

11.18 HERITAGE STUDY - DEFERRED ITEMS FROM ORDINARY MEETING 17 JUNE 2008

Reference: Land Use and Planning - Programs; Development and Building Controls - Registration

Prepared by: Strategic Planning Officer

Background

At the Ordinary Meeting of Council held on 17 June 2008, Minute No 2008-187 (Dataworks No 262150), it was resolved to split the Heritage Study Report into 2 parts.

The first part resolved to:

- Heritage list 194 items (which includes 64 items that are already listed);
- withdraw 23 nominated items from being heritage listed;
- omit 5 items from the present inventory of listed items; and
- withdraw the following conservation areas from being listed:
 - Coraki Conservation Area
 - Barker Street Conservation Area, Casino;
 - Richmond Street Conservation Area, Casino; and
 - Woodburn Street Conservation Area, Woodburn.

The second part of the resolution deferred a decision on 34 remaining nominated heritage items and 2 conservation areas.

This report has been prepared with regard to the second part of the resolution of 17 June 2008.

Report

Issues

The 34 items and 2 conservation areas deferred within the 17 June 2008 resolution (Minute No 2008-187) have several points in common. Council received objections relating to their nomination, and they have been recommended for listing. With regard to the latter, several of the recommendations involved modification to the listing or clarification of the extent of the listing.

Social

Heritage has received, and in most instances unnecessarily, a great deal of negative press. This has been reflected in many of the submissions of objection.

Some of the common reasons for objection are:

Devaluation – heritage listing will devalue land.

This is the most commonly used objection. It has been fuelled by Real Estate Agents (amongst others). One Agent has quoted up to 95% of prospective

purchasers will steer clear of heritage listed properties. This is a remarkable claim considering that it is not based on quantitative research. The reality is that each individual is looking for something different. If their preference is brick over timber, this will eliminate part of the market. If they like what is presented, it meets their needs, and the price is acceptable, they are more likely to purchase. From my experience persons inclined towards purchasing older style homes will not be deterred from heritage listing, and in many instances this is a selling point promoted by Agents.

There will be instances where heritage listing will increase the value of a property. This is most likely to be reserved for more substantial buildings, having a higher profile, or significant history. However, a well presented (and maintained) property anywhere, irrespective of heritage status, can equally seek increased valuation.

It has been confirmed with a Valuer, that heritage listing in its own right does not reduce value. However, in instances where a valuation is based on speculative future development potential, i.e. the number of units that can be erected, it can result in an artificially inflated value. Unless there is a high level of competition and/or limited choices in the market, such valuations could be difficult to achieve irrespective of heritage status.

Financial opportunities do exist to owners of heritage properties. They have access to small local heritage grants available through Council on an annual basis. They can apply to the Valuer General, in the Lands Department, for a special heritage restricted valuation to have their unimproved valuation reduced which then in turn reduces Council rates and Land Tax.

Restrictions – cannot maintain or renovate as they would like.

Consent is required to demolish or alter heritage items. It is appreciated that buildings need to be functional and comfortable and as such no reasonable request for alterations would be denied, such as to refurbish kitchens, bathrooms, laundries etc.

If a development application is triggered by the heritage provisions, that is the work is normally exempt or without consent but for the need to lodge a DA due to heritage alterations, the Council fees will be waived (except for an archiving fee and advertising fees, if applicable); assistance will be given to preparing the application; minimal documentation to support the proposal will be required; and a quick turn around will be assured.

Applications need to be referred to the State Heritage Office

Only applications for State Heritage listed items need be referred and determined by the State Heritage Office. Local Heritage, which is the bulk majority from the Heritage Study, are dealt with by Council and there is no referral to the State.

Building has been altered – no longer considered to be heritage

When assessing heritage significance, the condition of the item and its relative originality are considered. Past or recent alterations using different materials or

styles may be undesirable for heritage listing but this will depend upon the severity of the alterations and the nature of the items heritage significance. For example, an item may be significant because of what it was used, and there may be sufficient fabric remaining to justify the listing.

Not old enough

An item does not have to be old to be of heritage significance. Age often reflects rarity and therefore fits with heritage assessment criteria. Being old likewise does not always mean that an item is considered to be heritage significant either.

Consultation

Richmond Valley Council – Community-Based Heritage Study and *Richmond Valley Council - Thematic History* were placed on public exhibition from 7 July 2007 to 10 August 2007. The submission period was further extended to 14 September 2007.

Council received 210 submissions on the Heritage Study, including 3 petitions.

Information on each of the remaining 34 items and 2 areas, contained within the 17 June 2008 report, has been reproduced in this report, including the summary of submissions.

Since the submission period concluded Council has held several meetings with concerned residents and every effort has been made to resolve those concerns.

Prior to the 17 June 2008, Council offered an opportunity to objectors to give verbal presentations during Public Access. Sixteen requests for Public Access were received. Fourteen presentations were made on 10 June 2008, there was 1 apology, and 1 non-attendance. Many presenters provided printed material to the Councillors which has not been referenced or reproduced in this report.

Summary of Deferred Items, Summary of Submission and Recommendations

Following is a list of heritage items that were deferred from the 17 June 2008 Heritage Study report. The summaries have been extracted directly from that report and remain unaltered except for numbering.

Broadwater

1.	SHI#2850042
Item Name	Broadwater Sugar Mill Manager's Residence
Suburb	Broadwater
Street Address	207-211 Pacific Highway BROADWATER NSW 2472
Objection	Yes
Submission Summary	Contrary to your historic notes, the residence is still occupied by the Mill Manager and there is a similar residence in existence at Condong Mill. The house is a weatherboard building on concrete piers but it has no more aesthetic characteristics than any other large weatherboard house built on stumps. There is concern that Heritage Listing would restrict the Co-Operative's options as to the future use of the land or removal of the building.
Comments	Manager's residence is a substantial structure, in good condition, and has a long standing association with the sugar industry and mill at Broadwater.

Recommendation	List
2.	SHI#2850147
Item Name	Broadwater Union Church & Hall, former
Suburb	Broadwater
Street Address	162 Pacific Highway BROADWATER NSW 2472
Objection	Yes
Submission Summary	Object to this listing but would agree to the building being removed to another location off the Mill property for Heritage purposes. Site was recently purchased for use as part of the Broadwater Mill Industrial Site. Concerned that this property has now been assessed as part of the Heritage List when no such information was provided during the purchasing process.
Comments	The Church and hall site are significant items and linked to the story of the Sugar Mill. Article 9 of the Burra Charter states a "building should remain in its historical location. The moving of all or part of the building or work is unacceptable unless this is the sole means of ensuring its survival".
Recommendation	List
3.	SHI#2850178
Item Name	Broadwater Post Office, Former
Suburb	Broadwater
Street Address	170 Pacific Highway BROADWATER NSW 2472
Objection	Yes
Submission Summary	Declares opposition to the listing of the premises and will continue legal position in this matter.
Comments	The former post office is part of the infrastructure of Broadwater and is sited within a complex of other significant heritage items. The building is well maintained of federation style.
Recommendation	List

Casino

4.	SHI#2850013
Item Name	Casino Municipal Offices, Former, Civic Arcade and Shops
Suburb	Casino
Street Address	94-102 Walker Street CASINO NSW 2470
Objection	Yes
Submission Summary	<p>Congratulate Council on its initiative in commissioning the Study and welcome many of the recommendations in attempts to preserve some of the Valley's cultural and natural Heritage.</p> <p>It is difficult for Mrs Gardiner, without having been born, grown up or having lived in the Valley all of one's life, to properly record and give expression to the accomplishments and settlement features that make the Valley's Heritage distinct.</p> <p>Buildings of the Valley bear some testament to the foresight of our forebears, however their continued existence and maintenance is due to the efforts of the respective land owners of those buildings and not to Council and its staff. It is unfortunate that since the Study was put on exhibition it has been misused by Council staff to justify all manner of selective interpretation "as if" the Study was already adopted and enshrined in stone.</p> <p>The buildings of a town often express the values of those that reside there. In the current Study far too much emphasis is placed on unsustainable celebration of the "Art Deco" period and all it represents.</p> <p>In the name of political correctness, Council has directed this writer to destroy the shopfronts at 100-102 Walker Street, to facilitate wheelchair access, whilst at the same time not disturb the black tiles which adorn the façade in the name of Heritage.</p>

With respect to the Civic buildings in Walker Street and Simpsons Parade, Council correspondence indicates that the property "is" a Heritage item. This is strongly disputed. Such a stance makes a mockery of the whole process as it now seems clear Council is intent with implementing the Study with their own interpretation of such, regardless of whether it is ever adopted, or not.

For seventy (70) years, when Council owned the buildings and shops in question, they destroyed the original awning and replaced it in the 1980s with the ugly awning in question which is now supposedly a Heritage Item.

More effort should be made to educate land owners, congratulate, encourage and assist them, as they each try to preserve, paint and restore the buildings in question and adopt same for contemporary uses, rather than limit them.

