.

It was always my ambition to see the house preserved, restored and to even rebuild the distinctive inverted V roof feature above the front door that shows in the period museum photos and which held the house name plate. Unfortunately this was demolished long ago and replaced with a plain bull nose verandah roof.

And while those I spoke to who knew the house over many decades, and Emily Hopf's lady relative who I met in her Aged care home, they all said they never knew the house had a name. I actually uncovered two names through the Mullum museum that had been associated with the house, though I'd forgotten both, while you refer to it as "Wilooona".

I'd love to see it restored but question if it should be on the Heritage list for the reasons stated and listed in detail, while also having to oppose it due to my financial circumstances and struggle to do the work myself due to age.

Your Sincerely
Andy Meguyer

26-3-24

New heritage items for Byron Local Environmental Plan 2014



Submitted on 1 April 2024, 7:33AM

Receipt number 7

Related form version 4

Name Carrie Christensen

Email

Provide your feedback here

As a landowner of 7 Leslie St, I have reviewed Meeting Minutes from Heritage Meetings -

In the minutes for the meeting on 15 September 2022, under Report 3.1 Heritage Program Update, it clearly states under 'Status' -

"Supported by previous landowner – need to confirm support with new landowner prior to listing. Heritage Assessment report completed."

Confirmation was never sought with us as the new landowners.

Nor were we ever notified of the potential listing / application.

It was only by pure luck that we saw 1 sentence in the February 2023 edition of the Bangalow Herald regarding the heritage listing, 5 months later.

We rang council immediately, and advised them that they did not have our approval to progress this application. Nothing was done, nothing was noted on your systems.

.....

Minutes from 31 August 2023 meeting, Business Arising From Previous Minutes, Report 4.3, Committee Recommendation:

2. Supports further consultation occurring with residents and owners of the properties proposed to be listed as individual items, contributory items, and in the Heritage Conservation Area generally, prior to reporting any planning proposal with any new listings recommended to Council.

Again, we were not notified until 19 March 2024 via a letter in the mail.

.....

In your Conflict of Interests, noted in all meeting minutes, it defines a Pecuniary conflict of interest as "an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated."

Janne Coleman sold us 7 Leslie St without informing us of any heritage application, did not disclose all information, and sold to us under false pretenses. She lodged the heritage application in September 2021, when we had already paid a deposit and exchanged contracts, totally

dismissing vendor rights. We did not settle until February 2022, yet still nothing was disclosed.

All of this obviously completely goes against your Council Code of Conduct.

.....

The first phone call we made to Council in March 2024, a few weeks ago, we were told that Council did not know we were the new owners, yet it is in your reporting & minutes from September 2022 - 18 months earlier.

.....

This is our official request, as landowners of 7 Leslie Street, Bangalow, that our property be removed from the Byron Local Environmental Plan (LEP) 2024, immediately.

.....

We are currently seeking legal advice on this matter.

Upload your feedback

[15 September 2022 Minutes.png](#)

[31 August 2023 Minutes.png](#)

BYRON SHIRE COUNCIL

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

3.1

The focus for this year's Local Heritage Places Grants is conservation works that enhance places, buildings and historic streetscapes that promote community and visitor appreciation of the Shire. This includes heritage conservation areas and heritage items.

- 5 For FY22/23 priority will be given to flood impacted towns and villages to assist landowners with the recovery process.

Grants between \$1,000 to \$3,000 are available, depending on how many applications are received. Successful applicants will need to contribute one dollar for every dollar provided by the grant.

- 10 The restoration work must be completed by 30 March 2023.

Applications closed on 31 August 2022.

Council received only one grant application to date, although several enquires have been fielded. Availability of builders and materials, and other cost of living factors are limiting the pool this year.

- 15 The grant period has been extended a further 4 weeks and contact made with owners of known heritage items from previous rounds in the interim to see if they are interested in applying again.

Proposed Local Environmental Plan amendments to list new heritage items

Further report/s to Council for formal consideration will follow as required by the process.

Property	Status	Next steps
7 Leslie Street, Bangalow	Supported by previous landowner – need to confirm support with new landowner prior to listing Heritage Assessment report completed	Inclusion in a future LEP amendment to progress this year
Carabine Ewingsdale Road, Ewingsdale	Supported by landowner Heritage Assessment report completed	Waiting for Heritage Assessment report from landowner to support LEP amendment
40 Cowper Street, Byron	Supported by landowner Heritage Assessment report	Inclusion in a future LEP amendment to progress this

BYRON SHIRE COUNCIL

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

3.1 - ATTACHMENT 1

BYRON SHIRE COUNCIL

HERITAGE ADVISORY COMMITTEE MEETING MINUTES

20 APRIL 2023

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS

Report No. 3.1 **Adoption of Minutes Heritage Advisory Committee meeting held on 15 September 2022**
File No: I2023/394

Committee Recommendation:

That the minutes of the Heritage Advisory Committee Meeting held on 15 September 2022 be confirmed.

(Lavery/Balson)

The recommendation was put to the vote and declared carried.

Note: The minutes of the meeting held on 15 September were noted, and the Committee Recommendations adopted by Council, at the Ordinary Meeting held on 27 October 2022.

BUSINESS ARISING FROM PREVIOUS MINUTES

Report No. 4.3 **Community Member Presentation - Proposal for a Federal Heritage Conservation Area and New listed items**
File No: I2023/297

Committee Recommendation:

That the Heritage Advisory Committee:

- 1. Thank Jenna Reed Burns for her presentation, and work on the Preliminary Federal Village Heritage Assessment, and notes its recommendations for listings in Schedule 5 of the Byron Local Environmental Plan 2014.**
- 2. Supports further consultation occurring with residents and owners of the properties proposed to be listed as individual items, contributory items, and in the Heritage Conservation Area generally, prior to reporting any planning proposal with any new listings recommended to Council.**

(Hackett/Crowle)

The recommendation was put to the vote and declared carried.

Jenna Reed Burn left meeting at 12:44pm.

New heritage items for Byron Local Environmental Plan 2014



Submitted on	7 April 2024, 12:14PM
Receipt number	8
Related form version	4

Name	Peter John Barnes
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Email

Provide your feedback here

Upload your feedback	Fw_Planning proposal - New heritage items for Byron Local Environmental Plan 2014.eml
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New heritage items for Byron Local Environmental Plan 2014



Submitted on 17 April 2024, 10:40PM
Receipt number 9
Related form version 4

Name Ian Holmes

Email

Provide your feedback here

The following feedback refers to the Bangalow section of the planning proposal and indicates clear alignment to the strategic planning framework of the North Coast Regional Plan 2041.

The formal Byron LEP listing of nominated Bangalow Heritage housing groups provides the evidence for validating a fundamental characteristic of Bangalow heritage - small, medium density worker's cottages in the vicinity of larger dwellings occupied by landowners. That context provides a contemporary template for ongoing development in Bangalow which could be applied to help resolve our current need for social housing.

