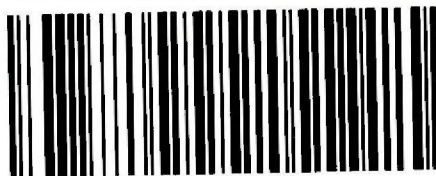
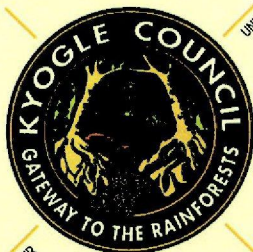


All communications to be addressed to:
The General Manager
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PGF000207

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Matthew Hutchings

CONTACT

FOR FURTHER INFORMATION
Draft LEP 18

PLEASE QUOTE THIS REFERENCE

22 April 2010

Department of Planning
76 Victoria Street
Locked Bag 9022
GRAFTON NSW 2460

Dear Sir/Madam,

Received

23 APR 2010

G01/00009
09/03328
North Coast

DRAFT KYOGLE LOCAL ENVIRONMENTAL PLAN - HERITAGE PROVISIONS

Application is herein made to convert Kyogle Council's draft Local Environmental Plan 18 from the pre-Gateway plan making process to a Planning Proposal under the amended provisions of the *Environmental Planning and Assessment Act 1979*. This is to provide a contingency plan in the event that the LEP is not published by the expiration period established by the 1 July 2009 amendments to the Act.

A section 65(1) certification of draft LEP 18 (Heritage Provisions) was issued by the Director General on 16 February 2007 and revised on 28 August 2009. Due to the establishment of new procedures for the preparation of local environmental plans, draft LEP 18 may only be made under the pre-Gateway plan making provisions until 1 July 2010. This may not be achievable.

Currently LEP 18 has undergone public advertising following the resolution of Kyogle Council at its Ordinary Meeting held 15 February 2010 to adopt the draft Kyogle Local Government Area Heritage Review 2009 and draft Local Environmental Plan 18 (Heritage Provisions) for the purpose of public exhibition. This exhibition period spanned 32 days from 22 March 2010 until the close of business on 22 April 2010. Submissions are being collated and a report to the elected Council is anticipated on 17 May 2010.

The aims of LEP 18 are described in clause 1.2 of the draft document, which is attached for your information and purposes. The LEP endeavours to provide planning controls for a number of environmental studies undertaken in the Kyogle Local Government Area pertaining to non-Indigenous heritage, including the:

- *Godden Mackay Kyogle Shire Heritage Study, Volume 1*
- *Godden Mackay Kyogle Shire Heritage Study, Volume 2*
- *Kyogle Local Government Area Heritage Review 2009*
- *Kyogle Local Government Area State Heritage Inventory Database*

It also seeks to bring to fruition the objectives of *Division 3 Heritage* of the *North Coast Regional Environmental Plan*, section 117 *Direction 2.3 Heritage Conservation*, and Section 117 *Direction 5.1 Implementation of Regional Strategies* (the Far North Coast Regional Strategy describes on page 20 that "Councils and the Department of Planning will review the scope and quality of the existing statutory lists of heritage items and ensure that all places of significance are included in the heritage schedules of local

environmental plans." Kyogle Council currently does not have an existing statutory list although places of significance have been documented through joint funding from the Heritage Branch).

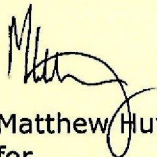
There is inherently merit in the proposed LEP 18 being progressed to the point of publication and the proposal to convert the process to a Planning Proposal is deemed to be insurance that the aims of the plan will be achieved.

For the purposes of completeness, you will also find enclosed draft maps displayed by Council during the advertising period of LEP 18 and the Kyogle Local Government Area Heritage Review 2009. In order to finalise these maps in accordance with the Standard Technical requirements for LEP maps, the electronic scale will need to be corrected, the grey borders established, and the grid scale revised to better suit the villages of the Kyogle Local Government Area.

Kyogle Council is striving to provide the necessary statutory and administrative framework that can foster the retention and conservation of identified heritage items over the Local Government Area. Subsequent to this Council humbly requests that the pre-Gateway process for LEP 18 be amended to a Planning Proposal under the new Part 3 of the Act.

Should you require any further information or clarification on this matter please do not hesitate to contact Council's Planning and Environmental Services Department on (02) 6632 0216.

Yours faithfully



Matthew Hutchings
for
John Hession

Director Planning and Environmental Services

Kyogle Local Environmental Plan 18

under the
Environmental Planning and Assessment Act 1979



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Kyogle Local Environmental Plan 18

Part 1 Preliminary

1.1 Name of Plan

This Plan is Kyogle Local Environmental Plan 18.

1.2 Aims of Plan

- (1) This Plan aims to make local environmental planning provisions for heritage conservation on land within the Kyogle Council local government area in a prescribed standard form.
- (2) The particular aims of this Plan are as follows:
 - (a) to give effect to the *Kyogle Shire Heritage Study 1996* and the *Kyogle Heritage Review 2009*;
 - (b) to integrate heritage conservation into planning and development control processes;
 - (c) to conserve the environmental heritage of the Kyogle Council local government area; and
 - (d) to encourage an appreciation of the heritage of the Kyogle Council local government area.

1.3 Land to which Plan applies

This Plan applies to the land identified on the Land Application Map.

1.4 Definitions

The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.

1.5 Notes

Notes in this Plan are provided for guidance and do not form part of this Plan.

1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Kyogle Council.

1.7 Maps

- (1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:
 - (a) approved by the Minister when the map is adopted, and
 - (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.
- (2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.
- (3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.
- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

Note. The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* which are available on the Department of Planning's website.

1.8 Repeal of other local planning instruments applying to land

- (1) This plan amends *Interim Development Order No. 1 - Shire of Kyogle* and *Interim Development Order No. 1 - Shire of Terania* by inserting after Clause 22(c) the Clause 22(d).
- (2) Clause 22(d) shall read "the consent authority is satisfied that the development is consistent with the objectives and provisions of Kyogle Local Environmental Plan 18."

1.9 Application of SEPPs and REPs

- (1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.

Note. Section 36 of the Act generally provides that SEPPs prevail over REPs and LEPs and that REPs prevail over LEPs. However, a LEP may (by an additional provision included in the Plan) displace or amend a SEPP or REP to deal specifically with the relationship between this Plan and the SEPP or REP.

Part 2 Heritage provisions

2.1 Heritage conservation

Note. Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 1.

Note. Where Aboriginal heritage is not listed in Schedule 1, section 79C of the *Environmental Planning and Assessment Act 1979* will require that matters involving Aboriginal heritage significance are taken into consideration in determining a development application.

(1) Objectives

The objectives of this clause are:

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

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
- (c) altering a heritage item that is a building by making structural changes to its interior,
- (d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,
- (g) subdividing land on which a heritage item is located or that is within a heritage conservation area.

(3) When consent not required

However, consent under this clause is not required if:

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

(4) Effect on heritage significance

The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage impact assessment

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

- (a) on which a heritage item is situated, or
 - (b) within a heritage conservation area, or
 - (c) within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

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

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

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

(8) Places of Aboriginal heritage significance

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

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

(9) Demolition of item of State significance

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

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

(10) Conservation incentives

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

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

- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

Schedule 1 Environmental heritage

(Clause 2.1)

Part 1 Heritage Items					
Suburb	Item name	Address	Property description	Significance	Item and database number
Bonalbo	Bonalbo and District Community Hall	4 Koreelah Street	2//835779	Local	I171
Bonalbo	Bonalbo Avenue of Pines	Road verge	Road Reserve	Local	I369
Bonalbo	Bonalbo Bank former	26 -30 Sandiland Streets	10/3/6063	Local	I010
Bonalbo	Bonalbo Blacksmiths Shop former	39 Sandilands Street	1//590423	Local	I012
Bonalbo	Bonalbo Browns Homestead former	13997 Clarence Way	61//819068	Local	I013
Bonalbo	Bonalbo Butter Factory former	1 Sandilands Street	220//855348 221//855348	Local	I002
Bonalbo	Bonalbo Catholic Church	23 -25 Capen Street	1//327600	Local	I004
Bonalbo	Bonalbo CBC Bank former	11 -15 Sandilands Street	1/8/6063	Local	I009
Bonalbo	Bonalbo Cemetery	Clarence Way	7015//1000923	Local	I371
Bonalbo	Bonalbo Cottage Hospital former	13 Cope Street	4/F/10036	Local	I003
Bonalbo	Bonalbo Foodworks	27 Sandilands Street	12//319387	Local	I008
Bonalbo	Bonalbo Hardware Store	25 Sandilands Street	13//319387	Local	I011
Bonalbo	Bonalbo Kirkpatrick's Residence	4 Peacock Street	1//328778	Local	I006
Bonalbo	Bonalbo Masonic Lodge former	73 Woodenbong Road	5/A/10036	Local	I001
Bonalbo	Bonalbo Memorial Park	Woodenbong Road	1/835779	Local	I203
Bonalbo	Bonalbo Presbyterian Church	10 Bonalbo Street	2/6/6063	Local	I368
Bonalbo	Bonalbo Residence and Shop	32 Sandilands Street	8/3/6063	Local	I007
Bonalbo	Bonalbo Showground	Clarence Way	129//751077 130//751077 158//751077 47//751077	Local	I202
Cawongla	Cawongla Bunya Pines	Kyogle Road		Local	I205
Cawongla	Cawongla Cottage	5336 Kyogle Road	1//378105	Local	I172
Cawongla	Cawongla Homestead	1933 Cawongla Road	E//412306	Local	I022
Cawongla	Cawongla Store	5329 Kyogle Road	101//875472	Local	I021
Cawongla	Cawongla Teachers Residence former	5325 Kyogle Road	185//728682	Local	I020
Cedar Point	Cedar Point Residence	12845 Summerland Way	222//715611	Local	I058
Cougal	Cougal Gradys Creek Railway Bridge No. 5	Gradys Creek near the Loop		State	I160
Cougal	Cougal Lions Road	Lions Road		Local	I162
Cougal	Cougal Settlement former	Grady's Creek	16//264312	Local	I165