Richmond Valley is not a Nationalist or Socialist State. Land owners need to generate income. Without profits there can be no new buildings or building improvements or commercial expansion, which is why Casino has over 39 empty shops at present.

Council staff, or at least those charged with implementing the Study and its recommendations (who in many cases have only moved to the Valley in the last 15-20 years, and don't even live in the Shire), should spend less time pontificating and a few weeks in the Historical Society's archives and with land owners, to properly understand their motivations and concerns and truly identify and understand their values and pioneering spirit.

Meddlesome planners frustrating every move in the name of the false God of Heritage do nothing to inspire confidence in Council or the Valley's economy.

Comments

Former Casino Council chambers/office complex is already listed on the Casino LEP. Current listing contains a vague description, however, an opportunity now exists to fully describe the entire complex consisting of the former Casino Council Chambers/Offices, the civic arcade and shops including the well maintained Art Deco interior of the former Council Chambers/Offices.

Recommendation

Retain on LEP with expanded description to cover entire former Casino Council Chambers/Offices, Civic Arcade and shop complex, including the well maintained Art Deco interior of the former Council Chambers/Offices.

5.	SHI#2850131
Item Name	Uniting Church
Suburb	Casino
Street Address	100-102 Canterbury Street CASINO NSW 2470
Objection	Yes
Submission Summary 1	Seeking removal of the Uniting Church from the Heritage Listing.
Objection	Yes
Submission Summary 2	Listing this property will impose additional bureaucracy onto any decision process.
	How are items assessed for listing? Building not of a great age.
	How was opinion formed - "Is socially significant to members of the Methodist community"?
	An error in "Physical description " refers to "the decromastic tiled roof".
	Object to the implied assertion that building "Contorted manipulations of shape or space".
Comments	Listing of this item is based on its unique architectural design and association with the Uniting Church congregation. Listing does not require additional bureaucracy unless the building is to be significantly altered or demolished, whereby consent is now required. A review will be undertaken of the database and errors corrected.

Recommendation	List
6.	SHI#2850155
Item Name	Savins First National Real Estate
Suburb	Casino
Street Address	111-113 Barker Street CASINO NSW 2470
Objection	Yes
Submission Summary	This building is not historically special and has very little architectural appeal or presence. This property has more value to the community through use of the land for further development.
Comments	Savins First National occupies two former commercial premises. This listing is interested only in the former Rural Bank building, 113 Barker Street. The former Rural Bank building has been identified by the Royal Australian Institute of Architects as a good example of its type. The buildings brick work has been painted in corporate colours which detracts from its architectural significance but does not affect its form, scale and Art Deco styling.
Recommendation	Listing of the former Rural Bank building only, 113 Barker Street.
7.	SHI#2850172
Item Name	Residence, former Innisfail Maternity Hospital
Suburb	Casino
Street Address	40 Johnston Street CASINO NSW 2470
Objection	Yes
Submission Summary	Purchase because it was not heritage listed with a view to future development of the site. Significant exterior changes to the property to the point where it bears little resemblance to the original. Work in Real Estate and know that heritage listing of private properties does not add to value but rather detracts and in fact deters future investors because of limited scope of uses the property can achieve.
Comments	No photos of the original building have been found. Difficult to deduce level of change. Building appears to be relatively unchanged and in good condition. It is significant for its association as a maternity hospital. Some redevelopment of the land could still take place.
Recommendation	List
8.	SHI#2850276
Item Name	Casino Public School
Suburb	Casino
Street Address	Walker Street CASINO NSW 2470
Objection	No
Submission Summary	The Department has no objection to the inclusion of individual School Buildings where the style and features are significant and the buildings are not commonly found throughout NSW. The Department, however, has objections to the general listing of all types of buildings at a particular school irrespective of age, such a classification may restrict or delay future modern teaching and learning facilities with the preparation of full Heritage assessment for nine (9) Heritage Items. Casino Public School - No objections to the listing of the Intermediate High School (Building B00A), Public School (Building B00B), Infants school (B00C) Buildings. The proposed listing of various timber classroom buildings declared as "demountables" is not supported. Although two timber buildings date from 1913, the remainder were provided during the

	<p>post WWII period. These buildings are not considered to be of Heritage significance as such buildings were provided to schools throughout NSW and many examples of the different styles remain in existence.</p> <p>The listing of the Camphor Laurel tree is not supported. The school should be allowed to maintain the tree and remove branches as required to provide a safe environment for students without restriction.</p>
Comments	<p>Department agrees with listing, except for Camphor Laurel trees. Being a W4(d) noxious weed it can be retained particularly where of heritage value. Listing will not prevent maintenance of the trees which can be done without consent.</p>
Recommendation	<p>List buildings identified by the Department of Education and Training as BOO-A, BOO-B and BOO-C, inclusive of several Camphor Laurel trees in the vicinity of these heritage buildings.</p>

9.	SHI#2850277
Item Name	Manyweathers Weir, Richmond River (West St)
Suburb	Casino
Street Address	Aligned with West Street CASINO NSW 2470
Objection	Yes
Submission Summary 1	<p>The Weir was originally constructed in 1966 for drought protection for the Casino Water Supply, however the weir no longer serves this purpose following the construction of Jabour Weir. It is therefore considered redundant and obsolete.</p> <p>Given the proximity of the Weir to the Casino Town Centre it is acknowledged that the site has a high public visibility, however NSW DPI stresses the catchment wide deleterious impacts associated with the Weir and the high Habitat Values associated with the natural history of the Richmond River at this site.</p> <p>State Water, the owner of Manyweathers Weir, has management responsibility over the structure. Significant breaches and undermining are prevalent at the Weir and any efforts by State Water or any other organisation to address those features and improve the structural stability of the Weir will enact Section 219 of the Fisheries Management Act 1994, requiring State Water to facilitate fish passage at the site. Stringent implementation of the Legislation supported by the NSW Weirs Policy and the Fisheries Management Action that recognises fish migration barriers such as Manyweathers Weir as key threatening processes. State Water estimated in 2002 that the cost of inserting a fishway at Manyweathers Weir would approximate \$360,000, while removal of the Weir was estimated \$60,000. Furthermore the NSW State Weirs policy declares that " Weirs that are no longer providing significant benefits to the owner or the use shall be removed taking into consideration the environmental impact of removal".</p> <p>Following the successful removal of Norco Weir, native fish within the Richmond River now have unimpeded access from the mouth of the river to Manyweathers Weir.</p>
Comments	<p>Arguable as to whether the weir is already included within the Casino LEP listing of the West Street crossing place as it is located within the same □artilage.</p> <p>Listing of the weir will not prevent it from being demolished but will require adequate assessment of the impacts prior to such an approval being granted under Parts 4 or 5 of the Act.</p>
Objection	No
Submission Summary 2	<p>State Water Corporation has recently been granted formal ownership of the West Street Weir also known as Manyweathers Weir. Previously, State Water was managing the structure on behalf of the Water Administration Ministerial Corporation.</p> <p>In 2003, the then Department of Land and Water Conservation engaged Austral Archaeology and ERM to undertake an assessment of their river structures in the coastal area to determine their Heritage significance. These assessments were</p>

commissioned to allow the Dept to start developing a S.170 Heritage and Conservation register for their assets.

West Street Weir was assessed as part of this 2003 Heritage Study and was found to be of Moderate Local Significance based on its performance against the Heritage Office's Criteria C (Aesthetic Significance) Criteria G (Representative Significance)). Therefore the outcome of this previous assessment is consistent with the outcomes of your current community based Heritage Study.

As the new owner of Manyweathers Weir, over the next twelve months State Water is embarking on development of a Total Asset Management Plan (TAMP) for all its unregulated structures. The development of this plan will involve determining the current condition of their structures and determining long term requirements for the management and maintenance of these assets.

State Water is working in partnership with the Dept of Primary Industries and the North Coast Catchment Programme as part of the "Bring Back the Fish Programme" to investigate potential fish passage improvement options at key structures in the North Coast area, West Street Weir is one of these structures that will be involved in the investigations.

Over the next few months, investigations will commence at West Street Weir involving an assessment of the structural stability and a bed level survey. Now while the water levels are low it is an opportune time to undertake these investigations which will contribute to State Waters TAMP and "Bring Back the Fish Project".

Although State Water has no specific comments on the Heritage Study and the assessment outcomes are consistent with previous assessments, they wish Council to be aware of upcoming investigations and long term planning for the structure. The outcomes of these investigations may result in requirement of potential upgrade, decommissioning, remediation or related works, however State Water will take the Heritage value of this structure into account during the development and assessment of these management options.

Comments

The weir is already listed on State Water's S.170 register. State Water agree that Study's conclusions are consistent with their own evaluation. State Water has also verbally indicated that the weir is in reasonable condition. They are not aware of any assessments that have found otherwise.

Recommendation

List

10.

Item Name

SHI#2850279

Suburb

Residence

Street Address

Casino

Objection

89 Lennox Street CASINO NSW 2470

Submission Summary

Yes

It appears that Council is already in possession of a great deal of information concerning this property and they do not wish to supply any further information about same.