The opportunity to protect heritage leverages an historic context that differentiates Bangalow as an interesting village noted for its heritage authenticity, offering the foundation for an economically sustainable village economy with a vibrant creative culture and diverse lifestyles. The Bangalow properties recommended for listing were generally identified in an early initiative from the Bangalow Historical Society via their appointee to Council's Heritage Advisory Committee. As stated in the NCRP, "heritage is not just about managing the material culture of the past, it is also about understanding how heritage influences and shapes communities today". The culmination of this work as presented in the planning proposal is strongly supported by the Bangalow Community Association. The property groups are an excellent example of NCRP objectives and therefore justify Council approval.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on	17 April 2024, 3:48PM
Receipt number	10
Related form version	4

Name	Chris Chen and Brett Haylock
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Email	
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Provide your feedback here	Please see attached document for feedback.
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Upload your feedback	BPH Submission - Heritage listing Apr24 - Original.pdf
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BRUNSWICK PICTURE HOUSE

16 April 2024

Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

Reference: Brunswick Picture House, 30 Fingal Street, Brunswick Heads NSW 2483
Re: Planning Proposal – Additional heritage times in Byron LEP 2014

Dear Byron Shire Council,

We are the owners of the Brunswick Picture House located at 30 Fingal Street, Brunswick Heads. We are writing in response to the Planning Proposal to formally list our building as a heritage item within Part 1 of Schedule 5 Environmental Heritage of the Byron Local Environmental Plan LEP 2014.

Whilst in principle, we are supportive of some of the reasons to list our property, we have some major concerns regarding the impact of being listed.

As owners of this building, we have invested all of our savings, endless time and emotional energy into renovating the building and re-opening it as a cultural business - which has become a cultural hub, valued by the Byron Shire and wider Northern Rivers and other communities. Our entire endeavour has truly been a labour of love and we appreciate the sentiment that members of this community have had in wanting to preserve this building for generations to come. We want that too!

However, after discussion with heritage consultants, we understand that being formally listed will result in significant additional cost to us, even to undertake any minor work. When Council's Museum Advisor, Debra Wray, visited us, she advised that even a change in paint colour to the building's exterior would require a Development Application, once we are listed.

We have only been trading for eight years and the nature of our business and its use of the building has shown that we need to constantly adapt aspects of it – including its physical fabric – to meet not only our own aspirations for the venue and business, but also to accommodate changing audiences, their tastes, and other community needs and wishes.

The main objection we have in opposing the heritage listing of our building is the ongoing history we have had with Byron Shire Council compliance officers since our arrival in 2015. We have little to no confidence that once listed, we will not encounter even more onerous and costly roadblocks, specifically from members of the compliance and legal team who we feel, to this day, have made it a priority to

target our business. Let's not forget that last year, BSC took our business to court over the placement of a planter/bathtub in front of our building. Let's also not forget the \$6,000 fine that was issued to us for a kids' show poster on a telephone pole that we didn't even put up!!!

We have seen the removal of our marketing materials around the Shire almost within hours of being put up, while posters and corflutes around the same area are left up and not removed by the Compliance team. This overzealous, inconsistent treatment and specific targeting gives us no faith that our support of our building being heritage listed would not continue to cost us even more money, legal fees, scrutiny and time and energy.

We appreciate the love that community members and Elected Councillors have for Brunswick Picture House after our huge investment in re-opening it, but we believe that a significant improvement in the relationship with the Compliance team is required before we can support our building being heritage listed.

All that said, we would be open to hearing from and working with Council on any amendments, clauses or agreements made on future heritage management actions set down in a 5-10 year Conservation Management Plan that address all our concerns, including those outlined above, so that we are confident that we can grow, adapt and thrive as a viable and responsive business, under a heritage listing.

Kind regards,

Brett Haylock and Chris Chen
Owners, Brunswick Picture House

New heritage items for Byron Local Environmental Plan 2014



Submitted on	17 April 2024, 12:37PM
Receipt number	11
Related form version	4

Name	Andy Meguyer
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Email

Provide your feedback here

Upload your feedback [heritage short version.odt](#)

16/4/2024

Andy Meguyer, Owner –

Objection to Heritage Listing (Shorter Concise latest bullet point version)

5 Main Arm Road, Mullumbimby

- **Please do not be misled by the museum's old black & white photos, the land size and therefore proportion of Plot to house size is no longer as indicated in Photos**

The western and eastern side's of the house lost substantial land area in a circa 1965 subdivision with Council DA records showing the original land size and boundaries and the current plot boundaries.

Measurements and speaking with neighbours have indicated that the western side of the house lost 6 metres and reduced down from approx 8 metres to 2 metres between house and Boundary fence.

On the eastern side, the land strip alongside the house was reduced by about 5.2 metres and the remaining strip of land being a taper with the boundary not running parallel to the house. Measurements indicate only 3.3 metres now between house and boundary at it's narrowest northern end, and 4.7 metres between house and boundary at it's widest southern end whereas originally it was about 8 metres to the boundary.

There is now barely room for a single garage on the eastern side and any garage would have to be one metre from the house and a metre from the boundary

Would this be allowed if heritage listed ?

- **The house is in a very poor state of external repair with many missing original features**

Missing original features include

- Missing original "gunbarrel" style double opening doors from the original bedrooms left and right of the front door and opening out onto the front verandah. The "gunbarrel" style doors are also the very hard to find narrow doors. (17" wide each instead of 20")

These have been replaced with 1970's aluminium windows

- The distinctive V shaped roof feature that is centre piece of the "bullnose" verandah roof in the old photos and above the front door is long gone, presumably to enable a cheaper re-roofing in the past
- The Chimney stack is also gone and removed from just above ceiling height and up, also presumably to minimise re roofing costs (one of many neighbour repaired items)
- Part of the original verandah on the south eastern corner has been demolished though the roof supporting posts and bullnose roof remain. This was done in the 1960's to provide a rudimentary carport for the lady owner Miss Emily Hopf for her pristine Morris Minor.

- The original living room coal fireplace is incomplete and the original Kitchen range is badly rusted and in poor condition.
- Both the eastern and western wrap around verandah decks have been enclosed to become sun rooms with the western side very likely to have an asbestos cement sheet roof lining (though not yet asbestos tested, the work is 1960's neighbour done). The original external double "gunbarrel doors onto the eastern verandah side are missing and the original door frame possibly missing or substantially incomplete.
- Missing front door knobs and handles and many original window opening fittings, especially over the internal doors where a small clear glass ventilation window is above the internal door.
- There was originally a small open deck on the north facing rear of house within the house wall periphery, this was enclosed long ago with external weather boards and weather damaged floorboards now being on the inside of the house.