Suburb	Item name	Address	Property description	Significance	Item and database number
		Road	A/388477 51/620068		
Cougal	Cougal The Border Railway Loop	Richmond Gap Lions Road		State	I163
Doubtful Creek	Doubtful Creek Anglican church	1876 Sextonville Road	4/1/13825	Local	I153
Doubtful Creek	Doubtful Creek Dyraaba Hall	1856 Sextonville Road	357/755732	Local	I372
Dyraaba	Dyraaba Station Homestead Complex	755 Dyraaba Road	6/878572	State	I156
Ettrick	Ettrick Montgomery's Bridge	Iron Pot Creek Road		Local	I388
Ettrick	Ettrick Residence	39 Pines Road	1/610679	Local	I157
Geneva	Geneva Omagh	323 Omagh Road	3/881814	Local	I046
Geneva	Geneva Residence	29 Saville Street	2/537073	Local	I048
Green Pigeon	Green Pigeon Bridge	near 472 Green Pigeon Road		Local	I379
Green Pigeon	Green Pigeon Community Centre	705 Green Pigeon Road	185/755707	Local	I365
Kilgra	Wiangaree Bundock Plaque	Cnr Summerland Way & Homestead Rd	Road Reserve	Local	I169
Kilgra	Wiangaree Wyangerie Homestead	124 Homestead Road	2/701764	State	I188
Kyogle	Kyogle Ambulance Station former	8 Geneva Street	248/4517	Local	I401
Kyogle	Kyogle Anglican Manse former	13 -15 Campbell Road	1/223989	Local	I031
Kyogle	Kyogle Bank of Australasia former	62-66 Summerland Way	11/1064731	Local	I084
Kyogle	Kyogle Bank of NSW former	136 Summerland Way	2/508115	Local	I092
Kyogle	Kyogle Birkbeck's Menswear	83 Summerland Way	12/783829	Local	I073
Kyogle	Kyogle Boden's former	107 Summerland Way	B/303016	Local	I077
Kyogle	Kyogle Campbell's Building	82 -88 Summerland Way	1/301322 3/783902	Local	I391
Kyogle	Kyogle CBA Bank former	68 Summerland Way	10/871210	Local	I085
Kyogle	Kyogle Cemetery	Runnymede Road	7001/96777	Local	I053
Kyogle	Kyogle Chemist Shop	109 Summerland Way	A/302393	Local	I078
Kyogle	Kyogle Citizens Band Hall	176 Summerland Way	1/532420	Local	I054
Kyogle	Kyogle Clock Tower	Summerland Way	Road Reserve	Local	I403
Kyogle	Kyogle Commercial Hotel	97-101 Summerland Way	1/108238	Local	I076
Kyogle	Kyogle Commonwealth Bank	114 -116 Summerland Way	B/303638	Local	I089
Kyogle	Kyogle Convent former	8 Bloore Street	281/4517	Local	I026
Kyogle	Kyogle Council Chambers	1 Stratheden Street	282/4517 283/4517	Local	I050
Kyogle	Kyogle Court House	Cnr Groom and Geneva Streets	1/812650	Local	I033
Kyogle	Kyogle Croquet Club	Summerland Way	753/1104367	Local	I174
Kyogle	Kyogle Derridale Trees	13171 Summerland Way	6/623399	Local	I176
Kyogle	Kyogle Doctor's Surgery	144 Summerland	2/735743	Local	I095

Suburb	Item name	Address	Property description	Significance	Item and database number
Kyogle	former Kyogle Exchange Hotel	Way 63 -65 Summerland Way	2//327761	Local	1069
Kyogle	Kyogle Fairymount Café former	81-83 Summerland Way	12//783829	Local	1072
Kyogle	Kyogle Ganger Cottage former	Off George Street	115//755734	Local	1038
Kyogle	Kyogle Greenwood	433 Summerland Way	11//1035629	Local	1190
Kyogle	Kyogle Historical Museum	10 Wiangarie Street	1//781677	Local	1062
Kyogle	Kyogle Homestead remains	31 Bundock Lane	64//12117	Local	1044
Kyogle	Kyogle Industrial building	33 Bloore Street	277//783826 278//4517	Local	1025
Kyogle	Kyogle Junor's Store former	115 Summerland Way	1//347576	Local	1079
Kyogle	Kyogle Leveretts Cordials former	1 Wyangarie Street	4//730840	Local	1063
Kyogle	Kyogle Masonic Lodge	12 Stratheden Street	101//781824	Local	1052
Kyogle	Kyogle McManus Building former	56 -60 Summerland Way	B//373042	Local	1393
Kyogle	Kyogle Memorial Institute	133 Summerland Way	19//783828	Local	1081
Kyogle	Kyogle Methodist Parsonage former	20 Bloore Street	2//1067865	Local	1028
Kyogle	Kyogle National Bank	102 Summerland Way	1//191996	Local	1088
Kyogle	Kyogle Norco Factory Group	1-3 Chauvel Street	1//1027750 2//1027750 2//1067947	Local	1061
Kyogle	Kyogle Offices	143-147 Summerland Way	21//783901	Local	1397
Kyogle	Kyogle Pair of Houses	52 -54 Highfield Road	2//35487 1//35487	Local	1042
Kyogle	Kyogle Pair of Shops	118 -120 Summerland Way	1//657255	Local	1090
Kyogle	Kyogle Pair of Shops	59 -61 Summerland Way	1//657255	Local	1068
Kyogle	Kyogle Pair of Shops	103 -105 Summerland Way	1//108444	Local	1398
Kyogle	Kyogle Pair of Shops	37-39 Summerland Way	4&5//260777	Local	1065
Kyogle	Kyogle Pair of Shops	87 Summerland Way	A&B//389317	Local	1074
Kyogle	Kyogle Pair of Shops	93-95 Summerland Way	1//108238	Local	1075
Kyogle	Kyogle Pair of Shops	79 Summerland Way	22//805397	Local	1071
Kyogle	Kyogle Pair of Shops	72-76 Summerland Way	B//180227	Local	1086
Kyogle	Kyogle Police Station	64-66 Groom Street	2//812650	Local	1374
Kyogle	Kyogle Post Office	149 Summerland Way	1//776479	Local	1082
Kyogle	Kyogle Presbyterian Church	54 -56 Groom Street	1//328356	Local	1041
Kyogle	Kyogle Presbyterian Church Hall	58 Groom Street	13//9839	Local	1051
Kyogle	Kyogle Presbyterian Manse	37 -39 Mount	150//755734	Local	1049

Suburb	Item name	Address	Property description	Significance	Item and database number
Kyogle	Kyogle Primary School and listed plantings	Street Groom Street/ Rous Road	129//755734	Local	I034
Kyogle	Kyogle Private Hospital former	181 Summerland Way	33//781774	Local	I056
Kyogle	Kyogle Queensland Nation Bank former	138 -140 Summerland Way	A//403007	Local	I093
Kyogle	Kyogle Railway Station Group	Ettrick Street	12//1095432 1//181905	Local	I159
Kyogle	Kyogle Residence	6 Anderson Street	6//23374	Local	I024
Kyogle	Kyogle Residence	15 Fawcett Street	30//12117	Local	I032
Kyogle	Kyogle Residence	23 Geneva Street	3//207289	Local	I036
Kyogle	Kyogle Residence	49 Geneva Street	172//781940	Local	I037
Kyogle	Kyogle Residence	11 Highfield Road	1//567936	Local	I043
Kyogle	Kyogle Residence	17 Rous Street	3//552506	Local	I039
Kyogle	Kyogle Residence	19 Rous Street	157//755734	Local	I040
Kyogle	Kyogle Residence	187 Summerland Way	5//954697	Local	I366
Kyogle	Kyogle Residence	226 Summerland Way	1//612336	Local	I060
Kyogle	Kyogle Residence	1 Yongurra Road	2//10780	Local	I047
Kyogle	Kyogle Roxy Theatre former	7 Geneva Street	255//4517	Local	I035
Kyogle	Kyogle Rural Bank former	94 -100 Summerland Way	61//783909	Local	I087
Kyogle	Kyogle Samios Building	55-59 Summerland Way	2//721805	Local	I067
Kyogle	Kyogle Shirley's Store former	69 -71 Summerland Way	1//783834	Local	I070
Kyogle	Kyogle Station Master's Residence	52 Ettrick Street	2//811042	Local	I389
Kyogle	Kyogle Terraced Row of Four Shops	41- 47 Summerland Way	6,7,8,9//260777	Local	I066
Kyogle	Kyogle Three Shops	121-125 Summerland Way	1//393777 A&B//394481	Local	I080
Kyogle	Kyogle Water Filtration Plant	1 Plant Street	1//1067865	Local	I027
Lillian Rock	Lillian Rock Memorial Gate	Caldera Lane	Road Reserve	Local	I161
Mallanganee	Mallanganee Bank former	64 Sandilands Street	10//304994	Local	I108
Mallanganee	Mallanganee Barber Shop former	72 Sandilands Street	12//312249	Local	I104
Mallanganee	Mallanganee Butcher's shop former	63 Sandilands Street	3//6547	Local	I381
Mallanganee	Mallanganee Café former	44 Sandilands Street	A//392198	Local	I107
Mallanganee	Mallanganee Carey Johnson Memorial Avenue	Bonalbo Street	Road Reserve	Local	I178
Mallanganee	Mallanganee Catholic Church	57 Tooloom Street	2/3//758639	Local	I114
Mallanganee	Mallanganee Catholic School former	62 Tooloom Street	100//752395	Local	I112
Mallanganee	Mallanganee Convent former	59 Tooloom St	3/3//758639	Local	I113
Mallanganee	Mallanganee General Store and Post Office	60 -62 Sandilands St	1/4//123614 111//47440	Local	I109
Mallanganee	Mallanganee Hewetson Home former	7095 Bruxner Highway	2//17479	Local	I099
Mallanganee	Mallanganee Hewetson Home former	7103 Bruxner Highway	13//838859	Local	I098
Mallanganee	Mallanganee Hewetson Home former	7105 Bruxner Highway	4//17479	Local	I100

Suburb	Item name	Address	Property description	Significance	Item and database number
Mallangane	Mallangane Memorial Hall	5 -7 Bonalbo Street	52//752395	Local	I101
Mallangane	Mallangane Memorial Park	53 Sandilands	A//367971	Local	I105
Mallangane	Mallangane Pie Shop	4 Pine Street	A//399099	Local	I102
Mallangane	Mallangane Residence	79 Sandilands Street	2/1/17532	Local	I103
Mallangane	Mallangane Residence	2 Yabba Street	6/2/758639	Local	I115
Mallangane	Mallangane School	38 -52 Tooloom Street	70//752395	Local	I111
Mallangane	Mallangane School Residence	56 Tooloom Street	82//752395	Local	I110
Mallangane	Mallangane Service Station Complex	18 -22 Sandilands Street	1//204959 21//711890 4/1/758639	Local	I106
Mallangane South	Mallangane South 51 Mile Marker	Near 969 Old Lawrence Road		Local	I402
Mallangane South	Mallangane South Finger Board	Old Lawrence Road		Local	I378
Mallangane South	Mallangane South Survey Tree	969 Old Lawrence Road		Local	I380
Mummulgum	Mummulgum Anglican Church	5825 Bruxner Highway	101//755723	Local	I116
Mummulgum	Mummulgum Catholic Church former	8 Bingebee Road	97//755723	Local	I117
New Park	Kyogle Alcom Park	Summerland Way	756//1104367	Local	I173
New Park	Kyogle Alcom Park Band Rotunda	Alcom Park Summerland Way	756//1104367	Local	I023
New Park	Kyogle Showground & Grandstand	43 Summerland Way	118//44795	Local	I057
Old Bonalbo	Old Bonalbo Bean Creek Falls	Falls Road	7012//1108188 2//543736 3//543736	Local	I399
Old Bonalbo	Old Bonalbo Cemetery	Remembrance Drive	7014//96676	Local	I375
Old Bonalbo	Old Bonalbo Community Hall	8 Duck Creek Road	3//166762	Local	I014
Old Bonalbo	Old Bonalbo MJI Motor Cycle Garage	2 Prince Street	1//613972	Local	I017
Old Bonalbo	Old Bonalbo Pioneer Park	Clarence Way	Road Reserve	Local	I405
Old Bonalbo	Old Bonalbo Post Office & General Store	Duck Creek Road	2//167973	Local	I019
Old Bonalbo	Old Bonalbo Residence	13 Duck Creek Road	1//17551	Local	I016
Old Bonalbo	Old Bonalbo Store former	15242 Clarence Way	A//365820	Local	I015
Old Grevillia	Old Grevillia Moore Park Nature Reserve	Findon Creek Road	1//180655	Local	I193
Paddys Flat	Paddys Flat Bridge	Paddys Flat Road	Road Reserve	Local	I395
Pagans Flat	Minneys Creek Bridge	Clarence Way	Road Reserve	Local	I394
Richmond Gap	Richmond Gap Border Tick Gate	Lions Road	Road Reserve	Local	I166
Sandilands	Mallangane Rodeo Ground	Bruxner Highway	7002//96390	Local	I182
Sandilands	Sandilands Sculpture Garden	Bruxner Highway	Reserve 21418	Local	I184
Sandilands	Sandilands Station Complex	7689 Bruxner Highway	1//123612	Local	I183
Tabulam	Tabulam Bridge	Bruxner Highway	Road Reserve	State	I154
Tabulam	Tabulam Cemetery	219 Racecourse Road	7017//1066120	Local	I376
Tabulam	Tabulam Chauvel Park	Clarence Street	5//833655	Local	I186
Tabulam	Tabulam Hotel	34 -42 Clarence	1/1/11813	Local	I383