They are completely against having their property included in the Study. If they wanted their property Heritage Listed they would have applied to the State Heritage Register for that to be carried out.

Comments

Substantial federation style dwelling that is well maintained and forms part of the Lennox Streetscape.

Recommendation

List

11.

SHI#2850282

Item Name	Second Hand Shop
Suburb	Casino
Street Address	139 Walker Street CASINO NSW 2470
Objection	Yes
Submission Summary	The Heritage Listing of this shop would place severe constraints on it's potential to grow. The business would be put at a disadvantage and improvements that are earmarked for the shop would have to be abandoned. It is believed that not being able to modify this business to enhance it's aesthetic appeal would place the business and livelihood at a severe disadvantage. To achieve the business plan I would be forced into offloading the business at a considerable monetary loss and purchase a business in another town. Does Casino need another empty shop?
Comments	The listing of Heritage buildings should reside solely the responsibility of the property owner and therefore the person who has the fiscal input. Heritage listing of the shop will not prevent it from being renovated, maintained, or from the business being modified. The primary objective of this listing would be to retain the façade, if redevelopment were proposed, which consists of pressed metal cladding. This is a significant building within the Casino CBD.
Recommendation	List

12.	SHI#2850299
Item Name	Residence
Suburb	Casino
Street Address	6 Riverside Lane CASINO NSW 2470
Objection	Yes
Submission Summary	Do not wish for house to be listed as they are quite capable of looking after this house in a respectful fashion without having restrictions put upon it as to what can and can't be done. The house will be maintained, and its original status to the best of their ability.
Comments	The owners are maintaining the property to a high standard. The heritage listing acknowledges the status of the building, its association with the commercial development of Casino, and its prominent position overlooking the river.
Recommendation	List

13.	SHI#2850311
Item Name	Parsonage, Former
Suburb	Casino
Street Address	178 Canterbury Street CASINO NSW 2470
Objection	Yes
Submission Summary	Have read the relevant information supplied and find the majority of information relates to the positive side of the proposal with little information giving the negative viewpoint. Having examined both sides of the proposal and looking at it from their point of view to the future they would prefer that the property not be listed.
Comments	This property is currently heritage listed on the Casino LEP. The building does retain many original elements such including the chimney and joinery. Listing will not prevent the owners from extending or remodelling their home.
Recommendation	Retain existing listing on the LEP

14.	SHI#2850340
Item Name	Residence
Suburb	Casino
Street Address	48 Barker Street CASINO NSW 2470

Objection	Yes
Submission Summary	Wish to retain sole responsibility for the maintenance and up-keep of property without referral to Council or any 3rd party. Plans for a heritage walk could pose security risks for themselves and a loss of privacy.
Comments	This building is historically significant for its former use as the Richmond Hospital and as the residence of Miss Edwards. Information provided by the owners suggests that the dwelling at 50 Barker Street was also part of the complex. It is suggested that 50 Barker Street be further investigated for future listing. Listing will not prevent extending or remodelling the building.
Recommendation	List

15.	SHI#2850348
Item Name	Victory Camp Site
Suburb	Casino
Street Address	Reynolds Road, Summerland Way and Rosewood Avenue CASINO NSW 2470
Objection	Yes
Submission Summary	The Northern Co-Operative Meat Company is not the owner of the land described, however, it holds a license over this property for the conveyance of Abattoir effluent. Due to the nature of the fluids being transferred it is believed there is a potential conflict and consequently not in a position to support this proposal.
Comments	Mostly Crown land under PP Board control. They are supportive of listing. Exact boundaries of the former camp need to be researched further.
Recommendation	Investigate boundaries of the Camp site prior to listing.

Coraki

16.	SHI#2850047
Item Name	Coraki Post Office and Residence
Suburb	Coraki
Street Address	81-83 Richmond Terrace CORAKI NSW 2471
Objection	Yes
Submission Summary	Do not consider the property suitable for Heritage Listing as it has had numerous changes to the building structure over many years.
Comments	Already listed on Richmond River LEP. Owners were recipients of a Heritage Grant for maintenance of the building in the 2007/2008.
Recommendation	Retain existing listing on LEP

17.	SHI#2850065
Item Name	Glebe Bridge
Suburb	Coraki
Street Address	Lismore Road (Dawson St) Crossing of Richmond River
Objection	Yes
Submission Summary	Already contained on the RTA's Section 170 Heritage Register as well as on the North Coast REP. The Glebe Bridge over Richmond River at Coraki is already listed as a structure of State on the RTA's Section 170 Heritage and Conservation Register (Item no 4300641). The RTA considers that S170 listing offers adequate protection of the structures Heritage significance and that inclusion on Council's LEP would only add additional bureaucracy and cost creating impediments to the RTA's ongoing management of the structure. The listing of the bridge on Council's LEP would not offer any additional protection to the structure, and would create additional development application process burdens for the RTA when undertaking future rehabilitation projects of this bridge. Section 170 Register does not offer protection to items.

Comments	The Bridge is already listed on the Richmond River LEP and the North Coast REP, as being of Regional Significance.
Recommendation	Retain existing listing on LEP

18.	SHI#2850112
Item Name	Coraki Public School
Suburb	Coraki
Street Address	48-52 Adams Street CORAKI NSW 2471
Objection	No
Submission Summary	The Department has no objection to the inclusion of individual School Buildings where the style and features are significant and the buildings are not commonly found throughout NSW. The Department, however, has objections to the general listing of all types of buildings at a particular school irrespective of age, such a classification may restrict or delay future modern teaching and learning facilities with the preparation of full Heritage assessment for nine (9) Heritage Items. Coraki Public School - There are no objections to the listing of the Public School (Building B00A) and the Manual Training Classroom (Building B00B). The listing of the Camphor Laurel trees is not supported. The school should be allowed to maintain the tree and remove branches as required to provide a safe environment for students without restriction. (It should also be noted that Camphor Laurel trees are a declared W4 (d) noxious weed on the North Coast.
Comments	Listing only includes those buildings supported by DEAT. Camphor Laurels should be listed as they provide amenity to grounds and are mature plantings. Being a W4(d) noxious weed it can be retained particularly where of heritage value. Listing will not prevent maintenance of the trees which can be done without consent.
Recommendation	List buildings identified by the Department of Education and Training as BOO-A and BOO-B, including Camphor Laurels within the vicinity of those heritage buildings.

19.	SHI#2850145
Item Name	Residences group, 25, 27, 29, 31 & 33 Donaldson St
Suburb	Coraki
Street Address	25 Donaldson Street CORAKI NSW 2471 27 Donaldson Street CORAKI NSW 2471 29 Donaldson Street CORAKI NSW 2471 31 Donaldson Street CORAKI NSW 2471 33 Donaldson Street CORAKI NSW 2471
Objection	Yes, toward one of the five properties in this complex
Submission Summary	Unwavering opposition to the proposed Heritage listing of 25 Donaldson Street.
Comments	This listing is of a group of 5 dwellings. No reason given for the objection. No objections received from other owners.
Recommendation	List as part of group.

Evans Head

20.	SHI#2850018
Item Name	"Seabreeze" (Jo Woodford's) Guest House, former
Suburb	Evans Head
Street Address	47-49 Woodburn Street EVANS HEAD NSW 2473
Objection	Yes
Submission Summary	Large number of reasons why this property should not be listed

and a considerable number of them involve money which will not be forthcoming by way of the Council or Heritage NSW.

The property in question would take considerably more to repair and maintain than would be available by either source if to be preserved at it's current location.

Complete fallacy that this is an icon of the tourist industry in Evans Head. Accommodation provided out of economic necessity and subsequent friendships.

Also fallacy to believe that the building is in a condition worthy of major restoration or economic return.

Mrs Woodford's age at the time of her death, and the beliefs she held, meant no maintenance was carried out for twenty (20) years.

It is also cost prohibitive to retrofit the building for use as a modern day Bed & Breakfast or equivalent. An extensive list of works required to be undertaken to the building has been provided.

One of the principal aims of the Heritage Study was to "Present Heritage as an integral part of the tourism potential of the Richmond Valley Local Government area" (Ordinary Meeting - Richmond Valley Council Tuesday 20 March 2007). This building in its current location and condition does not, will not, conform to this aim. Lack of maintenance, lack of availability for community use, and lack of economic potential and return on investment all make this unsuitable for this to be achieved.

A number of broad thinking Councils in Queensland and New South Wales have taken a less antagonistic view of Heritage and actively work with the community to promote the donation of structures to a central location. They have successfully fostered not only a respectable collection of important buildings, but a group of dedicated volunteers to display arts, crafts and trades of the time and the community. They have achieved a tourism potential that can never be recreated while buildings remain insecure in different locations.

If the Council is really serious regarding the tourist and financial benefit that can be gained from Heritage then it should have community consultation regarding the best method in place to bring about an Historic precinct. A number of the structures identified in the Heritage List for Evans Head would have significance with regard to the RAAF's No 1 Bombing and Gunnery School during WWII. Bring these structures to the Aerodrome so that Historical recreations can take place.