The Building state of Repair

- The majority of the original "bullnose" verandah roof support posts are hanging in air due to rot and decay of the supporting verandah wooden structure. Currently steel Acros and temporary hard wood timber supports are preventing eventual collapse of the bull nose verandah roof. The original roof support posts are in varying poor condition due to lower end rot with new post ends needing to be grafted on or complete post replacement.
- In brief, the entire front verandah as currently exposed to the weather, is in need of demolition and rebuilding from the floor downwards, plus the supporting post remedial work and re-levelling of the "bullnose" roof.
- There is evidence of historical termite attack in replaced external weather boards in several areas and slight termite damage has been found in the kitchen floor. I also found original termite damaged stumps under the house and the neighbour at No 3 said the house had been down at least in part with collapsed stumps. It now has homemade concrete stumps.
- There is definitely a slope in the floor on the north western corner to indicate historical floor and house subsidence and this is backed up by out of square door frames and shaved down doors.
- The Roof while currently watertight is in need of completely re-roofing with the exception of the majority of the rear northern facing roof which I levelled and re-roofed in 2010.
- The guttering is leaking badly in many places and especially the "bullnose" verandah guttering. I haven't replaced the guttering because first the roof and entire front verandah structure needs rebuilding in order to have a level roof line to attach guttering to. I may just redo the guttering soon as a temporary measure to minimise further rain water damage as the guttering situation is urgent.
- Almost all external / periphery hardwood floor bearers on the "Bullnose" verandah and all the trim / fascia boards need replacing due to rot and weathering as do all the flooring boards. Some verandah floor bearers may be salvagable closer to the house wall.

- All outside of house floor level trim / fascia boards are also likely needing replacement and likely also an undetermined number of external / periphery wall floor bearers. It is hard to know until repair work reveals the true condition.
- All external house walls facing outwards are in very poor condition regarding the paint with a lot of paint flaking and weathering off, excepting those protected at the front by the “bullnose” verandah and those covered by the rear deck. There are no eaves to help with weather protection.
- It should be noted that since at least 1947 until I bought the house in 2006, almost all of which was Emily Hopf’s time here, there were no men living here to maintain the property and since about 1965 it has been the neighbours doing what they can, so maintenance has been minimal over decades and any works, neighbour done to “that will fix it standards”.

About the house

- The house was originally more of a farm house than a town residence as indicated in early photographs being surrounded by paddocks and as said already, on a significantly larger block (not including the paddocks). There are none of the internal decorative features commonly found in town houses as built in central Mullumbimby, and around the same time by presumably wealthy merchants or bankers. It is very plain inside with tongue and groove wall and ceiling panelling and mostly original. The floor boards have been polished in most rooms. Most of the minimal architraves and internal doors are still in place including the front door, though the front door has obviously been shortened and then lengthened with wood removed and then added both top and bottom. The largest front door panel of glass also doesn’t look original but is in keeping with the style. (I have an antique restoration background as well as structural steel building)
- The brick edged flower beds are post 1965 and also the concrete slab drive and pathways, however the neighbour installed concrete paths down both sides of the house have noticeably subsided and especially on the west side, and need replacing.
- The part covered rear deck predates my purchase in 2006.

My circumstances

- I am 66 years old and on the Centrelink New Start payment with no superannuation to fall back on when I turn 67 in November.
- I was injured at work in 2014 and surgery planned because of that in 2017, revealed I had several undiagnosed congenital heart defects and needed urgent open heart surgery as my heart was failing, the heart surgery happened in 2018.
- Since 2014 excepting time out for medical issues, I am working only part time with a Centrelink requirement to work at least 15 hours per week due to age and medical condition. My earnings as a self employed 1 man, local furniture removalist / transport business, are assessed by Centrelink and I receive a New Start part payment calculated against my earnings and in compliance with minimum hours.

- I am hoping to qualify for the old age pension in November 2024 and then have more time to take care of my property while I still have reasonable physical ability. I believe the big front verandah repair work is not yet beyond my ability and I have the skills and tools and a carpenter friend to help, however, completing all of the necessary building repairs would take more years than I have with good ability and I lack the will to devote the rest of my life to repairing an old house, and also the wealth to do it with builders.
- I have very minimal savings and rely on my mortgage line of credit at 10% plus interest for emergency's with that facility reducing each year and never enough to repair my house fully and properly, nor could I pay back a large loan even at lower interest rates, or ever qualify for a regular loan.
- Over 12 years ago, the consensus was that repairs would likely cost at least \$150,000 if I employed builders, I suspect you could more than double that now
- The legal obligation to maintain a heritage listed property in good condition is certainly a major problem for me in addition to the repair costs and the likely ongoing increased insurance costs
- **I question whether the condition of the building is too far gone to be heritage listed and remind you of the fact that due to reduced plot size, it will never be as it was in those early black & white photos even if the missing features like the V feature above the front door were to be reinstated**
- If the compliance conditions of a heritage listing were enforced I struggle to see a solution other than to sell the property.
- I asked Mark Cochrane of North Coast Lifestyle Properties how a heritage listing would affect me if I had to sell up in the future with the house in it's current condition, his answer was "it would be the worst thing that could happen" he elaborated by saying they have had great difficulty in selling heritage listed properties and especially those needing extensive repairs. This undoubtedly would adversely affect the sale price if compared to my home being non heritage listed and reduce what I have to live on while also affecting my standard of living going forward should I need to downsize or fund an old age home.
- If heritage listed, I am not only left with a house that needs repair at huge cost but it is also on a small / narrow plot of land when you subtract the unusable creek bank. There is quite likely no ability to build a garage, which with electric car charging, is almost a "must have" going into the future. It is also on a noisy and busy road and with onerous ongoing heritage compliance requirements, so who in their right mind would buy it ?
- The implications of heritage listing my home are enormous and personally far reaching
- My friend and town planner Chris Lonergan suggested a meeting with Council representatives and also that I invite the relevant people to actually visit for a tour of the property to better ascertain it's condition prior to the proposed heritage listing.

Yours Sincerely

New heritage items for Byron Local Environmental Plan 2014



Submitted on	17 April 2024, 1:38PM
Receipt number	12
Related form version	4

Name	Patricia Denise Warren WARREN
------	-------------------------------

Email

Provide your feedback here

Foremostly, all the foreshore parklands - Terrace, Banner, Memorial and Ferry must be listed. These are currently under Reflections Holidays and for years the community have been adamant there is to be NO hard surface pathways through these handkerchief sized recreational spaces. Secondly, the Housie Shed in Banner Park is worth of heritage listing as is the War Memorial in Memorial Park (who would take on the RSL anyway???) The Art-Deco shops 26 and 28 in Mullumbimby Sheet definitely need listed and at a minimum their respective front facades. I would add the gum tree opposite the pub in Banner Park - there is a history of Reflections and its predecessor North Coast Accommodation Trust attempting to lop it. Of course, the Norfolk Pines in Memorial Park and don't forget the Coastal Cypress Pines in the Southern Precinct of The Terrace caravan park - these were the subject of a L&E order so are deserving of Heritage Listing. I will leave it to others to argue for the Picture House. If at all possible, I would like to see all the laneways Heritage Listed because initially, as part of the Small Towns and Village Project, the committee resolved to protect the laneways for pedestrians and bicycles (circa 1998). These are been lost to the development of secondary dwellings and at times illegal parking. It may be worthwhile listing them so they are not interfered with in any way given the 'creative' ideas that developers have the capacity to come up with. (There was a move to include part of Tweed Street's road reserve into the adjoining private properties....YES, it did happen and was leveraged on what was happening in Brisbane at the time!!!!) The pedestrian bridge across Simpson's Creek, funded by a penny/ratepayer for a number of years is an historic icon and must be Heritage Listed.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on 17 April 2024, 2:50PM
Receipt number 13
Related form version 4