Suburb	Item name	Address	Property description	Significance	Item and database number
Tabulam	Tabulam Police Station	Street			
Tabulam	Tabulam Post Office	17 -19 Court Street	1/2/11813	Local	I373
Tabulam	Tabulam Racecourse	12 -14 Court Street	214//39896	Local	I118
Tabulam	Tabulam St John's Church	Racecourse Road	34//752397	Local	I187
Tabulam	Tabulam St John's Church	26 Clarence Street	5/1/11813	Local	I382
The Risk	The Risk Bottle Brush Avenue	Grady's Creek Road	Road Reserve	Local	I192
The Risk	The Risk Hall	75 Grady's Creek Road	1//322341	Local	I362
The Risk	The Risk School and Teachers Residence	122 Grady's Creek Road	84//755719	Local	I363
The Risk	The Risk Station Bridge	Risk Road	Road Reserve	Local	I408
The Risk	The Risk Water Facilities	Risk Road	2//859278	Local	I409
Unumgar	Unumgar Dairy Flat	Summerland Way	7013//105600		I196
	Landscape		7004//1057677 7300//1129206 46//755750	Local	
Unumgar	Unumgar Homestead	4135 Summerland Way	Pt1//531985	Local	I194
Urbenville	Urbenville Showground & Memorial Gates	Clarence Way	24//751069	Local	I200
Wadeville	Wadeville Barkers Vale School	4501 -4504 Kyogle Road	23//792111	Local	I152
Wadeville	Wadeville Hanging Rock Hall	77 Williams Road	188//728691	Local	I404
Wiangaree	Wiangaree Community Hall	1393 Summerland Way	8/7/759088	Local	I150
Wiangaree	Wiangaree General Store	60 Worendo Street	9/8/759088	Local	I149
Wiangaree	Wiangaree St Johns Anglican Church	Worendo Street	1/10/759088	Local	I151
Woodenbong	Woodenbong Anglican Church	20 Lindsay Street	91//733874	Local	I119
Woodenbong	Woodenbong Bakery former	25 MacPherson Street	3/9/759111	Local	I122
Woodenbong	Woodenbong BJs Grocery store	27 MacPherson Street	10//748304	Local	I123
Woodenbong	Woodenbong Carol's Arts & Crafts	30 Unumgar Street	3/6/75911	Local	I144
Woodenbong	Woodenbong Cemetery	95 Hill View Street	7004//1055062	Local	I199
Woodenbong	Woodenbong Chemist Shop	39 MacPherson Street	3/8/759111	Local	I128
Woodenbong	Woodenbong Church of the Sacred Heart	11 -13 MacPherson Street	9/9/759111	Local	I135
Woodenbong	Woodenbong CWA Rooms	36 MacPherson Street	15//662572	Local	I125
Woodenbong	Woodenbong Former Store	16 Unumgar Street	1//220125	Local	I130
Woodenbong	Woodenbong Hardware & Electrical Store	17 Dalmorton Street	11//748304	Local	I134
Woodenbong	Woodenbong Hotel	43 MacPherson Street	1/8/759111	Local	I145
Woodenbong	Woodenbong M & L Quality Meats	37 MacPherson Street	4/8/759111	Local	I124
Woodenbong	Woodenbong Masonic Lodge former	41 Lindsay street	4/5/759111	Local	I384
Woodenbong	Woodenbong National Australia Bank	34 MacPherson Street	14/4/759111	Local	I131
Woodenbong	Woodenbong Offices former	42 MacPherson Street	7/5/759111	Local	I126
Woodenbong	Woodenbong Police Station	1 -5 Unumgar Street	7001//92987	Local	I147
Woodenbong	Woodenbong Post Office	14 Dalmorton St	2//629397	Local	I121

Suburb	Item name	Address	Property description	Significance	Item and database number
	former				
Woodenbong	Woodenbong Public Hall	21 -23 Unumgar Street	14/5/759111	Local	I148
Woodenbong	Woodenbong Recreation Ground	Unumgar Street	7008//1075469	Local	I198
Woodenbong	Woodenbong Residence	46 MacPherson Street	9/5/759111	Local	I140
Woodenbong	Woodenbong Residence	26 MacPherson Street	10/4/759111	Local	I133
Woodenbong	Woodenbong Residence	30 MacPherson Street	12/4/759111	Local	I132
Woodenbong	Woodenbong Residence	46 Roseberry Street	109//751059	Local	I142
Woodenbong	Woodenbong Residence	8 Dalmorton Street	A//390596	Local	I387
Woodenbong	Woodenbong Residence	34 Richmond Street	15/8/759111	Local	I139
Woodenbong	Woodenbong Residence	27 Lindsay Street	3/4/759111	Local	I385
Woodenbong	Woodenbong School Memorial Gates & Classroom	42 Lindsay Street	1/2/759111 2/2/759111	Local	I146
Woodenbong	Woodenbong Service Station former	34 Unumgar Street	51//819346	Local	I143
Woodenbong	Woodenbong Showground	1 Lindsay Creek Road	7005//1055056	Local	I197
Woodenbong	Woodenbong Sketchley's Store	21 MacPherson Street	5/9/759111	Local	I137
Woodenbong	Woodenbong Store former	24 MacPherson Street	9/4/759111	Local	I129
Woodenbong	Woodenbong War Memorial Hall	49 Lindsay Street	15/5/759111	Local	I120

Part 2 Heritage Conservation Areas

Suburb	Item name	Address	Property description	Significance	Item and database number
Grevillia	Grevillia Village Conservation Area	Summerland Way	See map	Local	C168
Kyogle	Kyogle Town Conservation Area	See map	See Map	Local	C396
Kyogle	Kyogle Town Gateway Conservation Area	See map	See Map	Local	C406
Mallanganee	Mallanganee Hewetson Residential group	7095 -7105 Bruxner Highway	2//17479 13//838859 4//17479	Local	C180
Mallanganee	Mallanganee Village Conservation Area	see map	See Map	Local	C097

Part 3 Archaeological Sites

Suburb	Item name	Address	Property description	Significance	Item and database number
Dyraaba	Dyraaba Station Cemetery	755 Dyraaba Road	2//755704	State	A392
Green Pigeon	Green Pigeon Sawmilling Complex former	1047-1055 & adjoining reserves, Green Pigeon	141//257506 143//257506 144//257506	Local	A155

Suburb	Item name	Address	Property description	Significance	Item and database number
Kilgra	Wiangaree Bundock Family Cemetery	Road Apple Tree Stud, Summerland	5//625056 2//943796	Local	A189
Old Bonalbo	Old Bonalbo Jane Robertsons Grave	15249 -15297 Clarence Way	7//751077	Local	A201
Sandilands	Sandilands Cemeteries	7689 Bruxner Highway	1//123612	Local	A367
Tabulam	Tabulam Old Cemetery	Charles Street off Paddy's Flat	7003//1068672	Local	A377
Tooloom	Tooloom Cemetery	Road	7001//1068822	Local	A360
Tooloom	Tooloom Goldfields	see map	See Map	Local	A164
Tooloom	Tooloom Queens Arms Hotel site	off Paddy's Flat Road	2//751080	State	A361
Tooloom	Tooloom Village Site	off Paddy's Flat Road	2//751080 1//751080 25//751080 26//751080 7002- 7004//1068822 2//859360	Local	A185
Unumgar	Unumgar Hill Family Cemetery	4135 Summerland Way	Pt1//531985	Local	A195

Dictionary

(Clause 1.4)

Aboriginal object means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

archaeological site means an area of land:

- (a) shown on the Heritage Map as an archaeological site, and
- (b) the location and nature of which is described in Schedule 1, and
- (c) that contains one or more relics.

building has the same meaning as in the Act.

Note. The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

cemetery means a building or place for the interment of deceased persons or their ashes.

Council means the Kyogle Council.

curtilage, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

demolish, in relation to a heritage item, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, relic or tree.

excavation means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

heritage conservation area means an area of land:

- (a) shown on the Heritage Map as a heritage conservation area or as a place of Aboriginal heritage significance, and
- (b) the location and nature of which is described in Schedule 1, and includes any heritage items situated on or within that area.

heritage conservation management plan means a document prepared in accordance with guidelines prepared by the Department of Planning that documents the heritage significance of an item, place or heritage conservation area and identifies

conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

heritage impact statement means a document consisting of:

- (a) a statement demonstrating the heritage significance of a heritage item, archaeological site, place of Aboriginal heritage significance or other heritage conservation area, and
- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

heritage item means a building, work, archaeological site, tree, place or Aboriginal object:

- (a) shown on the Heritage Map as a heritage item, and
- (b) the location and nature of which is described in Schedule 1, and
- (c) specified in an inventory of heritage items that is available at the office of the Council.

Heritage Map means the Kyogle Local Environmental Plan 18 Heritage Map.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

Land Application Map means the Kyogle Local Environmental Plan 18 Land Application Map.

maintenance, in relation to a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area, means ongoing protective care. It does not include the removal or disturbance of existing fabric, alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

place of Aboriginal heritage significance means an area of land shown on the Heritage Map that is:

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

relic means any deposit, object or other material evidence of human habitation:

- (a) that relates to the settlement of the area of Kyogle, not being Aboriginal settlement, and
- (b) that is more than 50 years old, and
- (c) that is a fixture or is wholly or partly within the ground.

the Act means the Environmental Planning and Assessment Act 1979.