If Seabreeze is to be preserved then it should be removed to a site where it can be made available for the local community to use. On another site it can be restored and open to the public. Over the past twelve months I have had discussions with two community groups who are more than willing to accept the structure as a gift. They are also more than aware that this is an Historic structure and want it to be used and preserved for the benefit of Evans Head.

Comments

Building is located within a prominent position, and is a significant building both in scale and heritage. While the building has been altered, there remains substantial elements of the original structure. The land upon which the building stands is large and could still accommodate redevelopment. Relocation of the building to another site would require further investigation and assessment and would be subject to development consent, whether listed or otherwise.

Recommendation

List

21.

Item Name

Suburb

Street Address

Objection

SHI#2850038

Pop Gunthorpe House, residence

Evans Head

20 Mangrove Street EVANS HEAD NSW 2473

Yes

Submission Summary

For sale since May 2006 with no success. Believe this is directly due to listing in Heritage Study.

Study underway since 2004 yet Council failed to notify of its considering.

Heritage Council guidelines for Heritage Studies outline a 20 step approach to listing items. Step 9 recommends advertising to invite community nominations. Do not recall such an advertisement.

Item 10 recommends approaching all potential Heritage Item owners and visiting to collect information. There has never been an approach to visit this property. Study was driven by members of the community who are anti-development. Majority of the ten residential properties listed in Evans Head are in the Medium Density Zone.

Information supplied by Council indicates that listing will not detract from the value. Council rezoned this property in 2003/2004 as Medium Density, increasing the value by enabling development of up to 3 or 4 units on the property, three storeys high. The redevelopment potential results in a value between \$800K and \$1.2M. Listing means that the value on this property will decrease dramatically to between \$400K-\$500K.

Other-Former Names - never formally known as "Gunthorpe House". It had a name which was removed by Peter Gunthorpe when house sold. Removal of the house name by the Gunthorpe's was a significant event evidencing the end of their ownership of the property.

Statement of significance - Study refers to an association with the Gunthorpe family and Coombell and Bexhill Brickworks. The Report also identifies the Paddons as being involved in the building of the Evans Head community, but no mention is made of the Gunthorpe family. The Paddon's home in Woodburn Street has been and still remains in the Paddon name since purchase of the land grant, yet has not been included in the Listing.

Evans Head became popular for it's tourism with many houses used as guest houses. This property was not used as a guest house and did not promote tourism in Evans Head.

House was built solely as a weekend/holiday residence for a family owning two brickworks, the historic significance of which has been proclaimed by the Heritage Listing of the Coombell brickworks and the proposed listing of the Gunthorpe residence at Coombell. As for the building showing to the use of Coombell bricks, Coombell bricks facilitated the erection of many buildings in the brick area of central Casino which provide historical evidence of Coombell bricks in domestic architecture.

Gil Gunthorpe did not own the property until 1979. The study refers to Gil as a player in the Mid-Richmond Cricket Club. Many other players of the Mid-Richmond club would also have played at Evans Head. Gil Gunthorpe has been acknowledged by the naming of a park after him at Evans Head, but this would be consistent with his son Peter working at the Council for at least 30 years and having a strong influence on the naming of the park.

Themes - The property does not come within a local theme, why is it to be recorded on the LEP?

Physical condition - Refute assessment that house is in "excellent" condition. At purchase was in poor condition and since 1998 \$80,000 spent on repairs and maintenance.

Recommendation that brickwork should never be painted is noted, however rendering the house in the near future may be the only way to stop the deterioration of the limestone mortar.

New roof in 2002 unable to be properly sealed around chimney therefore water damage still occurs on the ceiling in the lounge room.

Toilet and bathroom/laundry are outside on the back porch. Renovation required to bring the toilet and bathroom inside the house.

The wood windows and glass door at the front porch, now enclosed, require removal or replacement.

The lounge room and enclosed side porch have aluminium windows. The barbecue area and room off the garage are new renovations.

Mrs Gardiner is not a qualified building expert therefore cannot comment on the condition of the property.

Further comments - The reason the house is well presented has no bearing on the house having been previously owned by the Gunthorpe family.

Whilst the house may have been substantial in 1926, a two bedroom cottage with outside toilet and bathroom/laundry and small single garage is no longer substantial compared to modern homes.

References - Note discussions made with Peter Gunthorpe in 2005. This was two years before Council notified the owners that the property was under a Heritage Listing.

Improprity-Discrimination-Confidentiality and Consultation - The Model Code of Conduct for Local Councils in NSW: Avoid conduct that is improper and unethical; avoid conduct that causes, compromises or involves prejudice in the provision of services to the community; act fairly and equitable and deal with matters in a non-discriminatory manner; and only release confidential information in accordance with established Council Policies and Procedures and in accordance with relevant Legislation. Council failed to notify the owners until June 2007, notwithstanding the property had been on the proposed list since at least 2005. Council notified prospective buyers of the listing before notifying the owner and has caused losses. Council acted unlawfully, improperly and unfairly.

Council discriminated against those owners of items on the list against other residents of Evans Head whose properties are not on the list.

Clearly demonstrating that the Committee and Council have used this process as a back door way of limiting development in the Richmond Valley Council.

Council is accountable to the public for its decisions and actions and must consider issues on their merits, taking into account the views of others. Asking Council not only remove the property from the Listing but remove all other privately owned properties and adopt a more fair and just approach by asking owners to nominate their properties for Heritage Listing.

Comments

While the Gunthorpe family may not have a strong association with Evans Head, and the association with tourism may also be weak, there is no doubting that this building has significance both historically and architecturally to Evans Head. It is significant as the first brick residence in Evans Head and for its association with the Gunthorpe family. Documentation exists that demonstrates the difficulties over come to transport the bricks for the house from Coombell to Evans Head. As a holiday/retirement home it demonstrates that Evans Head was a holiday/tourist destination. With further historical research as argument could be mounted that this is one of the most significant historic homes in Evans Head.

This listing was proposed by members of the Heritage Committee and community and not the Gunthorpe family. Consultation with Peter Gunthorpe was only in passing to determine the date of construction. He subsequently supplied this date and several photos. Mr Gunthorpes employment at Council was only for 8 years and has had no influence on this nomination.

Listing will not, as suggested, prevent sympathetic renovations to the building, such as to the bathrooms, or require previous alterations to be removed.

Recommendation

List

22.	SHI#2850119
Item Name	Machine Gun Pit
Suburb	Evans Head
Street Address	95 Blue Pool Road EVANS HEAD NSW 2473
Objection	No
Submission Summary	Object to the house being placed on the Heritage List (SHI# 2850330).
	No objection to the Gun Pit being added to the Heritage List.
Comments	No objection to the gun pit being listed.
Recommendation	List the machine gun pit.

23.	SHI#2850121
Item Name	Paddon Grave
Suburb	Evans Head
Street Address	240 Iron Gates Drive IRON GATES NSW 2473
Objection	Yes
Submission Summary 1	Require clarification on the exact location and area, what is proposed regarding public access and transfer of land to public ownership, and route of access to the site. Historic significance of the Paddon Grave site has been acknowledged in concept plans for the Iron Gates site, including dedication of land containing the grave. This listing should not impact on current legal proceedings. The listing will only incorporate the Paddon Grave and immediate surrounds and not impact upon any future development potential for the land.
Objection	Yes
Submission Summary 2	Lot 163 DP831052 is a very large lot. The Heritage Inventory is vague as to the size and location of the area proposed for the listing, it simply says that the □artilage/boundary is "the area around the grave including the former house site which may have archaeological potential". The Heritage Listing also states that "steps should be undertaken to transfer this small parcel of land (whatever is meant by that) into public ownership so that the grave can be visited by the public and become part of the Evans Head story". They wish to know precisely what action is intended to be taken in this regard. If the public is to be granted access to the site, they are entitled to know the proposed route of access.
Objection	Yes
Submission Summary 3	Understand that the area proposed to be listed is 12 metres x 7.5 metres (total of 90m ²). Client objects to listing: a) estimate that the grave is only 2 metres x 1 metre (total of 2m ²) therefore the area to be listed is 44 time larger. b) anecdotal information has indicated that the house site is within close proximity to the grave but all that remains are the stairs. They have not been identified through the study. Client not aware of the remains. c) "Local heritage items" are defined as items of significance to the LGA which contribute to the individuality and streetscape, townscape, landscape or natural character of an area and are irreplaceable parts of its environmental heritage. Due to lack of access to the site, it is difficult to see how the Paddon Grave site fits this criterion. Against the background of the ongoing litigation in relation to this site, it would be unduly onerous and unfair to impose further restrictions upon the land.
Comments	The grave site is already listed on the North Coast REP as being of Regional Significance. It is a requirement that such listings be captured within the local listing process.