Name Leone Bolt

Email

Provide your feedback here Fully support the listing of heritage items 4, 5, 6, 7, 8, 9, 10, and 11, in Brunswick Heads, in LEP 2014.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on 17 April 2024, 3:10PM
Receipt number 14
Related form version 4

Name Deborah House

Email

Provide your feedback here

Re Byron Rail Workers Cottage 42 Cowper Street Byron (alongside 40 Cowper St. & grand house on corner of Kingsley Street)
Agreed they are Heritage & Historical Cottages 42 & 40. That is their Charm. To keep the fronts & sides as Heritage when restored. Allowing any future development to the back area of the house.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on	17 April 2024, 3:43PM
Receipt number	15
Related form version	4

Name	Brunswick Heads Progress Association
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Email

Provide your feedback here

Upload your feedback

[Submission BHPA Heritage Listed Items Brunswick Heads.docx](#)



17th April 2024

Byron Shire Council

Re: Support for new heritage items Brunswick Heads to be included in Byron Local Environmental Plan (LEP) 2014.

The Brunswick Heads Progress Association fully supports the inclusion of the following Items, in Brunswick Heads, in LEP 2014 'to ensure any future development will be sympathetic to and recognise the heritage value of the items.'

Item 4. War Memorial Brunswick Heads

Item 5. Foreshore Reserve and Norfolk Pine Cultural Plantings, Brunswick Heads

Item 6. Housie Shed and former Ambulance Shed, Banner Park, Brunswick Heads

Item 7. South Arm Bridge, Brunswick Heads

Item 8. Boulevard Plantings and Pioneer Memorial Park, Tweed Street Brunswick Heads

Item 9. Brunswick Picture House, 30 Fingal Street, Brunswick Heads

Item 10. Commercial building - 26 Mullumbimbi Street, Brunswick Heads

Item 11. Commercial building - 28 Mullumbimbi Street, Brunswick Heads

We commend BSC for putting the above items forward for listing. We thank BSC's Heritage Advisor Deborah Wray and the members of the Heritage Advisory Committee for their work in this area. With their continued support we hope to see a Heritage Conservation Area for the original village of Brunswick Heads in the future.

Yours sincerely,

Leone Bolt

President
Brunswick Heads Progress Association

'Representing our residents for over 100 years'

New heritage items for Byron Local Environmental Plan 2014



Submitted on 17 April 2024, 5:28PM
Receipt number 16
Related form version 4

Name Sean OMeara - Brunswick Heads Progress Association

Email

Provide your feedback here

I have only just been informed of these listings so shooting off this quick email with an attachment. It appears one of Brunswick Heads most historical areas has not been listed here yet is probably one of the most significant heritage areas in the Shire. The Memorial World War 1 tree plantings in the Terrace Reserve are not listing in this report yet have been given significant support by various bodies and are possibly one of the oldest living memorial plantings in Australia. The Brunswick Heads Progress Association were responsible for these planting 105 years ago and have continued to ensure the plantings remain recognized. I am attaching a document that outlines the history but will contact Council again to confirm this areas recognition.

Upload your feedback

[Byron Council Local Heritage Fund.pdf](#)

Byron Shire Council
Local Heritage Funding 2018/19



Grant Application
Brunswick Heads Progress Association
Interpretive Signage for Brunswick Heads
WW1 Memorial Pine Park

Supporting Information

History and Historical Relevance

In August 1918 (exactly one hundred years ago), The Brunswick Heads Association (now The Progress Association) and Byron Shire Council agreed to fund “*pound for pound*” the planting of an honour Avenue in memory of those who took part in World War 1 from “the Brunswick”. This was a significant event following the war and documented in the local newspapers. (Attachments 1- 2)

The Mullumbimby Star, 15th August 1918

‘Brunswick Heads has decided to erect an honour avenue in Park St in memory of those who have taken part in the war from the Brunswick. A general scheme of tree planting commences next Monday and will proceed as far as funds allow’.

The Northern Star, Friday 9 August 1918,

‘From the Brunswick Heads Association, on the matter of tree planting and special rates, stating that about 17 pounds had been collected which it was understood the council would subsidise pound for pound. Cr Thorne explained the position at some length. They wanted to put a roll of honor on the tree guards, the names of those who left Brunswick for the war. It was decided residents would get the timber for the guards with work to be carried out as soon as possible under the Engineers supervision’.



Children from Brunswick Heads Public School learning about the history of the Memorial Pine Park in the Terrace Reserve just before ANZAC Day in 2015.

The Brunswick Heads Progress Association is now asking Council, 100years on to match us dollar for dollar to make sure that this important historical event of 1918 is recorded and remembered as a key part of Brunswick Heads and the Shires early history. While the history of the park was well known to older locals, few new families and most visitors have no idea of the significance of this park or its role to Brunswicks cultural heritage.

We feel the best way to educate locals and tourist alike is to erect appropriate interpretive signage on the entrance to the memorial park explaining the history of the rows of Coastal Cypres Pines and how they helped a community grieve, reflect and remember. Hopefully this

will enthuse following generations to continue to value and conserve this living memorial well into the future.

As the recollections of 1930s resident, 87 year old D'Arcy O'Meara explain (Attachment 3), the communal sadness of war and loss of life led to the community action of fundraising, planning and tree plantings of this memorial. The subsequent decades of watering and caring for these plantings by the local community indicate this was a significant event in Brunswick Heads "white" history.

Interestingly, the Terrace Reserve also has significant Indigenous history which will hopefully also be recognised with similar interpretive signage in the near future.



Brunswick Heads school children continue the tradition of watering and caring for the memorial pines as has been done since 1918. (April 24th 2015 ANZAC commemoration)

Attachment 4, *Avenues of Honour, Memorial and other Avenues, Lone Pines – Around Australia and New Zealand* (of which Brunswick is listed on p9) , explains the history and significance of WW1 memorial tree plantings and notes only 15 remaining locations in NSW. Only 2 of these pre date 1923, making Brunswick's plantings some of the earliest in NSW. Research to date by the Progress Association indicates Brunswick's plantings could be some of the first in Australia.

Listings and Heritage Report 2017

The Terrace Memorial Park and trees are included in the Register of the National Trust of NSW. They are included on the Register of War Memorials in NSW and are also included in the Australian Garden History Society's list of memorial plantings.