Kyogle Local Environmental Plan 18

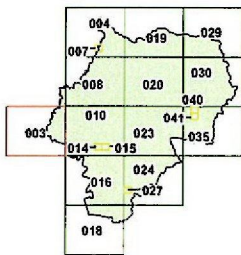
Heritage Map Sheet HER_003

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

Cadastral

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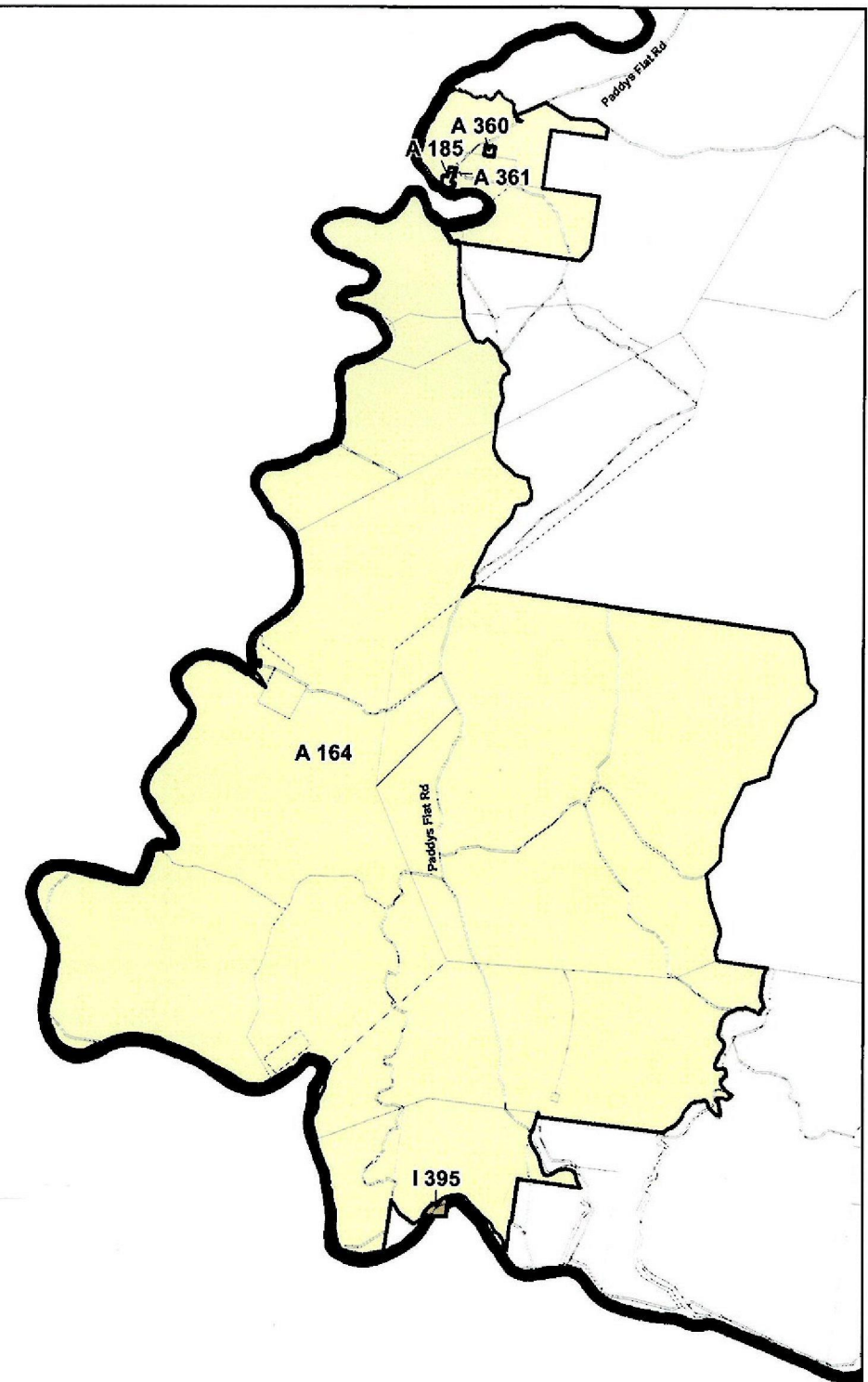


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TENTERFIELD
SHIRE COUNCIL





**Kyogle Local
Environmental
Plan 18**

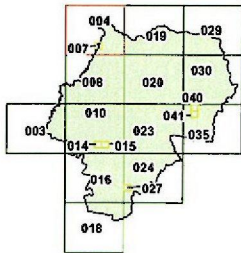
**Heritage Map
Sheet HER_004**

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

Cadastre

— Cadastre 01/03/10 © Dept of Lands



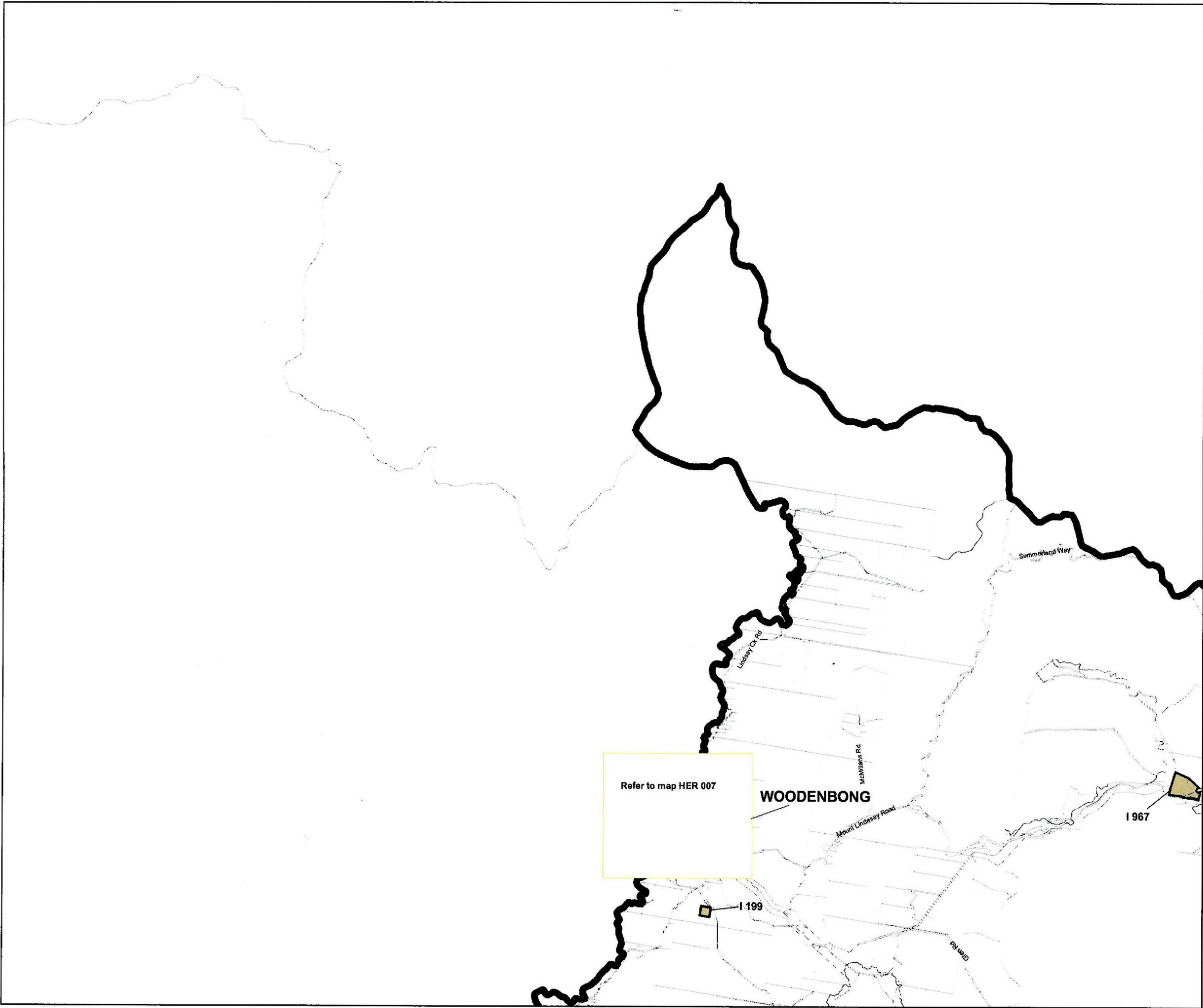
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File Number:

4550-COM-HER-004-080-100310





Kyogle Local Environmental Plan 18

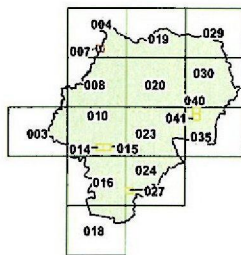
Heritage Map Sheet HER_007

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

Cadastre

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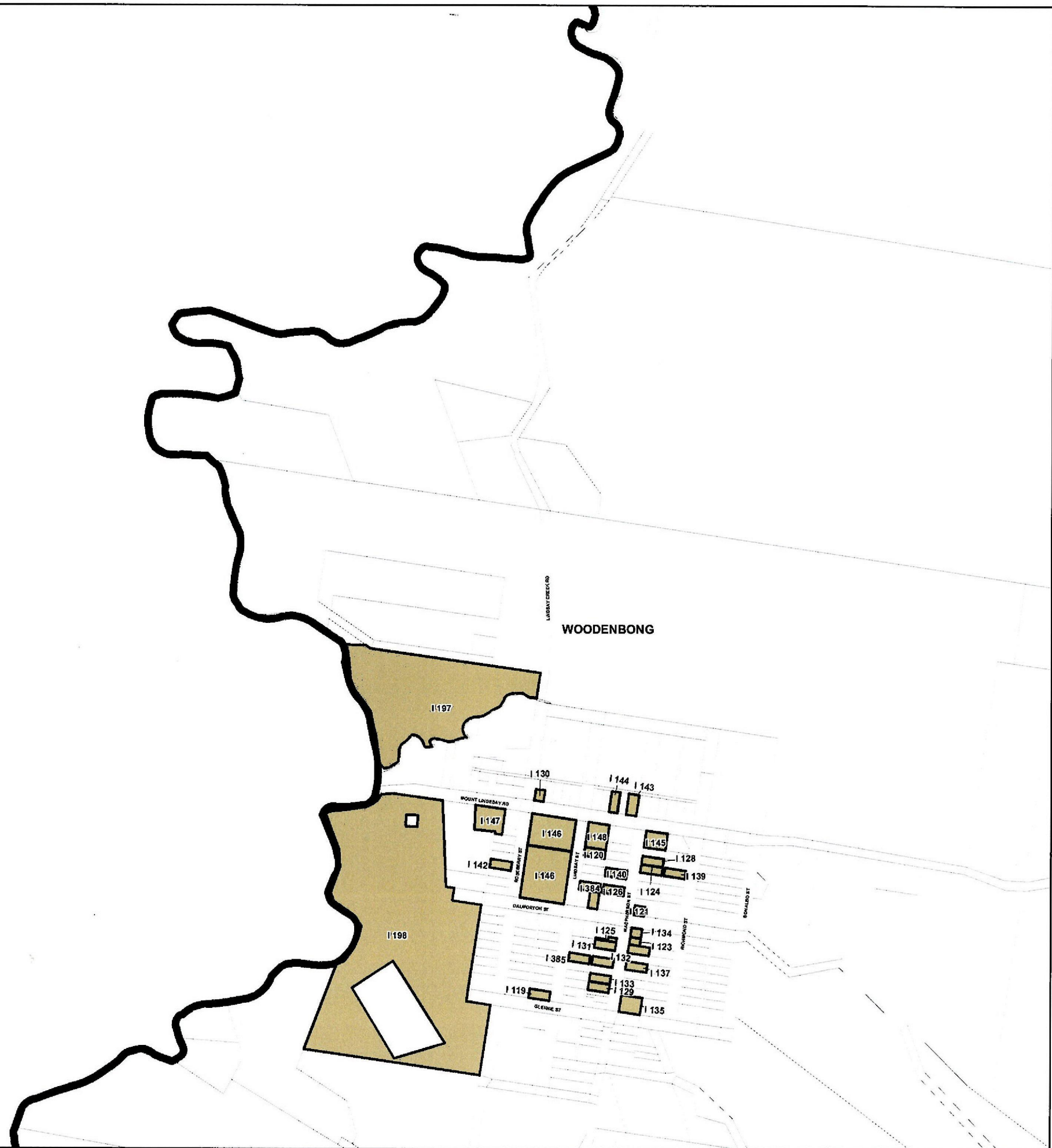
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TENTERFIELD
SHIRE COUNCIL