There is no doubting the historic significance of Thomas Paddon to the Evans Head area.
 Listing will not encapsulate the entire property but only an area, the artilage, sufficient to maintain the significance of the grave site. Previous development proposals for the land have acknowledged the significance of this grave site and proposed its preservation on a public reserve. Such acting would not be required unless the property was developed.
 Recommendation List Paddon Grave inclusive of a formerly fenced area surrounding the grave having approximate dimensions of 12 x 7.5metres.

24. SHI#2850123
 Item Name Paddon Wharf
 Suburb Evans Head
 Street Address 7 McDonald Place
 Objection Yes
 Submission Summary The Board of Directors had resolved not to support this listing. There is no public access to this wharf in place. There was no association with the Marine section of the RAAF and the State Heritage Listed Evans Head Aerodrome. This association was with a different wharf entirely. The wharf has been rebuilt in stages, on many occasions by different organisations. The piers, braces and decking have all been replaced over time and it can be argued this is not the same wharf used by the Paddons but merely in the same place.
 Comments Wharf has strong association with the Paddon family and is the only remaining wharf at Evans Head. Repairs will be required following a recent partial collapse due to overloading. Funding needs to be sourced to assist in these repairs.
 Recommendation List Paddon Wharf noting its previous modifications and the need for ongoing and urgent maintenance.

25. SHI#2850125
 Item Name Middleton Residence, former
 Suburb Evans Head
 Street Address 18 Mangrove Street EVANS HEAD NSW 2473
 Objection Yes
 Submission Summary 1 The Middleton's never permanently lived here, it was used as a holiday home. The property was purchased 17 years ago and kept in very good condition to be their superannuation. The house is not in original condition, inside has had a lot of alterations being new bathroom ensuite, kitchen and a wall was knocked out and windows removed. Underneath the house has had 2 holiday units added, being built in red brick, aluminium windows and doors etc. Heritage listing has a negative impact on the value selling and zoning of our property. How can a few nameless, faceless people, decide what we can and cannot do with our own home? If they want houses listed why don't they purchase these properties. Why weren't we notified of your intentions in 2005 when photos were taken. They have intentions to sell and live an easier life. The stress of this listing is not good for my health and is making it near impossible to sell with all the restrictions being placed on this property.
 Objection Yes
 Submission Summary 2 Further to previous submission. The property has been on the market for over a year. Recently a buyer inspected the property three times however since finding out

Comments	<p>about the Heritage Listing the sale fell through. Due to illness and after living there 17 years, the maintenance and unit cleaning is becoming too much and proving too stressful. Therefore, they need to sell this property as soon as possible but with all the restrictions it is making it very hard to sell and get a fair price.</p> <p>Enquiries were made regarding the Middletons, however no-one could tell them anything as they had never heard of them.</p> <p>The building was definitely associated with the Middleton family whom were well known "local" socialites in Evans Head. Building has been altered with the installation of holiday flats beneath the main residence. These alterations were most probably undertaken prior to requiring development consent and themselves add to the heritage value of the property through the tourism theme. The building is still an impressive structure and largely intact. Redevelopment potential still remains for the land despite the listing.</p>
Recommendation	List

26.	SHI#2850130
Item Name	Carpenter's Workshop, former RAAF building
Suburb	Evans Head
Street Address	11-15 Canberra Road EVANS HEAD NSW 2473
Objection	Yes
Submission Summary	<p>Property purchased April 1993 from Telecom (formerly PMG), the site of their works depot and offices since it's former use and initial construction as part of the RAAF WWII Training Base.</p> <p>When purchased building was in bad state repair. Have undertaken major restoration and conservation works over the past 14 years including restumping with similar posts, outside timber cladding completely renailed and replacement boards (specially sourced) installed to replace missing or rotten boards, repainting (3 times) and replacement of original roof with new corrugated iron roof.</p> <p>That part of the building made into a residence was change dramatically, firstly by PMG for offices, lunchroom, stores and workshop.</p> <p>No original windows in the building. Verandah and roof was added on the northern side by Telecom. Interior walls are all lined.</p> <p>Cabinet making workshop is largely unchanged and in its original state.</p> <p>All renovations financed entirely by the owners, without assistance, and has proved costly for repairs as well as the ongoing insurance for an old wooden building.</p> <p>Work carried out to preserve the history of the last remaining onsite RAAF Barracks building in Evans Head all without having it Heritage Listed.</p> <p>In the future may sell the site (it has three separate titles) with a legal document in place which states that the site on which the original building stands has to be preserved.</p> <p>Not interested, at this stage, in Heritage Listing unless their terms for future planning and building are met and agreed upon, including:</p> <ol style="list-style-type: none"> 1. Subdivision of property into three separate lots, 2. Building a new workshop, 3. Building new residence, 4. Impact on any future developments and conditions of sale, 5. No impediment on removing additions connecting the two buildings together.
Comments	<p>Listing will not prevent the subdivision of the land, if already permissible. This site is within the industrial area and new dwellings are not permitted. The replacement of any existing residence would not be prevented by the listing. Likewise the building of a new workshop would be permitted if it did not detract from the heritage significance of the listed buildings. The buildings are in their original location and relocation to another site would be</p>

Recommendation	best avoided. Removal of additions would be permitted. List
27.	SHI#2850247
Item Name	Residence
Suburb	Evans Head
Street Address	36 Woodburn Street EVANS HEAD NSW 2473
Objection	Yes
Submission Summary	<p>The owners of this property also own the neighbouring Pacific Motor Inn. The property was purchased with a view to expanding the Motel. It is submitted that the proposed Heritage Listing of the property will adversely impact on the development potential of this land through the retention of the dwelling house.</p> <p>One of the principal aims of the Heritage Study was to "present Heritage as an integral part of tourism potential of the Richmond Valley Local Government Area" - (Ordinary Meeting - Richmond Valley Council, Tuesday 20 March 2007). This building in its current location and condition does not best conform to this aim. The commercial nature of the locality does not provide an amenity suitable for Residential Use.</p> <p>Property is strategically located to best service the adjoining commercial uses.</p> <p>Commercial gain by other third party tour operators does not deliver the best result for the prime commercial site.</p> <p>The architectural features of the dwelling are located upon further dwellings in Evans Head located away from the commercial centre.</p> <p>Adaptive re-use of the building is constrained, thereby limiting the development potential of the site and associated property valuation.</p> <p>An alternative approach for non-commercial structures within the village centre is to amend DCP 10 to identify places of interest which are important because of their civic or entertainment uses. When preparing applications for new development on or in the vicinity of these buildings and place of interest in association with all other assessment matters inclusive amenity, economic, design and adaptive re-use.</p> <p>The owners whilst not supporting Heritage Listing of the property, propose to provide a dedicated on the subject land for historical data (photos and signage) illustrating the historical use of the land and the adjoining property by the Gollan family.</p>
Comments	<p>The dwelling is a well maintained and a striking part of the streetscape. Arguments suggesting that the site is unsuitable for residential purposes defy its current and former uses.</p> <p>The site is large and redevelopment of the motel could still be undertaken by incorporating this Art Deco style dwelling into its layout. Similar motel developments in Grafton have retained heritage cottages and are utilised as part of the motel accommodation or reception/dining. If this building were heritage listed incentives could be granted to the redevelopment.</p>
Recommendation	List

New Italy

28.	SHI#2850035
Item Name	Bazzo's Well
Suburb	New Italy
Street Address	Forest Road NEW ITALY NSW 2472
Objection	Yes
Submission Summary 1	<p>Concerned their client was not consulted during preparation of the Heritage Study.</p> <p>Requires information on how property is affected if Listed, particularly wants to know what aspects of property are proposed</p>

Objection	for Heritage Listing.
Submission Summary 2	<p>Yes</p> <p>Previous owner, Mr Alcock, had his own Bulldozer and did extensive clearing including the construction of two large dams and clearing for logging up until property was sold in 2005. According to Mr Alcock the original Bazzo house site is now where the swimming pool is located and would have required extensive earth moving and clearing.</p> <p>Steel vats referred to in the report, which lists GPS coordinates without the owner's knowledge, have nothing to do with New Italy as they were brought in by Mr Alcock from Tamworth. It would be appreciated if the GPS coordinates were removed immediately.</p> <p>When the property was bought, Bazzo's well was overgrown with weeds, covered with rotting timber and was dangerous. It has been cleaned, fenced and roofed and made a landscape feature and a practical well for house use. It will now be preserved for the future.</p> <p>The well is only a few metres from the swimming pool and house and is enclosed within the pool fence therefore any public viewing would compromise privacy.</p>
Comments	<p>The well has been inspected and is very impressive. Owners have enclosed it within the pool fencing which provides for safety. Nothing done has harmed the well. The owner is also using the well for irrigation. Issues with privacy can be undertaken to remove details of GPS coordinates in the data base. Listing of the property does not entitle anybody to access their land without prior consent. The listing will not create any more awareness of the wells existence than already exists in documentation about New Italy.</p>
Recommendation	List