In 2015 Byron Shire Council made a request for an Interim Heritage Order of the Memorial Pines under Section 24 of the Heritage Act 1977. The then Minister of the Environment and Heritage, Rob Stokes recommended that council engage a consultant to complete a

Heritage study of the area. Council employed Clarence Heritage to undertake the project who then produced the 2017 report, *Historic Heritage - Assessment Coastal Cypress Pines, Terrace Reserve, Brunswick Heads*.

The report concluded in its Statement of Significance (7.3),

“The Coastal Cypress Pines on the Terrace Reserve and adjoining road reserves at Brunswick Heads demonstrate historical, aesthetic and social significance. These mature trees are an important element of the natural and evolved cultural landscape of the reserve, which developed in parallel with the economic and historic evolution of the township of Brunswick Heads. The trees are important element of the reserve which is highly valued by the local community, past and present, for its aesthetic and natural values and hold social association as a WWI Memorial. The vegetation community is protected as a rare and endangered species at a State level.”

As outlined in the NSW Heritage Management System, Assessing Heritage Significance (NSW Heritage Office 2001) there are seven criteria under which a place can be assessed in the context of State or Local heritage themes. It is considered to be of State or Local significance if it meets one or more of seven criteria. Clarence Heritage identified the Terrace Memorial Pines met six of the seven criteria.

Importantly, the following 2 (from 6) recommendations were made based on the findings of the report;

1: That interpretation of the significance of the trees is encouraged through signage, a heritage trail, and other mediums such as digital platforms.

2: The Coastal Cypress Pines demonstrate historical, aesthetic and social significance and should be included on Schedule 5 of the Byron Shire LEP 2014 as an item of environmental heritage.

Project Scope and Itemised Costing

This is a relatively simple project that involves the design, construction and installation of signage. As it is planned to erect the interpretive signage on Council Land (not Crown Land) we don't envisage any issues with approvals. Most residents of The Terrace have also been consulted and are very supportive of this initiative so no issues are expected from nearby homeowners.



An interpretive sign with additional QR Code link to further digital information.

The design of the interpretive sign is expected to be mainly text based in nature with basic artwork including the council logo. The emphasis is on a brief explanation of the significance of the Memorial Park and its trees and how a Shires community came together to grieve, reflect and remember. It is also possible to include a QR code on the sign that when used with a mobile phone would play an audio file of the story of the memorial park. The Progress Association has all the skills available to complete all that is required for this cheap but very engaging digital media extension. This was also recommended by the heritage consultant.

The following photos are examples of similar signage in Bulimba Memorial Park in Brisbane. Bulimba has a 2015 “rededication interpretive sign” and also an earlier bronze plaque from 1919. The sign simply acknowledges the nearby trees as memorials, their age, why they were planted and who by. The significance of the weeping figs as memorials is also noted as is the local council for its heritage initiative and support.



(L) Interpretive Sign (2015) and (R) 1919 Plaque at Bulimba Memorial Park in Brisbane.



Further examples of external interpretive signage (Nature Tourism Services)

Scope of Project and Timeline (10 - 11 weeks estimated)

(Weeks 1-3)

Discuss and decide on type of sign and graphical and textual content of signage with council

(Weeks 2-5)

2: Decide with Council on positioning of sign

3: Source designer/manufacturer and brief. Consider concepts and sign off on design

(Weeks 6 - 10)

4: Sign construction and delivery

(Week 10 or 11)

5: Sign installation

One suppliers timeline follows as Attachment 5.

The Progress Association would like to unveil the interpretive signage at a commemorative ceremony at 11am on 11th November 2018 (Remembrance Day) to commemorate the centenary of the memorial pines.

Costings

Assuming Council can install the interpretive signage, the only real cost is for the design, production and shipping of the sign. The Progress Association will do all the organisation and management but will ensure Council is consulted at all stages. We would appreciate the guidance and experience of Council "signage" staff regarding suitability of various signs, durability and any supplier contacts and connections. Perhaps council may also have an in house graphic designer available for initial assistance?

Discussions with various sign suppliers have shown a range of suitable signage styles that would be discussed with council to choose the most appropriate. The following images show some examples and their cost from a couple of suppliers.

The Progress Association believes we could get a professional, durable and "graffiti cleanable" sign (with digital media links) for \$4000. We could do cheaper but this appears to be the average price for a well-designed and quality interpretive sign.



width: 1400mm/post height: 2200mm
\$2,480 +GST (single-sided)



width: 500mm/post height: 1060mm
\$1,020 +GST (single-sided)



width: 1280mm/post height: 2200mm
\$4,749 +GST (single-sided)

Positioning of Signage

It is thought that the best position for the interpretive signage would be on the grass verge (council land) on The Terrace road reserve. This is a busy street with a good deal of pedestrian and tourist traffic. It would be best placed in an area that clearly displays the rowed trees. This is a no parking area and will become a walking track area when The Terrace further north is also widened when the fence is moved east. The sign may need repositioning in a few years when the riverside walkway (future heritage trail) is completed.



Funding Priorities

Describe how your project will achieve one or more of the funding priorities.

- I. For heritage item in a well maintained heritage streetscape or heritage landscape setting
- II. For heritage items with public access and visibility.
- III. For part of a heritage group or precinct

The Brunswick Heads Memorial Pine Park is arguably Brunswick Heads most important (white) historical site but has no signage to explain its significance and meaning.

While The Terrace (street) has a large amount of foot traffic, walking through the Terrace Reserve is still the favoured choice of most locals. Crown Lands are currently in the process of reinstating a walking trail along the full extent of the foreshore riverbank that runs through the memorial pines and this is sure to become a very well used trail that will link the entire town from Bayside to Ferry Reserve.

This riverside trail could easily become a heritage trail with other interpretive signage. The trail as you enter Brunswick first goes north through the historic "Avenue of Pines" and then past Midden Beach, a recognised (but again unidentified) Indigenous meeting area and midden. When the historic walking bridge and Simpsons Creek history is included this makes 5 significant heritage items along this short section of a future heritage trail.



(L) The historic walking bridge (1920s) and (R) The Avenue of Pines (early 1900s) could be included in an ongoing heritage trail along the river walk that runs through the memorial pines.

Common Selection Criteria for all Projects

Sustainable long term heritage benefits

Do you have a long term plan in place to manage your heritage items ?

The Terrace Memorial Pine Park has been managed and maintained over the last one hundred years by the Brunswick Heads Progress Association, residents, Byron Shire Council and now Crown Lands. As an endangered ecological community (EEC) the trees must be protected and maintained. Crown Lands has developed an environmental management plan that will ensure the ongoing care and maintenance of the trees and this area.

Attachments following.

Attachment 5:

Process for Interpretive Signage from Danthonia Design

Following is our process for interpretive signage:

First, you send us basic text and artwork/photo concepts with a purchase order for design-only (\$850+GST). We then create a basic layout concept for you.

You review the basic concept & let us know of any changes. Be sure to look over all of the layout elements, including fonts and styles throughout. Please include your entire team; we will make up to 7 revisions of the basic concept.

When your team is happy with the concept, you supply us with exact text and images.

- Images must be 300dpi at the actual size they will be. (We can source images for you for an additional fee.)