WOODENBONG





Kyogle Local Environmental Plan 18

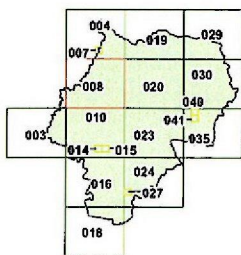
Heritage Map Sheet HER_008

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

Cadastre

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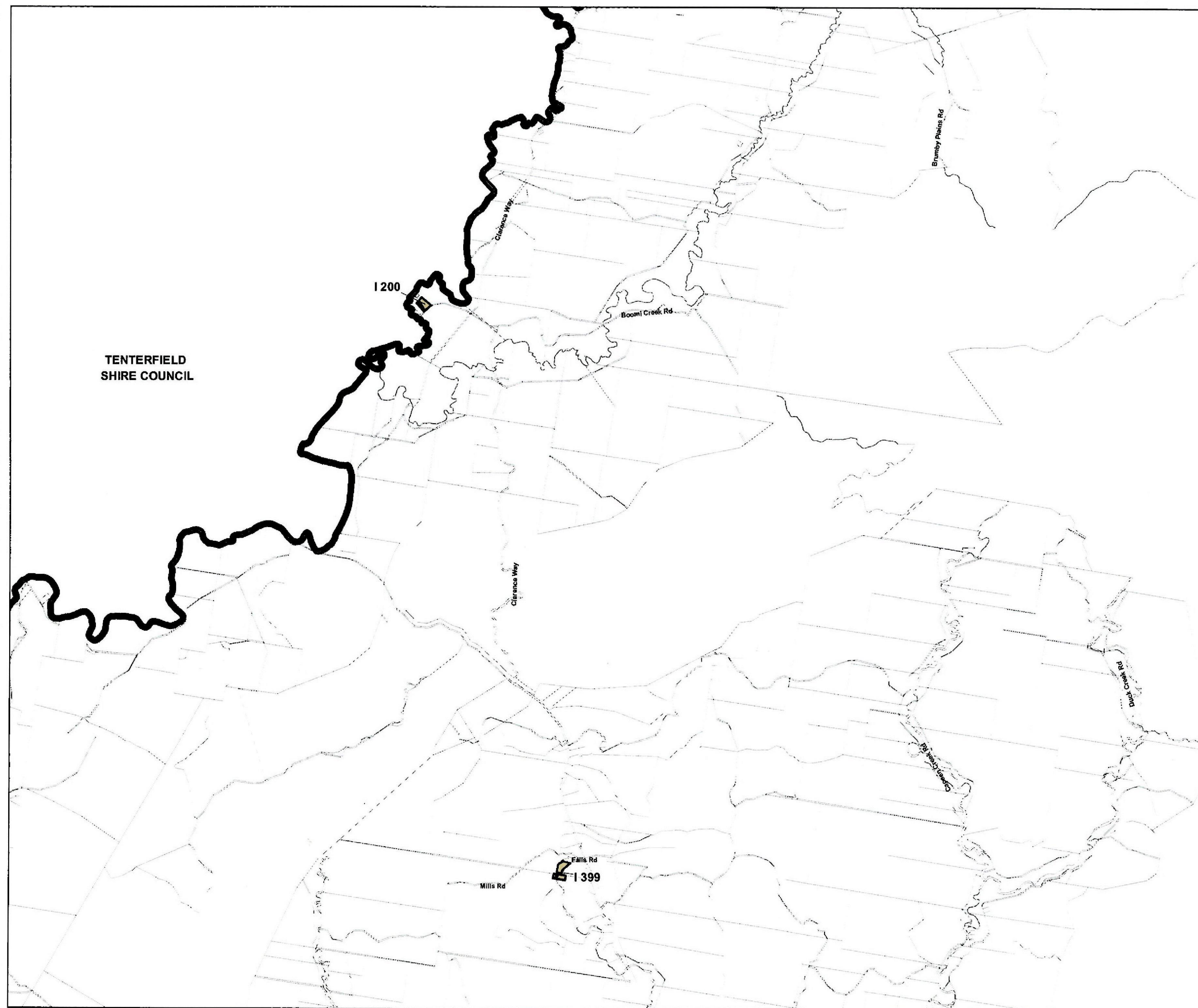
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MGA Zone 56

File Number:

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Kyogle Local Environmental Plan 18

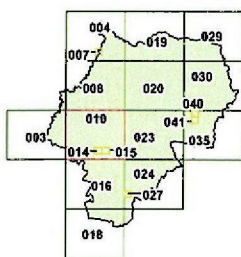
Heritage Map Sheet HER_010

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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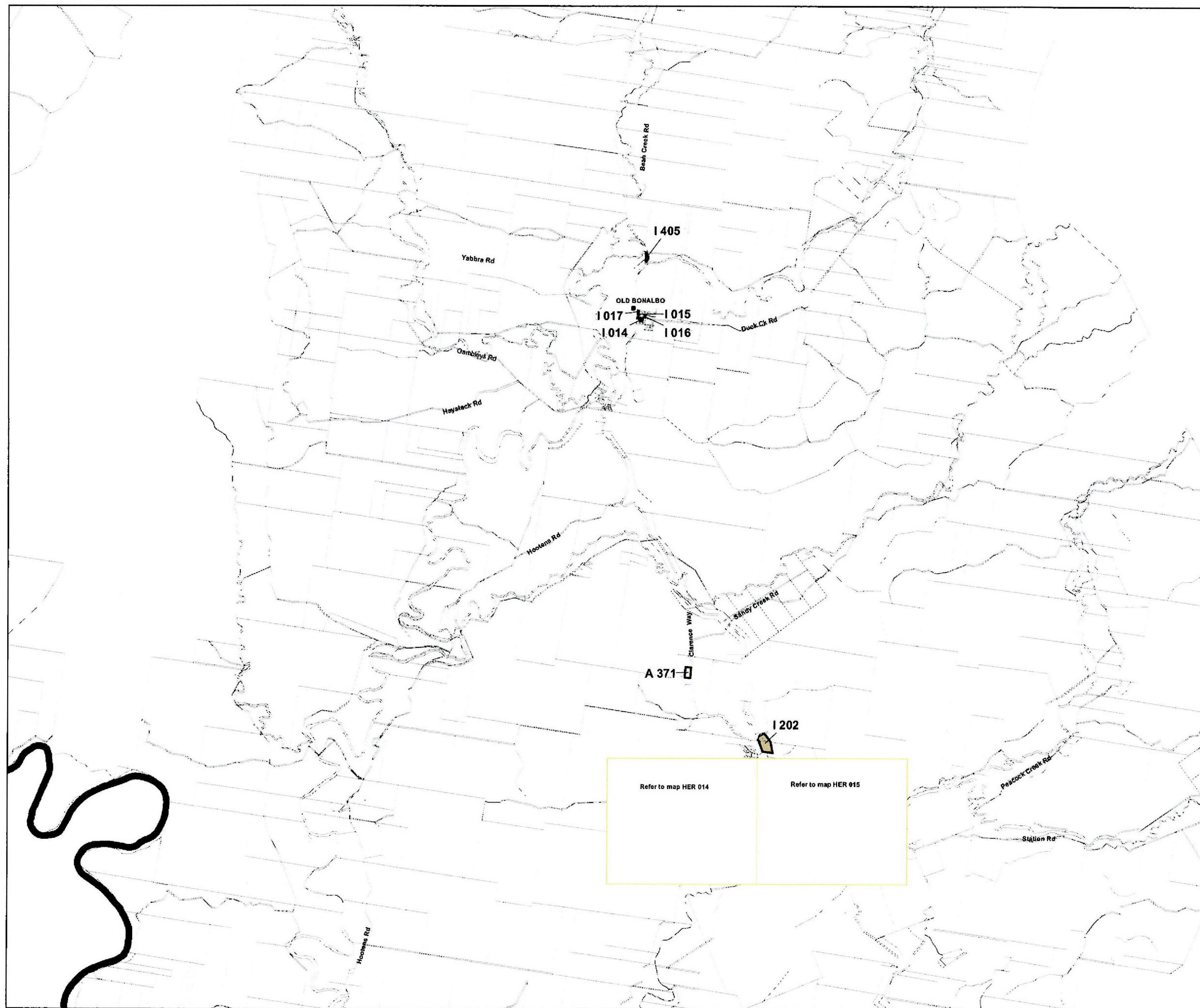
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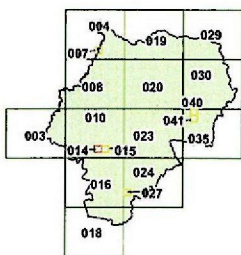
Heritage Map Sheet HER_014

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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MGA Zone 56

File Number:

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Kyogle Local Environmental Plan 18

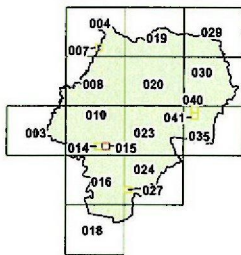
Heritage Map Sheet HER_015

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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Kyogle Local Environmental Plan 18