29.	SHI#2850161
Item Name	St Peter's Church Site & Well (Archaeological Sites)
Suburb	New Italy
Street Address	Forest Road NEW ITALY NSW 2472
Objection	Yes
Submission Summary	<p>Object to the specific items on the basis that the items proposed have limited Heritage value and potential safety hazard.</p> <p>One of the items proposed is the remnants of the stumps of the former Catholic Church site. These items are in poor condition and overturned and highly susceptible to termite attack. From memory they are only about 4" high and just really pieces of old wood laying on the ground. The Catholic Church has shown no interest in the former site and the Church has been moved many, many years ago following damage sustained in a storm.</p> <p>The old wells south of this site provide evidence of former habitation on the property but are potentially a risk to people entering the property who may fall into the wells if they don't see them. The owner some time ago placed timber over the top of the wells to prevent this, but have been considering a more permanent solution to avoid risk of legal liability in the case of injury. If the listing proceeds, it is expected that Council may need to consider providing some form of financial assistance to preserve the items whilst ensuring safety is maintained.</p>
Comments	<p>These are archaeological listings and most often there will only be remnants remaining. It is recognised that only the stumps of the church are left. The wells are in good condition and can be covered or fenced to improve safety. Grants could be made available to assist such work.</p>
Recommendation	List

30.	SHI#2850183
Item Name	New Italy Vineyard Haven
Suburb	New Italy
Street Address	Forest Road NEW ITALY NSW 2472
Objection	Yes
Submission Summary 1	<p>Appalled with recommendation to place this property on the Heritage Register, the compilation of data, and listing on the LEP, without consultation or agreement.</p> <p>Property was assessed years ago and relics on Vineyard Haven were State heritage listed on 10 December 2004.</p> <p>Will contact Heritage Office regarding the unauthorised and unnecessary Inventory #2850183 to delete this from any and all Richmond Council [sic] Heritage files and documents.</p> <p>Not interested in having these relics listed on the LEP as they are statutory protected by the State of NSW already. However, if the listing is merely a reference to the State listing, as outlined by Murray Brown (Heritage Office letter 3-8-07), and that there is no alterations, re-wording, or modifications or restrictions involved then they will be more than satisfied.</p> <p>Therefore, request that Council comply with the Heritage Office's request of 3-8-07.</p>
Comments	<p>The site also has local significance. Notwithstanding, State and regional listings must by default be included within a draft local environmental plan.</p>
Submission Summary 2	<p>Note an inventory sheet has been prepared for the proposed LEP listing of Vineyard Haven. There are significant variations between the wording of the data sheet and the wording for this property's State Heritage Register listing. Listing gazetted on 10 December 2004.</p> <p>In the interests of consistency request adopting the wording of the SHR Listing, particularly in regard to the Heritage Assessment of the item.</p> <p>Owner does not wish to have the item listed on the LEP and was advised to take up this issue with Council.</p>
Comments	<p>The listing information contained within the Study not inconsistent with that contained within the State Heritage register. It acknowledges this documentation and supports the listing with more up to date documentation. Notwithstanding, it is not an issue to default to the State Heritage Register documentation. Because this item has been State listed it is a requirement that such listings be captured within the local listing process.</p>
Recommendation	<p>List and recognise State and local significance of the site and amend documentation to accord with the State listing.</p>

Swan Bay

31.	SHI#2850033
Item Name	York's House
Suburb	Swan Bay
Street Address	340 Coraki Woodburn Road SWAN BAY NSW 2471
Objection	Yes
Submission Summary	Do not want a heritage listing on the York House.
Comments	This building is historically significant for its association with the York Brothers and their boat building industry. Located on the Woodburn-Coraki Road, and overlooking the Richmond River, it has landmark qualities.
Recommendation	List

Woodburn

32.	SHI#2850028
Item Name	Bank of NSW, former
Suburb	Woodburn
Street Address	93 River Street (Pacific Hwy) WOODBURN NSW 2472
Objection	Yes
Submission Summary 1	<p>Challenge reasons for considering of Heritage significance:</p> <ol style="list-style-type: none">1. Described as classically styled brick building with Art Deco door finish, furniture and cement surrounds - In fact it is a very basic two storey red brick building with no classic design and no significant period style of architecture. Door furniture has been removed and cement surrounds could hardly be the basis to classify the entire property. Substantial additions and modifications have been made.2. Criteria A - "Historically significant as it indicates the importance of Woodburn as a major centre in the 1930's... and withstood the cyclone in 1945". Other properties in River Street, of same era, survived the cyclone. These include Newsagency, Butcher Shop, Chemist Shop and Surgery all are prominent in main street. Former Bank is only property of the criteria to be listed.3. Criteria F - "Two storey commercial brick buildings are rare in Woodburn". The Pharmacy/Surgery building is also a two storey brick building located in the main street, similar in architecture and era. This building is not listed. This shows that the study is not treating each property with the same rules and criteria to be judged fairly for Heritage Listing. <p>Recommended management is that it should not be painted or rendered. To render and painted is in the vicinity of \$180,000. There is no intention of having this done.</p> <p>Woodburn Butcher Shop has not been listed. It is of same era, is same location, survived the cyclone in 1945 and is owned by a very prominent long-standing local Butcher (Merv Morgan). Mrs Gardiner indicated that this property had not been brought to her attention, however Mr Morgan is credited within the Study as a contributor, and both Mrs Gardiner and Mr McAteer had previously been into the Woodburn Butcher Shop asking Mr Morgan questions on his property.</p> <p>Inconsistency with facts, and tainted interview with Mrs Gardiner, show her study has not been carried out either thoroughly nor equally to every member of the community.</p> <p>The Root's family were pioneers in the Apiary industry in Australia over three generations. The original sheds and equipment still exist on the family property in Donaldson Street and are older and far more significant, not only locally but nationally, and should have been listed long before a red brick former bank.</p> <p>The study of this building did not provide any significant reason to single out the property over other properties of the same era in the town. There are no major architectural or historical features to</p>

<p>Objection Submission Summary 2</p>	<p>warrant its listing. Yes Enclose further submission containing photos identifying many inadequacies in the Heritage Study. The photos and adjoining notes identify many properties that were omitted from the Study that had substantial significance to the community but have been left off the list. Other properties shown to be on the list with less significance or similar architectural features are also included. It has been stated that the former Bank has certain links to the community, however attention is drawn to the Butcher Shop built in the same era as the Bank. It still operates as a Butcher Shop today (as opposed to the former Bank which has not been used for that purpose for over 20 years) and therefore has more historical and significant links to the community. Also the 8-2-8 store at Evans Head should have been placed on the list, which was exhibited prior to DA approval for demolition. It was a classic example of a 1930s business in Evans Head and find it again biased that it was not placed on the list. Neither the Butcher shop nor the 8-2-8 store, were placed on the list and no explanation given as to why. Both properties are of far greater Heritage significance than the former Bank. This property is not of sufficient significance to warrant being on the list and ask that it be removed.</p>
<p>Objection Submission Summary 3</p>	<p>Yes Draw attention to huge inconsistencies within the Heritage Study as carried out in the Evans Head/Woodburn area. Thomas Paddon was the undisputed pioneer of Evans Head. Achievements along with son James, and Grandson Evan, are well documented. Thomas owned the family property situated at 7-9 Elm Street Evans Head which was passed on to his son James who lived in the original timber home. James' son Evan lived in the existing brick home which today is owned by Evan's daughter. The property has always remained in the Paddon family however it did not appear on any Heritage Listing. Nor did any of the other Paddon properties situated at 1, 3, 5, 7 Woodburn Street Evans Head all of which have remained in the Paddon family to this day. They were built in the same era with similar design and features as other properties such as 33 & 35 Park Street, properties which are on the Heritage List but none of the Paddon properties are. Many affected by this listing, feel that if the Study was carried out equally the above properties should definitely have been included, however, none feel that properties should be forcibly placed on a Heritage Listing.</p>
<p>Comments</p>	<p>Former bank building is a significant structure within the Woodburn commercial precinct. Brick work contains Art Deco patterning. Other similar former bank buildings within the Council area are, or have previously been, heritage listed and several of these bare striking architectural resemblances to this building. The building has had minor alterations to the exterior but nothing that detracts from the building's significance. The owner has indicated no intention to further alter or demolish the building, which is consistent with this listing. This is a local heritage listing and will not involve consultation with the NSW Heritage Office, as may be required for State listed items. Redevelopment and reuse of the site would not be precluded due to a listing, as long as they are sympathetic to the heritage elements of the building. Criticism of Mrs Gardiner and Mr McAteer having met with Mr Morgan are ill founded. This meeting was conducted over the counter of his butcher shop, was unannounced, and only related to collecting historic data regarding a disused slaughter house south of Woodburn.</p>
<p>Recommendation</p>	<p>List</p>

33.	SHI#2850118
Item Name	Woodburn Central Public School
Suburb	Woodburn
Street Address	Woodburn Street WOODBURN NSW 2472
Objection	No
Submission Summary	The Department has no objection to the inclusion of individual School Buildings where the style and features are significant and the buildings are not commonly found throughout NSW. The Department, however, has objections to the general listing of all types of buildings at a particular school irrespective of age, such a classification may restrict or delay future modern teaching and learning facilities with the preparation of full Heritage assessment for nine (9) Heritage Items.
Comments	Woodburn Public School - There are no objections to the listing of the Library (Building B001) at Woodburn Public School. List only building BOO-I, being the original school building. This was not a library building when inspected on 10 June 2004, although this may have changed.
Recommendation	List building identified by the Department of Education and Training as BOO-I.