- Our copyeditors will finalize the text for your approval.

We send you layouts of all panels, including final text and images. Please review them very carefully with your team. You will get ONE free round of changes. After that, changes cost \$100/hr.

You will receive your final PDF of the layouts mounted on the signs with dimensions, colours, and viewing distance. From this, you can place your order.

Anna Decker | Danthonia Designs | 4188 Gwydir Highway ELSMORE NSW 2360
02 6723 2100 | _____ | www.danthonia.com.au | 1800 552 700

New heritage items for Byron Local Environmental Plan 2014



Submitted on 17 April 2024, 11:28PM
 Receipt number 17
 Related form version 4

Name Jo Pilgrim

Email jo_

Provide your feedback here

I am a resident and ratepayer of Brunswick Heads. I am fully supportive of all 8 items proposed from Brunswick Heads being added to the list of heritage items in the DCP. Brunswick Heads is the oldest settlement in the shire and has importance heritage significance that needs to be protected from unsympathetic development. Further details below.

I am most keen to ensure that our public foreshore parks and reserves are protected (Item 5). They are key to outstanding aesthetic significance of Brunswick Heads village precinct as a rare example of small coastal village nestled in the natural environment of foreshore parklands, rivers, estuaries, wetlands, beaches and nature reserves. These public greenspaces are greatly loved and appreciated by both residents and visitors for their unspoilt nature and limited built structures. This includes mature trees such the Norfolk Pines and the huge gum tree opposite the pub. This unique aesthetic is already at serious risk from unsympathetic and poorly planned development from investors and developers given the ever increasing property values and holiday rental returns.

I also heavily support the listing of the South Arm Bridge (Item 7). It's wooden construction style contributes greatly to the character of the village. The bridge has been an institution in Brunswick Heads for decades and greatly loved by all the community. It heritage value needs to be acknowledged and needs to be protected from unsympathetic development.

I also strongly support the listing of the housie shed and the ambulance shed (Item 6). They add to the character of the town with their simple architecture of a bygone era. However, the ambulance shed needs to be painted and maintained, and perhaps could be put to a good use for the community (through a consultative process). What I do not support is the unilateral decision making of Reflections Holiday Parks in relation to these buildings (use, structural changes etc) without community consultation.

I also support the listing of Pilgrim Park and its environs and beautiful tree lined entry to the town (Item 8). This area has some of the oldest settler remnants and the entry to the town from the south has outstanding aesthetic significance which so many feel welcomes them home. (Please note I have no family connection to Pilgrim Park).

I also support the listing of the War Memorial (Item 4). It goes without saying that this item needs to be treated with the utmost respect and most certainly cannot suffer from any form of unsympathetic development. This protection should extend to the mature Norfolk Pines

that are its backdrop.

I also support the listing of the two shop fronts (items 10 and 11). They fit nicely with the already listed pub and pharmacy building and other nice old shop fronts in the same street, and the housie shed and ambulance shed opposite. Together these two shop fronts further add to protecting the aesthetic of this part of the town.

Lastly I also support the listing of the picture house (Item 9). I am a regular patron of the picture house and treasure the historical significance of this building for its role in past years in cinema in the town (it holds SO much history for the community), as well the aesthetic value of the building from the 50s as an ongoing venue for arts and entertainment.

Upload your feedback

New heritage items for Byron Local Environmental Plan 2014



Submitted on 21 April 2024, 8:15AM
Receipt number 18
Related form version 4

Name Lauren Julian

Email

Provide your feedback here

The shed described below was removed from 7 Leslie St Bangalow shortly after the new owners moved in. They then added a 'pod' temporary building at the rear in a clashing turquoise colour. This highlights the importance of heritage classification. Photos attached.
Description of Shed on Lot 11
Historic galvanised shed at rear of garden which was originally used for the plumbing business. Hardwood structure and floor on timber stump footings. Vertical jointed timber doors.

Upload your feedback

[20240421_064421.jpg](#)
[20240421_064442.jpg](#)





New heritage items for Byron Local Environmental Plan 2014



Submitted on	21 April 2024, 4:42PM
Receipt number	19
Related form version	4

Name	Sandra and Ivo Correia
-------------	------------------------

Email

Provide your feedback here

While we appreciate the saving of heritage buildings we are surprised our house qualifies as it is already quite altered and does not have the beautiful heritage features of say our neighbour 21 Charlotte Street. Furthermore as it doesn't present as 'heritage' it would devalue the property as it would be very difficult for future owners to change. The existing umbrella of 'conservation area' is a good middle ground - you can't do anything out of scale regarding the built environment but you can still do changes. We would prefer if it wasn't changed to be heritage listed.

Upload your feedback

From: [Don Osborne](#)
To: [Grainey Kylie](#)
Subject: Bangalow heritage listings
Date: Monday, 22 April 2024 7:34:21 AM

Hi Kylie,

I support the proposal for individual listing of these properties and urge council to expand its knowledge of individual heritage properties by conducting a new shire wide heritage study.

This should collect the items missed by the previous community based heritage study and provide council with a more complete inventory of heritage items, both built and cultural.

Regards,

Don Osborne

Heritage Architect (Ret)

Formerly of Bangalow

From: Dan
To: Grainey, Kylie
Subject: 24 Charlotte Street Bangalow
Date: Monday, 22 April 2024 12:50:07 PM
Attachments: [Screen Shot 2024-04-22 at 12:34:51 pm.png](#)
[Screen Shot 2024-04-22 at 12:35:27 pm.png](#)

Hi Kylie,

I am the owner of 24 Charlotte street Bangalow and I would like to understand how this property relates to the discussion on heritage?

Our property does not appear in the 'Item Details' as part of the group of dwellings but then later it is listed as part of the group and clearly show to have burnt down and been replaced with a tiny fibro box which was then also demolished to make way for the house that stands on the property today

The house was built in 2008 by myself.

So what are the long term implications for this specific property from this current planning proposal in relation to future development applications/ restrictions, rates or any additional encumbrances/ covenants on the title?

Thanks
Dan Connolly

Item Details

Name

Group of Dwellings; 17, 18, 20, 21, 23 & 26 Charlotte Street.

SHR/LEP/S170

Group of Dwellings; 17, 18, 20, 21, 23 & 26
Charlotte Street.

Address

17,18,20,21,23,26 Charlotte Street BANGALOW NSW 2479

Local Govt Area

Byron

Local Aboriginal Land Council

Tweed Byron

Item Type

Built

Group/Collection

Residential buildings (private)

Category

House

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
17,18,20,21,23,26	Charlotte Street	BANGALOW/NSW/2479	Byron	Tweed Byron				Primary Address

Boundary Description

The property boundaries.

Significance

This Group

Anchored by Hartford House at No. 14 Charlotte Street at the top of the hill, this group of early dwellings in Charlotte Street, which includes the former Masonic Hall, now a residence, demonstrates historical, historical associative and aesthetic significance. They are evidence of the early settlement of Bangalow by pioneer settlers and were built in association with T. Robinson, G J Snow, Patrick Garvey, W H Reading, and James O'Grady.