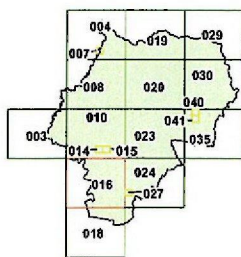
Heritage Map Sheet HER_016

Heritage

- Conservation Area - general
- Item - General
- Item - Archaeological

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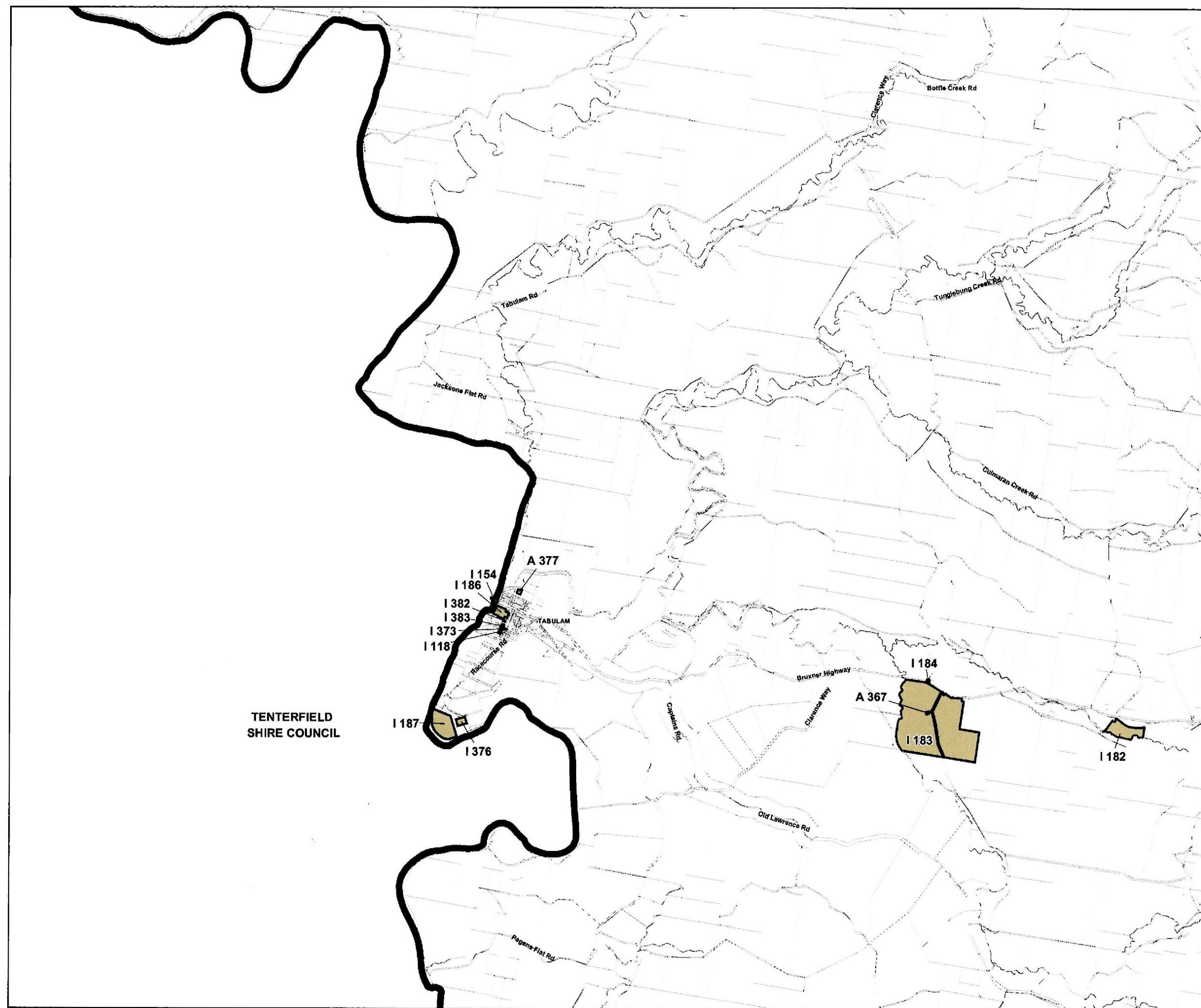
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Kyogle Local Environmental Plan 18

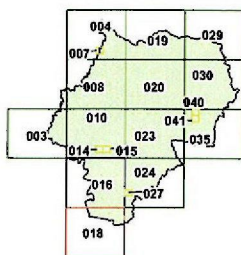
Heritage Map Sheet HER_018

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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MGA Zone 56

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TENTERFIELD
SHIRE COUNCIL

CLARENCE
VALLEY COUNCIL

RICHMOND
VALLEY COUNCIL

1394

1380

1378



Kyogle Local Environmental Plan 18

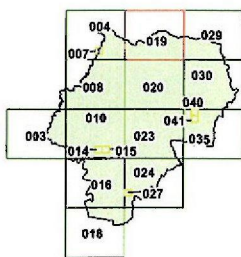
Heritage Map Sheet HER_019

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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File Number:

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SCENIC RIM
REGIONAL COUNCIL

Sawmills Creek Rd

Long Cr Rd

Endon Creek Rd

I 194
A 195



Kyogle Local Environmental Plan 18

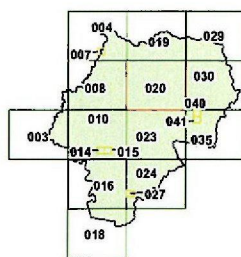
Heritage Map Sheet HER_020

Heritage

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-  Item - General
-  Item - Archaeological

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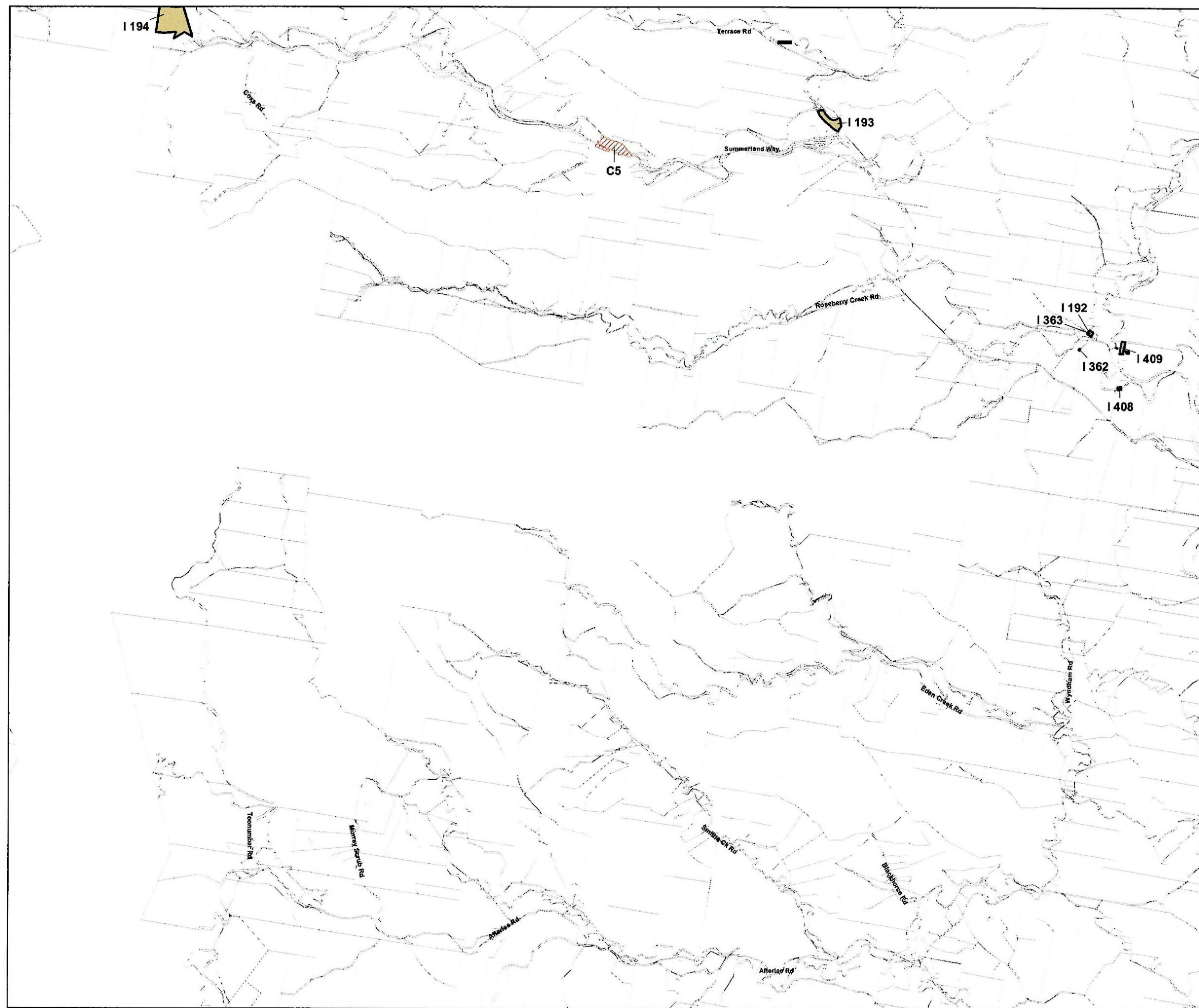
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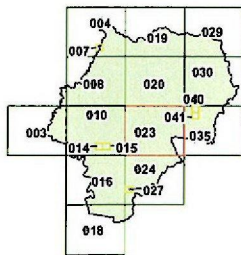
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Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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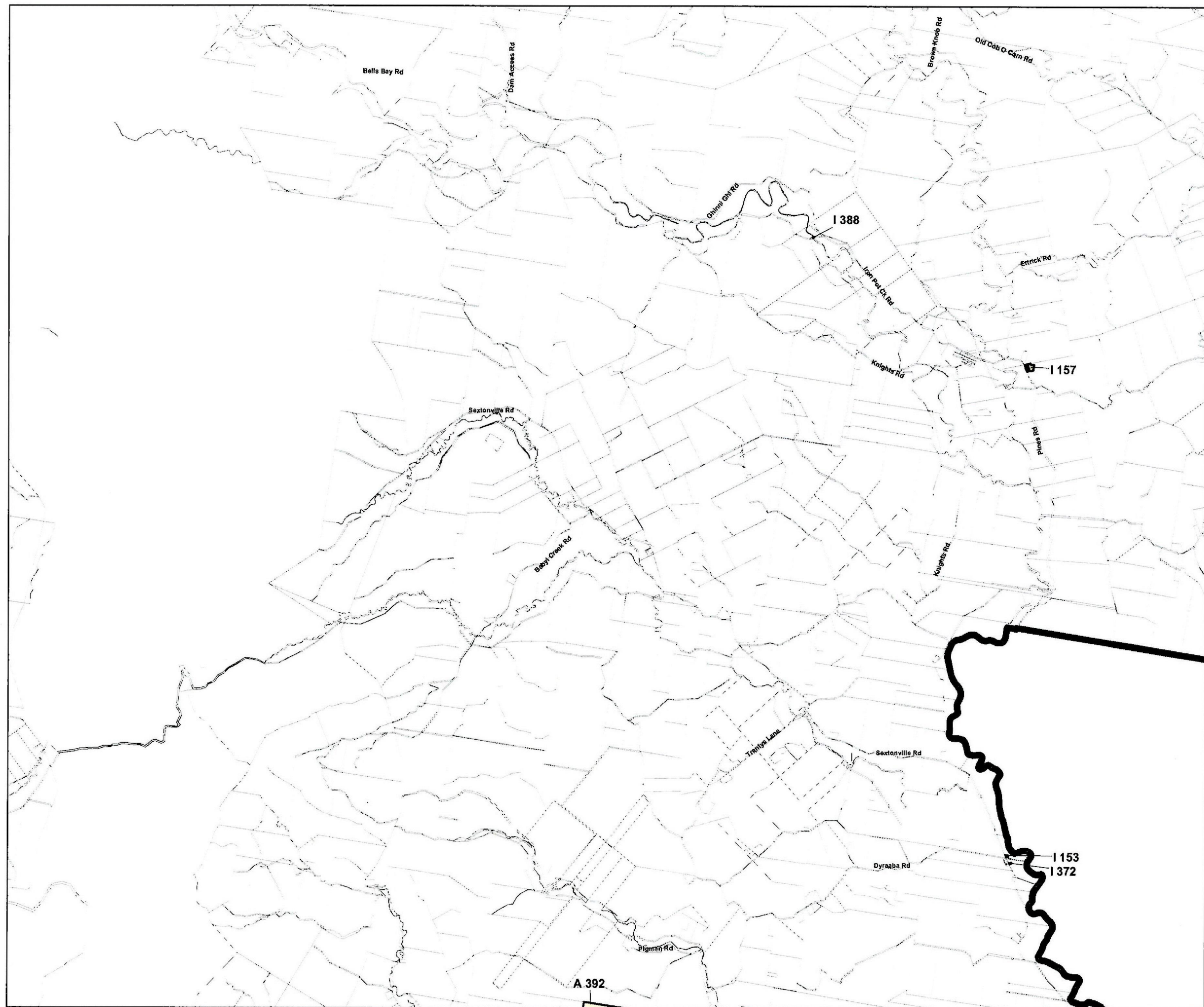
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Kyogle Local Environmental Plan 18