34.	SHI#2850166
Item Name	Residence
Suburb	Woodburn
Street Address	23 Woodburn Street WOODBURN NSW 2472
Objection	Yes
Submission Summary	Why were they not consulted prior to the final Study being presented to Council? There are a lot of mistakes in the information collected and the listing of this house as a hospital is hyperthelia as they have never seen any documentation in this regard. The historic notes state that little is known about the building being a hospital. Who in the community proposed listing this property and whom will it benefit? Owners are nearing retirement age and cannot afford to renovate their house, as they feel this would be the issue if classed as a Heritage dwelling. They also feel that it would devalue the dwelling having more monetary impact on their retirement and causing unwarranted stress.
Comments	Further information has come to hand confirming the dwellings former use as a maternity hospital prior to c.1945. Heritage listing does not compel the owner to renovate or maintain to a specified standard. Studies have shown that, other factors being equal, that listing, particularly at a local level, does not devalue real estate.
Recommendation	List

35.	SHI#2850237
Summary	Casino Town Centre (CBD) Conservation Area 88 Properties 8 Submissions of objection <ul style="list-style-type: none"> • Building not historically special and has little architectural appeal. • Land has greater value to the community if it can be redeveloped. • Renovations made, at direction of Council in 1950's, to remove balcony and other items that now might be considered heritage.

- Purchased with redevelopment in mind.
- The Study has dwelled far too much on Art Deco as a style.
- More effort should be made to congratulate, encourage and assist owners to preserve, paint, restore buildings and adapt same for contemporary reuse.

Recommendation

It is recommended that the Casino CBD (Town Centre) Conservation Area be adopted, however, with redefined boundaries to include both sides of Barker Street (from Centre Street to the Tattersalls Hotel), and both sides of Walker Street (from Commercial Hotel/Westpac Bank to Canterbury Street). The conservation area is predominantly restricted to property facades, but may extend into the buildings up to 10 metres where internal heritage fabric remains.



Figure 1 – Revised Casino Town Centre (CBD) Conservation Area Boundaries (July 2008)

36.

Summary

SHI#2850225
 New Italy Archaeological Conservation Area
 53 properties comprising of 64 lots.
 55 Submissions of objection (representing 40 properties and including the New Italy Ratepayers Association)

- No consultation with landowners
- Walked entire length and breadth of land and no fabric has been found. There is nothing left within the proposed archaeological conservation area beyond that already identified in the study. Land has been cleared, excavated and nothing has been found. *[Note: These points were raised in most submissions].*
- Houses were built of mud brick, wood slab and corrugate. They were either recycled or have disintegrated over time.
- Many are happy for land to return to native vegetation but others continue to farm and improve as well as alter the

landscape thus most fabric would have been well and truly destroyed over the last 100 years.

- Museum was built as a monument to the Italian settlers and there is no need for the conservation area.
- The Italian story has been romanticised and embellished. The fact is the settlement proved to be a tough environment and most residents left at the first opportunity taking everything they could. Even materials at the church were scavenged following its demise.
- Will devalue land.
- Will reduce saleability.
- Restrictions will be placed on day to day activities. Apparently the Study calls for no heavy machinery to be used, despite the area being heavily worked and disturbed for the last 100 years. Should this just stop?
- Doubts as to the accuracy of the quoted 1200 acre settlement area.
- No right to enter land without permission.
- Long term residents have no knowledge of any remaining fabric.
- Archaeological conservation area will attract people treasure hunting.
- Land is identified in the study as being Zoned 1(b1) yet is actually rural residential or general residential. This is an example of errors in the Study.
- Errors in Study have been relied upon in making decisions.
- Land owned by a former Councillor has been left out of area.
- Isn't the museum enough?
- Blanket conservation area is unwarranted.
- Object to blanket conservation area without first having done an archaeological survey to determine if there is anything worth protecting.
- Items proposed to be protected pose a safety hazard and have limited heritage value.
- Italian community has shown little interest in the area or the items proposed to be protected since leaving over 80 years ago. Their focus has been on the museum.
- Do not want legal responsibility for persons enter properties.
- Do not want the cost of preparing heritage management plans, or costs associated with preparing and lodging a development application.
- Rates should be reduced.
- Compensation should be made to owners.
- An alternative could be to construct a scale model of the New Italy Settlement and display this at the museum.
- Reserve the right to farm – this proposal may inhibit such activities.
- Area of the New Italy Settlement is commonly accepted as 3006 acres and not the 1200 acres quoted in the Study. Mapped area differs considerably from that contained in the publication 'Our Italian Heritage' (1980), which was based on the Parish Map.
- The area's relics relate largely in the form of shaped landscapes, which are similar in many ways to those located throughout the area, Australia or the world, and consist of mounds, wells, trenches and other earthen features.
- Support individuals who would seek to have individual items listed.
- Purchased during study and not informed.
- Study contains many inaccuracies, exaggerations, and embellishments, and is not a document that such a decision should be based.

- If promoting heritage for tourism, the road infrastructure is inadequate.
- At least 80% of landowners are opposed to proposal.
- Fences fall down, soil disintegrates, termites are prevalent, debris is cleared, and fires come through. What has happened due to time, nature and improvement should not now be considered destruction from landowners and a reason to impose such protective measures.
- Giving knowledge to landowners about heritage would be a far better approach than this blanket proposal.
- Decision should be based on fact and accuracy.
- Lack of detail in proposal: photos not dated and not current; sources not noted; agricultural lines and contours included but are able to be proved or disproved; information vague.
- Landscape is not returning to that encountered by the Italians. Most owners are active in using their land and developing same for today's existence.
- Past heritage listings at New Italy have left a sour taste with locals as there has been no communication or consultation. When the School Trust undertook work at the site it was condemned by the heritage advisors yet no information has been disseminated to these well meaning residents.
- Many erroneous items suggested in the Study as being of heritage value, eg: The Park of Peace sign portrayed in the Study was erected in the Mid 1990's by a local directing party goes to her home.
- Individual sites that have been identified may well be able to be listed depending upon good relations with the landowners, but the archaeological conservation area proposal is not the way to develop such co-operation.
- Suggest alternatives to the archaeological conservation area should be investigated so as to be less intrusive upon the New Italy residents.

Comments

The Study referred to the Conservation Area being 1200 acres (or 500ha). This error was generated by rescaling an already rescaled area, ie 3200acres was rescaled to 1200 ha but then rescaled as 1200acres to 500ha. This error has been corrected.

The Conservation Area covers land that is in fact contained within Zone No 1(b1) under the LEP. The 'rural residential' and 'general residential' mentioned relates to rating purposes only and not land use planning.

There is no land within the New Italy area owned by a former Councillor. It is believed that the said former Councillor's family has some land at New Italy and in fact part of their parcel is included in the nominated conservation area. The boundaries of the conservation area were defined from settlement maps and not based on current ownership.

The boundaries of the nominated Conservation Area were adopted from the same map as contained in 'Our Italian Heritage'.

Recommendation

Due to overwhelming objections to this archaeological conservation area, and retrospective realisation that such a listing may have unacceptable and onerous impacts upon non-archaeological activities on the land. It is recommended that the Archaeological Conservation Area be withdrawn from the Study. To achieve the Study's objectives of protecting any potential archaeological fabric, it is recommended that a special "Historic New Italy Village Area" clause be included within the *Draft Richmond Valley Local Environmental Plan 2009*. The clause should be drafted along the following lines-

- refer to a defined area labelled 'Historic New Italy Village Area' which will appear on the 'Richmond Valley Local

- Environmental Plan 2009 - Heritage Map',
- provide for a preliminary assessment to be undertaken prior to undertaking any works that could involve ground disturbance. Such a preliminary assessment would be undertaken by the owner to determine if there is a likelihood of archaeological remnants being disturbed by the proposed work. Likely outcomes from the preliminary assessment would be-
 - o if nothing is observed - work may proceed, however, if anything is discovered during works, they must immediately stop work until further notice, and must inform Council and/or the NSW Heritage Office,
 - o if something is discovered – work may proceed where disturbance of the item can be avoided. If disturbance is unavoidable then prior to undertaking the work a full archaeological assessment will be required, development consent obtained from Council, and a permit acquired under Section 139 of the *Heritage Act 1977*.

Information relating to the New Italy Historic Settlement Area would be included within a Section 149 Planning Certificate to inform new residents that they are within the Area and to be mindful of potential archaeology.