Lots 1 & 2 The original 1907 dwelling was moved off site to a rural location and a new infill dwelling built on this site during the 1990s.

Lots 3, 4 & 5 17 Charlotte Street, This house was built by Thomas Robinson in 1907 after he retired. He was the first white settler in Bangalow.

Lot 6 21 Charlotte Street-House built 1906 for W H Reading.

Lot 7 23 Charlotte Street- House built 1907 by W H Reading for his parents from England

Lot 8 26 Charlotte Street Land donated by Robinson for Masonic Hall first built in 1907. (Second one built 1922 first brick building in Station Street

Lot 9 24 Charlotte Street Original house burnt down in early 1960s and replaced.

Lot 10 20 Charlotte Street Built in 1907 for a Patrick Garvey, lease of first hotel in Bangalow The Granuaile Hotel built in 1891. He also owned Lot 5.

Lot 11 16 Charlotte Street, Built in 1904 by James O'Grady who also owned Lot 4.

Lot 1 14 Charlotte Street Built in 1910 for G J Snow by W S Rays Hartford House

From: [Brunswick Valley Historical Society Inc](#)
To: [council](#)
Subject: Fwd: Comment on Proposed Heritage Listing
Date: Wednesday, 24 April 2024 1:05:16 AM

Attention General Manager,

At media@byron.nsw.gov.au under [New heritage items for Byron Local Environmental Plan 2014 - Byron Shire Council \(nsw.gov.au\)](#) you requested comment on proposed Heritage Listings.

At 26.2022.9.1-Heritage-Assessment-Item-5-Foreshore-Reserve-and-Plantings-for-attachment-to-land-owner-letter (1).pdf (SHI number 5068094 Study number; Item Name: Byron Shire Council Foreshore Reserves and Norfolk Island Pine Cultural Plantings; Location: Memorial, Banner, Terrace and Terrace Holiday Park Reserves Parks Brunswick, Byron...) you propose adding the Norfolk Pines to the list, on the grounds that *The Norfolk Island Pine plantings in Memorial and Banner Parks have aesthetic landmark qualities on the reserve and are historically and aesthetically significant to the precinct. They were planted in the early 1940s and hold historic significance in the development of the township as a coastal holiday destination. They define the edge of the original Davidson rock walled foreshore creating shade and amenity to the reserve foreshores....*

We at BVHS advise against such heritage listing so that in the future the local Progress Association or some such representative body has the option to revert to the original native flora.

Norfolk Pines are a feature of every beach resort on the east coast and meant the destruction of the indigenous flora in their planting. Through to the early 1940s the path along the rock walls was known as 'The Promenade' and 'The Esplanade' and ran under and alongside a grove of native banksias and other indigenous coastal flora.

(See '*Brunswick Heads In Focus 1885-2015*', published by BVHS 2015, for various photos of 'how it was'.)

Yours

.....

From: [Brunswick Valley Historical Society Inc](#)
To: [council](#)
Subject: Fwd: Catch up on Council projects and work we're doing in the community.
Date: Wednesday, 24 April 2024 1:08:24 AM

Attention General Manager,

Your recent newsletter (Byron Shire Council media@byron.nsw.gov.au) listed 'Item 14. *'Bellevue' - house - 22 Coolamon Scenic Drive, Mullumbimby*^(PDF, 374KB)' under [New heritage items for Byron Local Environmental Plan 2014](#).

We at BVHS consider this house unworthy of inclusion as a 'heritage item'. The house was erected in 1947 from the remains of another house salvaged from Tyagarah. Ref [125.-Newsletter-February-2023.pdf \(mullumbimbymuseum.org.au\)](#)

Yours sincerely

Susan Tsicalas

Treasurer/ Corresp Secretary

BVHS Inc

From: Byron Shire Council <media@byron.nsw.gov.au>

Sent: Friday, April 19, 2024 3:56 PM

To:

Subject: Catch up on Council projects and work we're doing in the community.

- [New heritage items for Byron Local Environmental Plan 2014](#).

Submission date extended until Sunday 28 April 2024.

14. ['Bellevue' - house - 22 Coolamon Scenic Drive, Mullumbimby](#)^(PDF, 374KB)

From: [Michael Fahey](#)
To: [Grainey Kylie](#)
Subject: Fwd: minutes and agenda for 2021
Date: Monday, 1 April 2024 7:32:13 AM
Attachments: [15 September 2022 Minutes.png](#)
[31 August 2023 Minutes.png](#)

Hi Kylie

Please see below regarding 7 Leslie St, Bangalow NSW 2479.

Happy to discuss.

Regards
Michael

----- Forwarded message -----

From: **Michael Fahey** < >
Date: Mon, 1 Apr 2024 at 07:30
Subject: Re: minutes and agenda for 2021
To: Scott, Noreen < >
Cc: Carrie Christensen < >, Simone Garner
< >

Hi Noreen,

Thank you for the links.

In the minutes for the meeting on 15 September 2022, under Report 3.1 Heritage Program Update, it clearly states under 'Status' -

"Supported by previous landowner – need to confirm support with new landowner prior to listing. Heritage Assessment report completed."

Confirmation was never sought with us as the new landowners.

Nor were we ever notified of the potential listing / application.

It was only by pure luck that we saw 1 sentence in the February 2023 edition of the Bangalow Herald regarding the heritage listing, 5 months later.

We rang council immediately, and advised them that they did not have our approval to progress this application. Nothing was done, nothing was noted on your systems.

.....

Minutes from 31 August 2023 meeting, Business Arising From Previous Minutes, Report 4.3, Committee Recommendation:

2. Supports further consultation occurring with residents and owners of the properties proposed to be listed as individual items, contributory items, and in the Heritage Conservation Area generally, prior to reporting any planning proposal with any new listings recommended to Council.

Again, we were not notified until 19 March 2024 via a letter in the mail.

.....

In your Conflict of Interests, noted in all meeting minutes, it defines a Pecuniary conflict of interest as "*an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.*"

Janne Coleman sold us 7 Leslie St without informing us of any heritage application, did not disclose all information, and sold to us under false pretenses. She lodged the heritage application in September 2021, when we had already paid a deposit and exchanged contracts, totally dismissing vendor rights. We did not settle until February 2022, yet still nothing was disclosed.

All of this obviously completely goes against your Council Code of Conduct.

.....

The first phone call we made to Council in March 2024, a few weeks ago, we were told that Council did not know we were the new owners, yet it is in your reporting & minutes from September 2022 - **18 months earlier.**

.....

This is our official request, as landowners of 7 Leslie Street, Bangalow, that our property be removed from the Byron Local Environmental Plan (LEP) 2024, immediately.

.....

We are currently seeking legal advice on this matter.