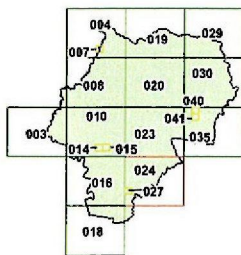
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Heritage

- Conservation Area - general
- Item - General
- Item - Archaeological

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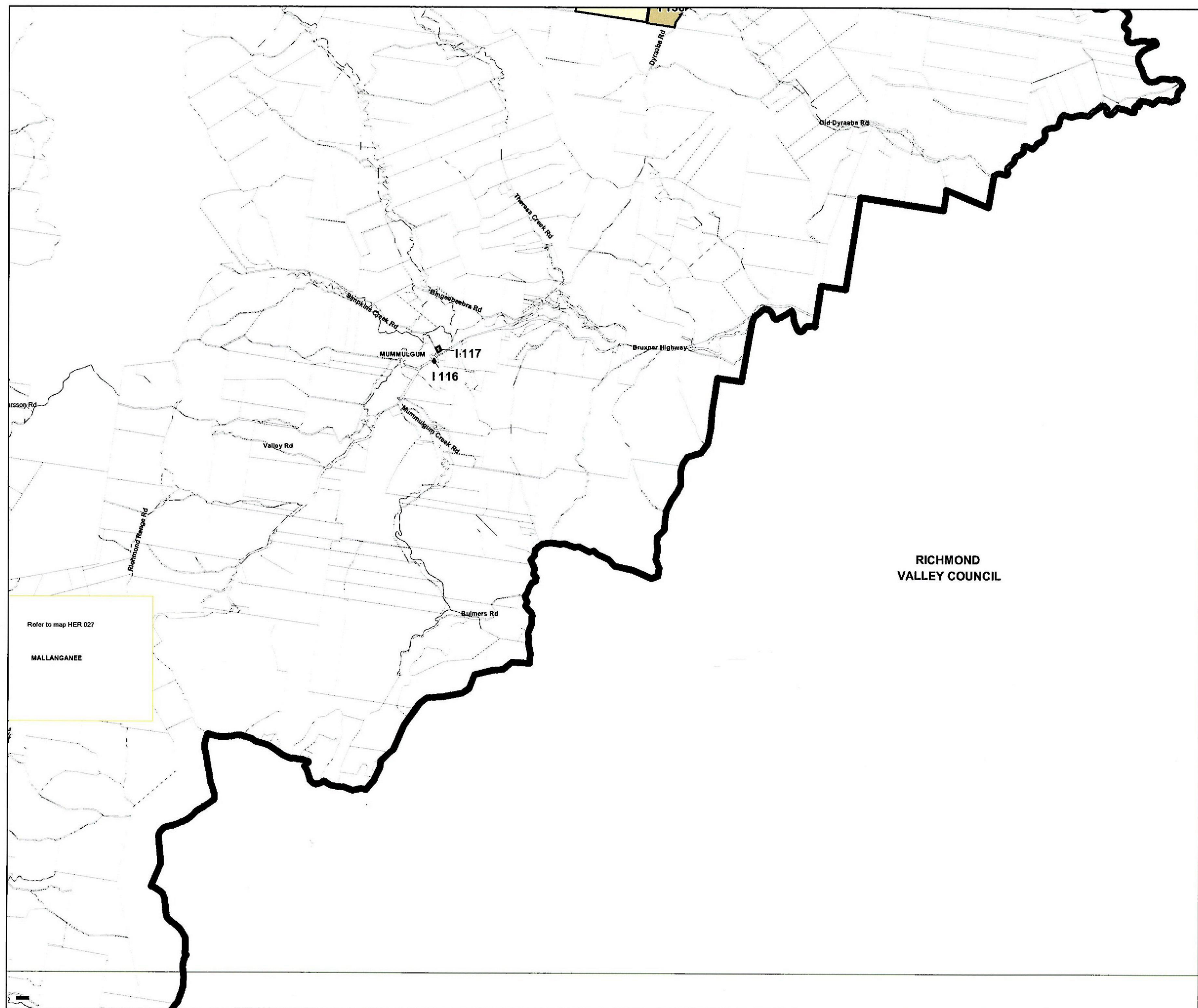
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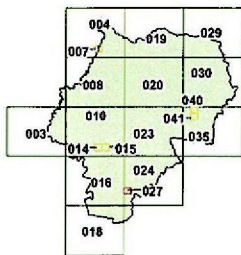
Heritage Map Sheet HER_027

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

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Kyogle Local Environmental Plan 18

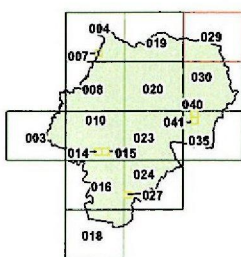
Heritage Map Sheet HER_029

Heritage

-  Conservation Area - general
-  Item - General
-  Item - Archaeological

Cadastre

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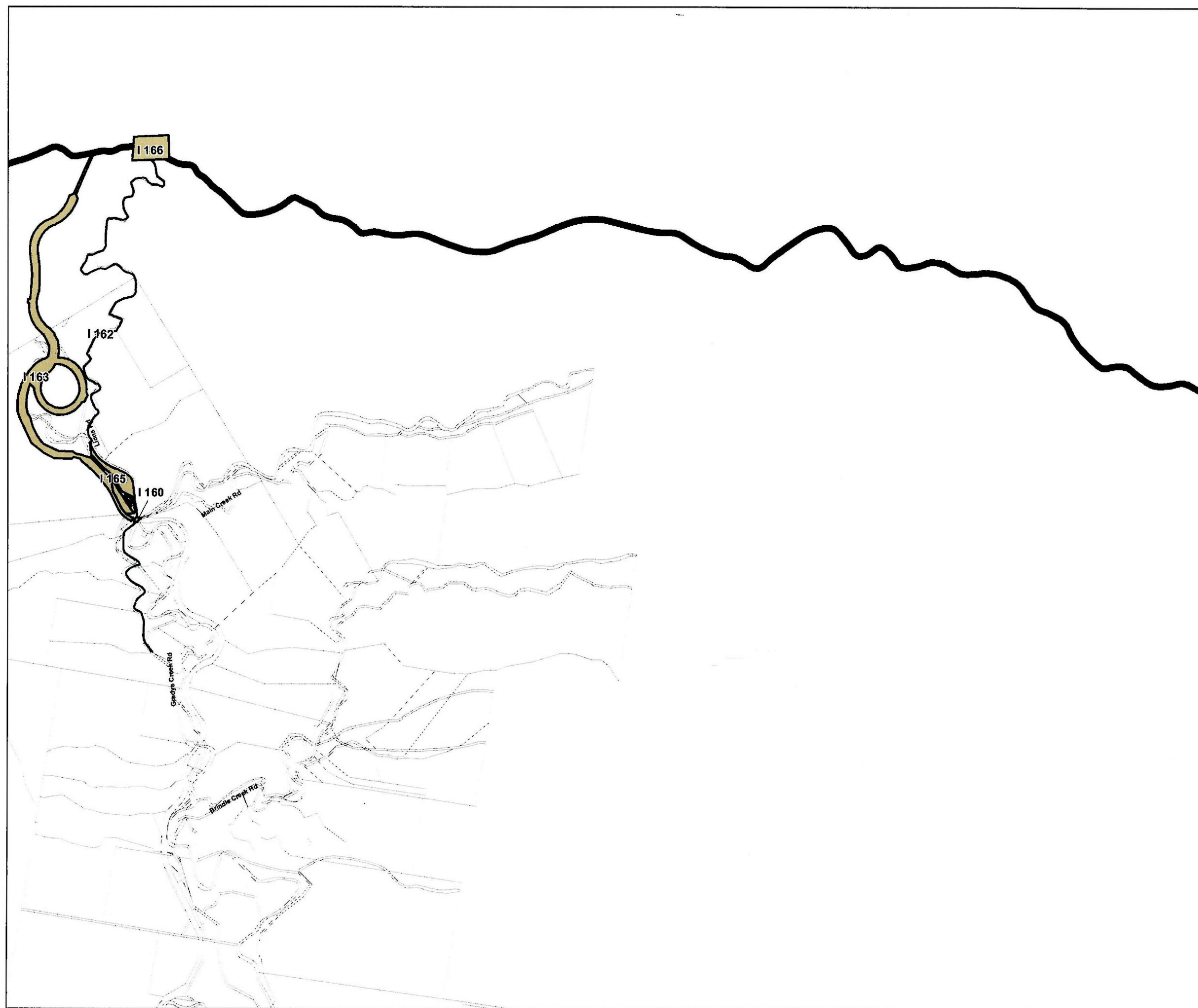
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**Kyogle Local
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Plan 18**