Council will provide assistance to any property owner with regard to undertaking a preliminary assessment or the preparation of a development application. Guideline in the form of a development control plan should be developed to assist with these assessments and to provide background information.

Conclusion

This report contains a list of 34 heritage items and 2 conservations which have received objections and which have been recommended for listing. The contents of this report are similar to that presented Council on 17 June 2008, from which a decision was deferred.

Reference material on each of the above items and areas was previously circulated to each Councillor to assist with this decision.

RECOMMENDATION

Recommended that:

1. nominated heritage items, labelled 1 to 34, be heritage listed, subject to terms identified for each below (bold notates existing listing).

	SHI#	Item Description	Locality	Recommendation
1	2850042	Broadwater Sugar Mill Manager's Residence	Broadwater	List
2	2850147	Broadwater Union Church & Hall, former	Broadwater	List
3	2850178	Broadwater Post Office, Former	Broadwater	List
4	2850013	Former Casino Municipal Chambers, Civic Arcade and Shops	Casino	Retain on LEP with expanded description to cover entire former Casino Council Chambers/Offices, Civic Arcade and shop complex, including the well maintained Art Deco interior of the former Council Chambers/offices.
5	2850131	Uniting Church	Casino	List
6	2850155	Savins First National Real Estate	Casino	List the former Rural Bank building (113 Barker Street Casino) only
7	2850172	Residence, former Innisfail Maternity Hospital, 40 Johnston St	Casino	List
8	2850276	Casino Public School	Casino	List buildings identified by the Department as B00-A, B00-B and B00-C, inclusive of several Camphor Laurel trees in the vicinity of these heritage buildings
9	2850277	Manyweathers Weir, Richmond River (West St)	Casino	List
10	2850279	Residence, 89 Lennox St	Casino	List
11	2850282	Second Hand Shop, 139 Walker St	Casino	List
12	2850299	Residence, 6 Riverside Lane	Casino	List
13	2850311	Parsonage, Former, 178 Canterbury St	Casino	Retain existing listing on the LEP
14	2850340	Residence, 48 Barker St	Casino	List
15	2850348	Victory Camp Site, Summerland Way	Casino	List
16	2850047	Coraki Post Office and Residence	Coraki	Retain existing listing on LEP
17	2850065	Glebe Bridge, Lismore Rd	Coraki	Retain existing listing on LEP

	SHI#	Item Description	Locality	Recommendation
18	2850112	Coraki Public School	Coraki	List buildings identified by the Department as B00-A and B00-B, including Camphor Laurels within the vicinity of those heritage buildings
19	2850145	Residences group, 25, 27, 29, 31 & 33 Donaldson St	Coraki	List as group
20	2850018	Jo Woodford's Guest House, former, 47-49 Woodburn St	Evans Head	List
21	2850038	Pop Gunthorpe's House (former), residence, 20 Mangrove St	Evans Head	List
22	2850119	Machine Gun Pit, 95 Blue Pool Rd	Evans Head	List the machine gun pit
23	2850121	Paddon Grave, Iron Gates	Evans Head	List Paddon Grave inclusive of a formerly fenced area surrounding the grave having approximate dimensions of 12 x 7.5 metres
24	2850123	Paddon Wharf, McDonald PI	Evans Head	List Paddon Wharf noting its previous modifications and the need for ongoing and urgent maintenance
25	2850125	Middleton Residence, former, 18 Mangrove St	Evans Head	List
26	2850130	Carpenter's Workshop, former RAAF building, 11-15 Canberra Rd	Evans Head	List
27	2850247	Residence, 36 Woodburn St	Evans Head	List
28	2850035	Bazzo's Well, Forest Rd	New Italy	List
29	2850161	St Peter's Church Site & Well (Archaeological Sites), Forest Rd	New Italy	List
30	2850183	New Italy Vineyard Haven, 1 Forest Rd	New Italy	List and recognise State and local significance of the site and amend documentation to accord with the State listing
31	2850033	York's House, 340 Woodburn-Coraki Rd	Swan Bay	List
32	2850028	Bank of NSW, former, 93 River St (Cnr Duke St)	Woodburn	List

	SHI#	Item Description	Locality	Recommendation
33	2850118	Woodburn Central Public School	Woodburn	List building identified by the Department as B00-I
34	2850166	Residence, 23 Woodburn St	Woodburn	List

2. nominated Casino Town Centre (CBD) Conservation Area be heritage listed with revised boundaries to consist of both sides of Barker Street (from Centre Street to the Tattersalls Hotel), and both sides of Walker Street (from Commercial Hotel/Westpac Bank to Canterbury Street), as depicted within Figure 1 to the report, and to be predominantly restricted to property facades, but extending into properties by up to 10 metres where internal heritage fabric is considered to remain.
3. the New Italy Archaeological Conservation Area be withdrawn.
4. the “Historic New Italy Village Area” be created that establishes a special clause within the *Draft Richmond Valley Local Environmental Plan 2009* that provides for:
 - (a) a preliminary assessment process to determine whether any activity, that would disturb the ground, could alter or expose relics or archaeology;
 - (b) reference to an area labelled “Historic New Italy Village Area” on a map;
 - (c) DCP provisions to provide guidelines on the preliminary assessment process; and
 - (d) consent to disturb relics or archaeology, while acknowledging that permits are already required under Section 139 of the *Heritage Act 1977*.

150708/ 21 RESOLVED (Cr. Mustow/Cr. Thomas)

That nominated heritage items, labelled in the following table, be heritage listed, subject to terms identified for each below (bold notates existing listing).

	SHI#	Item Description	Locality	Recommendation
4	2850013	Former Casino Municipal Chambers, Civic Arcade and Shops	Casino	Retain on LEP with expanded description to cover entire former Casino Council Chambers/Offices, Civic Arcade and shop complex, including the well maintained Art Deco interior of the former Council Chambers/offices.
8	2850276	Casino Public School	Casino	List buildings identified by the Department as B00-A, B00-B and B00-C.
9	2850277	Manyweathers Weir, Richmond River (West St)	Casino	List.

	SHI#	Item Description	Locality	Recommendation
11	2850282	Second Hand Shop, 139 Walker St	Casino	List the property façade but extending into property by up to 10 metres where internal heritage fabric is considered to remain.
13	2850311	Parsonage, Former, 178 Canterbury St	Casino	Retain existing listing on the LEP.
15	2850348	Victory Camp Site, Summerland Way	Casino	Investigate boundaries of Camp Site before listing.
16	2850047	Coraki Post Office and Residence	Coraki	Retain existing listing on LEP.
17	2850065	Glebe Bridge, Lismore Rd	Coraki	Retain existing listing on LEP.
18	2850112	Coraki Public School	Coraki	List buildings identified by the Department as B00-A and B00-B.
19	2850145	Residences group, 27, 29, 31 & 33 Donaldson St	Coraki	List as group.
22	2850119	Machine Gun Pit, 95 Blue Pool Rd	Evans Head	List the machine gun pit.
23	2850121	Paddon Grave, Iron Gates	Evans Head	List Paddon Grave inclusive of a formerly fenced area surrounding the grave having approximate dimensions of 12 x 7.5 metres.
24	2850123	Paddon Wharf, McDonald PI	Evans Head	List Paddon Wharf noting its previous modifications and the need for ongoing and urgent maintenance.
28	2850035	Bazzo's Well, Forest Rd	New Italy	List.
29	2850161	St Peter's Church Site & Well (Archaeological Sites), Forest Rd	New Italy	List.
30	2850183	New Italy Vineyard Haven, 1 Forest Rd	New Italy	List and recognise State and local significance of the site and amend documentation to accord with the State listing.
32	2850028	Bank of NSW, former, 93 River St (Cnr Duke St)	Woodburn	List.
33	2850118	Woodburn Central Public School	Woodburn	List building identified by the Department as B00-I.

150708/ 22 RESOLVED (Cr. Mustow/Cr. Jeffery)

That nominated Casino Town Centre (CBD) Conservation Area be heritage listed with revised boundaries to consist of both sides of Barker Street (from Centre Street to the Tattersalls Hotel), and both sides of Walker Street (from Commercial Hotel/Westpac Bank to Canterbury Street), as depicted within Figure 1 to the report, and to be predominantly restricted to property facades, but extending into properties by up to 10 metres where internal heritage fabric is considered to remain.

150708/ 23 RESOLVED (Cr. Mustow/Cr. Thomas)

That:

1. the New Italy Archaeological Conservation Area be withdrawn.
2. the “Historic New Italy Village Area” be created that establishes a special clause within the *Draft Richmond Valley Local Environmental Plan 2009* that provides for:
 - (a) a preliminary assessment process to determine whether any activity, that would disturb the ground, could alter or expose relics or archaeology;
 - (b) reference to an area labelled “Historic New Italy Village Area” on a map;
 - (c) DCP provisions to provide guidelines on the preliminary assessment process; and
 - (d) consent to disturb relics or archaeology, while acknowledging that permits are already required under Section 139 of the *Heritage Act 1977*.