Michael Fahey
Director

PO Box 56, Suffolk Park NSW 2481



On Thu, 28 Mar 2024 at 14:52, Scott, Noreen <

> wrote:

[Request Council Information - Byron Shire Council \(nsw.gov.au\)](https://www.nsw.gov.au/request-council-information)

Noreen Scott | Executive Assistant Sustainable Environment and Economy
Director | BYRON SHIRE COUNCIL

P: [+61 2 6626 7062](tel:+61266267062) | E:

Bundjalung Country, PO Box 219, Mullumbimby NSW 2482 |

www.byron.nsw.gov.au

Find us on Facebook www.facebook.com/byronshire.council

Byron Shire Council acknowledges the Traditional Owners of this land, the Arakwal people, the Minjungbal people and the Widjabul people of the Bundjalung Nation, and pays our respects to Elders past and present.

Emails from Byron Shire Council may contain confidential and/or privileged information. Please consider the context in which this email has been sent to you, the email's content, and whether it can be disclosed to a third party.

From: Scott, Noreen < >
Sent: Thursday, March 28, 2024 2:44 PM
To: ' ' < >
Subject: minutes and agenda for 2021
Importance: High

[Minutes & Agendas - Byron Shire Council \(nsw.gov.au\)](#)

Noreen

**Noreen Scott | Executive Assistant Sustainable Environment and Economy
Director | BYRON SHIRE COUNCIL**

P: [+61 2 6626 7062](tel:+61266267062) | E:

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From: [Peter Barnes](#)
To: [Grainey Kylie](#)
Subject: Planning Proposal New Heritage Items for Lismore Rd, Bangalow 2479
Date: Monday, 22 April 2024 7:34:39 PM

My name is Peter Barnes and I am the owner of 19 Lismore Rd, Bangalow 2479. I have forwarded two submissions in regard to my house still being included in councils heritage proposal for this street.

As I stated in my submission and two separate conversions with people involved with the proposal that my house was built here 1995 by a man called Peter Jurd. It was then sold to a woman who lived here until I purchased the property in 1995.

Prior to the above mentioned years it was a vacant block of land with a horse on it once as i have been told. It was also a driveway for the glass factory at 17 Lismore Rd which was after the Temperance Hall was no longer used.

My house does not even resemble any of the original railway cottages along further up the street towards the Readings building.

I would like you to remove my property from your proposal as you did with 7 Lismore Rd which was only built around a year ago.

Thank you for your attention and reply.

Yours respectively
Peter Barnes Ph.

Casey Speed
54 Mort Street,
Katoomba NSW 2780
2 April 2024

E:

General Manager
Byron Shire Council
PO Box 219
Mullumbimby NSW 2482

Attention: Shannon Burt, Director Sustainability, Environment and Economy

Planning Proposal for including additional heritage items in Byron LEP 2014 – 24 Coolamon Scenic Drive, Mullumbimby

Dear Sir/Madam,

I recently received a letter from Council dated 14 March 2024 indicating that Council has a draft planning proposal which plans to formally list my property as a heritage item within Part 1 of Schedule 5 of Byron LEP 2014, identified as 24 Coolamon Scenic Drive, Mullumbimby.

I would like to raise my **strong objection** to the listing of this property as a heritage item and provide additional information which supports my objection:

Your heritage inventory form is incorrect in that the subject property is not unoccupied and has been tenanted continuously for the past 30 years.

The draft heritage inventory form provides little evidence that the subject site has heritage significance.

Statement of Significance

The historical significance which relates to the occupation of the house by the Walker Family does not demonstrate historical association. This house was a place of residence, nothing historically significant has occurred in the dwelling. This statement claims that the dwelling has social association with the Walker Family, however further indicates under the **Criteria (d) Social/Cultural Significance** that this property does not meet this criteria. This a major flaw in the information provided in the heritage inventory form and the Statement of Significance does not represent the information contained in the criteria. The Statement also suggests that the dwelling has aesthetic significance in original form and architectural style. This statement is refuted as the dwelling has undergone substantial changes particularly during the 1980s and this is no longer the case as detailed further in this letter.

Criteria a) Historical Significance

The historical significance statement provided in the inventory form is a very generic statement and could apply to any house that was built during the early 1900s in Mullumbimby. What historical evidence is there that demonstrates that this dwelling meets this criterion of historical significance? How does this dwelling represent the “growth and development” of Mullumbimby township. This is not fully explained. The heritage inventory sheet claims that the dwelling is historically significant by due association with an elderly resident “Patrick Walker”. From historic accounts, Patrick appears to have owned and leased multiple properties in the Mullumbimby and Billinudgel area (approx. 12

properties). This dwelling was one of multiple properties that he owned and this does not attribute any significant historical association for this dwelling.

Criteria c) Aesthetic Significance

The dwelling has minimal aesthetic significance in terms of architectural style. This has been in part due to the numerous modifications to the entire building over time. The roof has been re-roofed with unsympathetic tin look tiles. All windows have been replaced with aluminum windows and sliding glass doors. The substantial alterations also include asbestos fibro cladding throughout the entire building externally. Many of these modifications are substantial and are unlikely to be reverted and restored without substantial cost or demolition. The modifications also are so substantial that this detracts from the dwelling. It holds a very low level of significance, as the modifications make it difficult to interpret what is actually original fabric.

The dwelling is currently in a very poor state/condition, it has had extensive white ant damage as a result of being untreated for a 30 year period. This would require a great deal of funds invested into the property to improve its condition and would require substantial alterations and removal of materials. However, it should be noted that most building materials (externally and internally) are likely to date to the mid to late 1980s.

Criteria f) Rarity

The dwelling does not provide any form of rarity as an early residence of Mullumbimby. There are far more substantial examples contained within the Mullumbimby township rather than this property. Modifications to the structure make it difficult to determine what original fabric exists. It does not represent a rare example of any form of dwelling as it is difficult to interpret to meet this criteria of rarity.

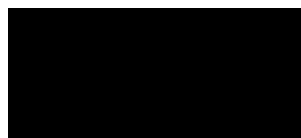
Criteria g) Representative

The dwelling is not representative of a Federation era dwelling. It is an isolated dwelling on the outskirts of the township with minimal features which represent the Federation era. The roof materials have been substantially modified over time to imitation tiles composed of tin, representing a more recent renovation undertaken in 1980s. This also applies to the external walls which have also been substantially modified being totally clad in asbestos fibro cladding. This is not representative of the Federation era. There is also no joinery detail within the building to demonstrate the Federation era style dwellings, and this is due to the extensive modifications that have occurred over time.

For the above reasons I have detailed, the dwelling does not meet the criteria for heritage significance and should be removed from Council's planning proposal for heritage listing.

As the land owner of the property, I do not support the local heritage listing of this property in Council's LEP. There is further, potential negative financial implications that I would bear preserving a house that is heritage listed. It seems senseless to financially burden a Byron Shire rate payer with such a liability, where the house does not contain any fabric that demonstrates any connections to the past.

Yours sincerely,

A solid black rectangular box used to redact the signature of Casey Speed.

Casey Speed

(owner 24 Coolamon Scenic Drive, Mullumbimby)