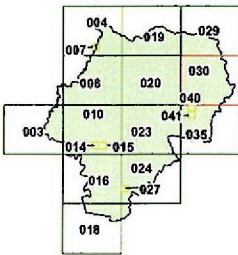
**Heritage Map
Sheet HER_030**

Heritage

- Conservation Area - general
- Item - General
- Item - Archaeological

Cadastre

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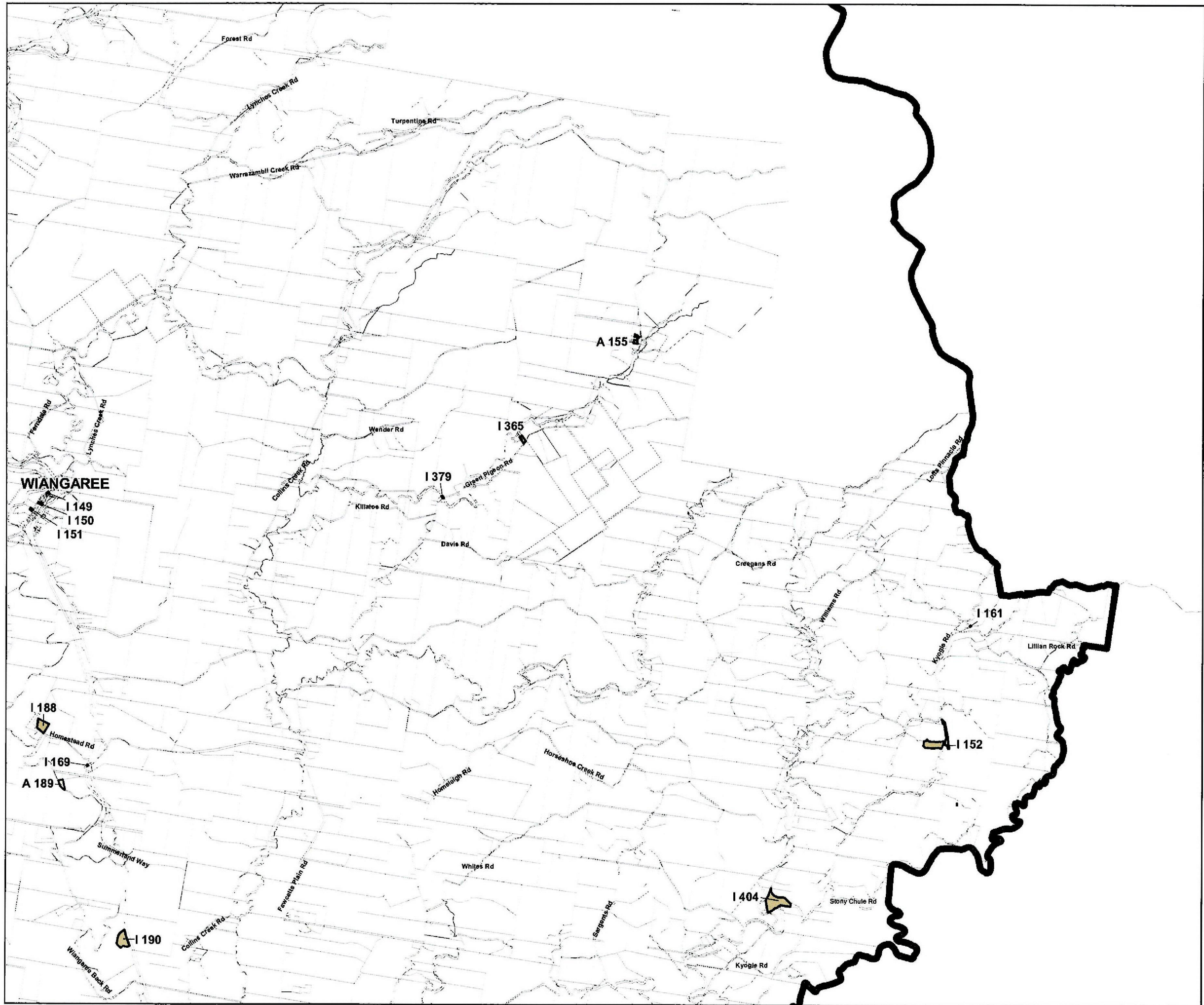
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File Number:

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Kyogle Local Environmental Plan 18

Heritage Map Sheet HER_035

Heritage

- Conservation Area - general
- Item - General
- Item - Archaeological

Cadastre

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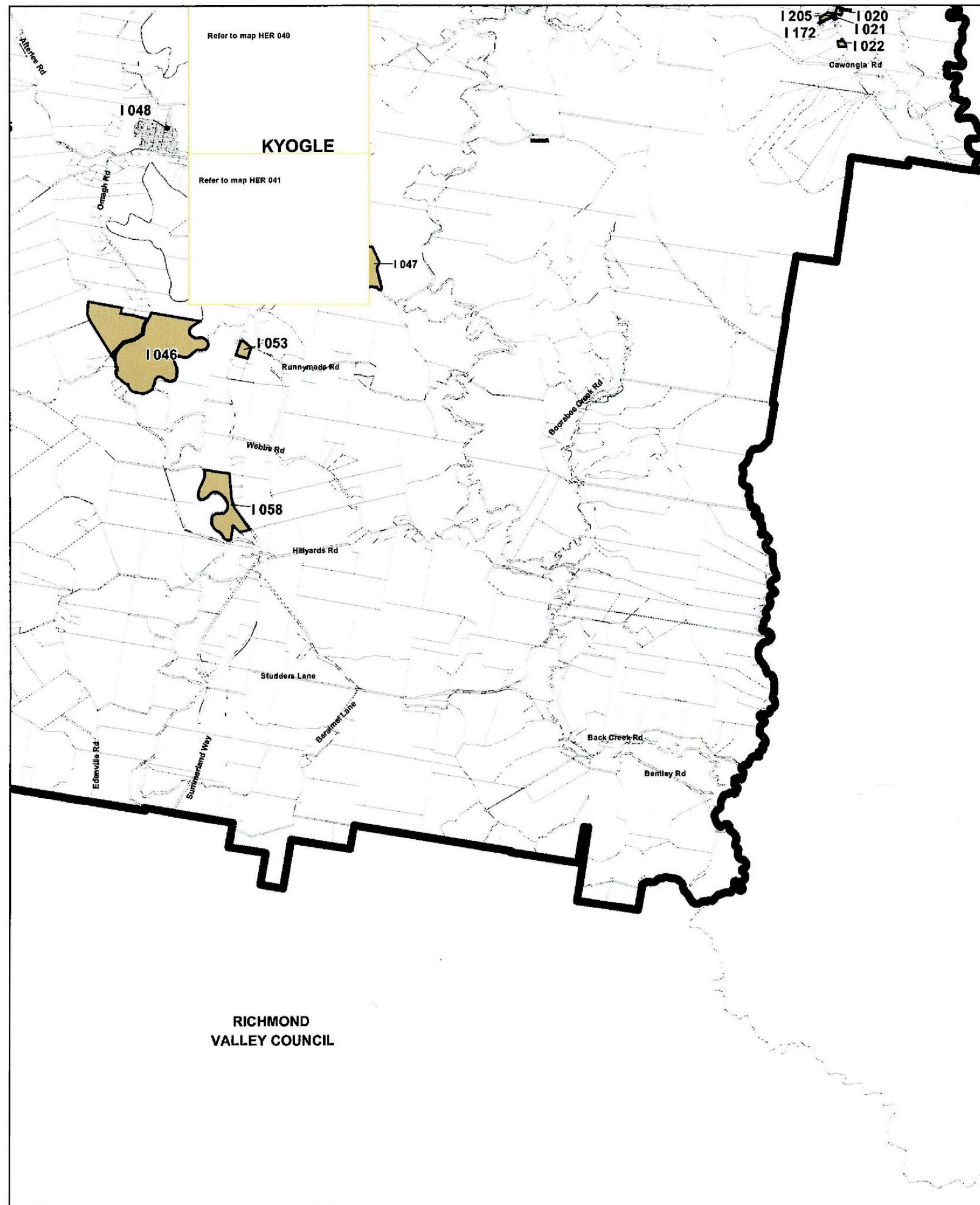
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Kyogle Local Environmental Plan 18

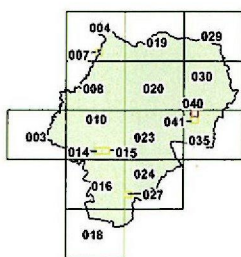
Heritage Map Sheet HER_040

Heritage

- Conservation Area - general
- Item - General
- Item - Archaeological

Cadastre

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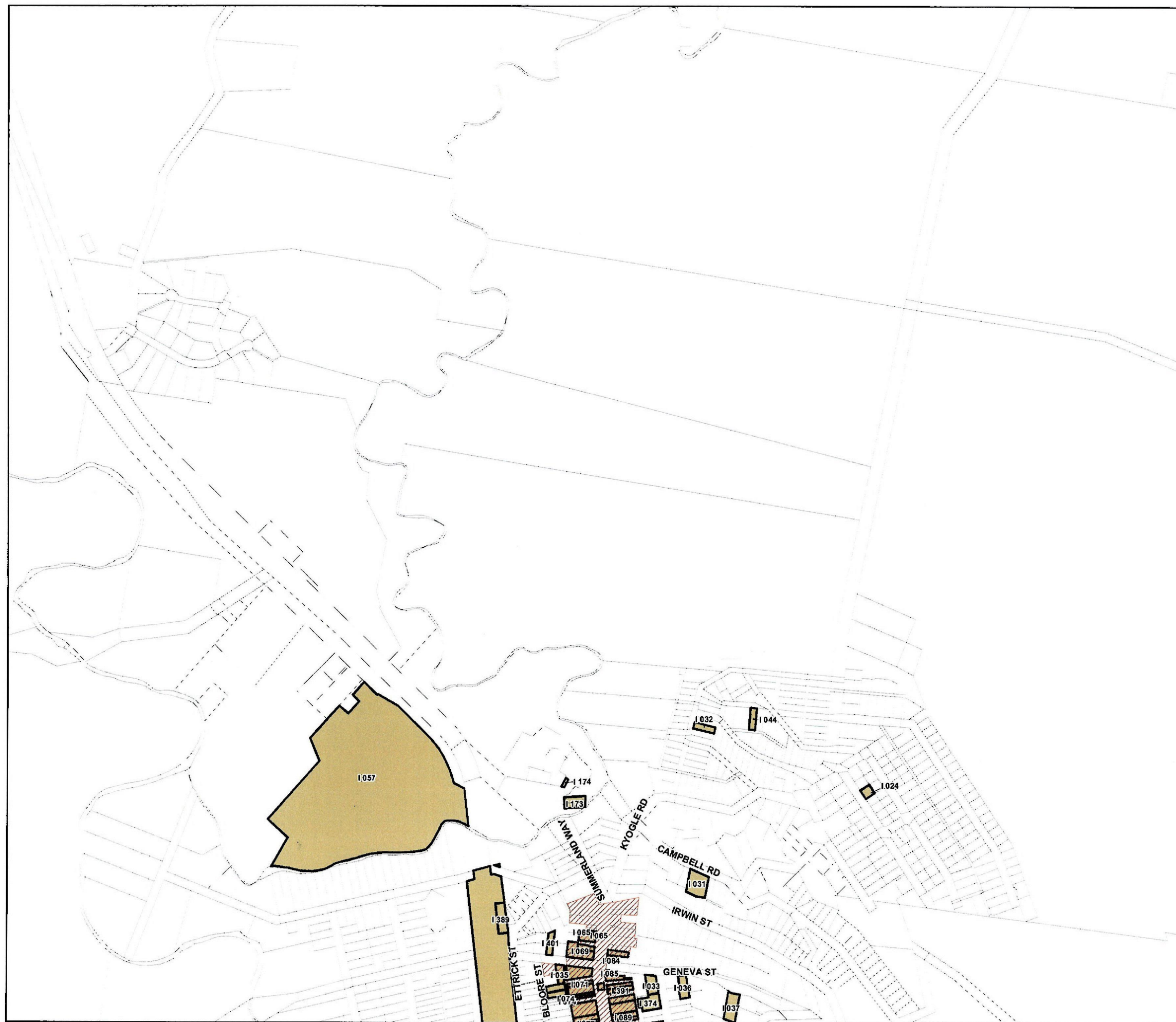
0 100 200
metres

Scale: 1:10,000 @ A3

Projection: GDA 1994
MGA Zone 56

File Number:

4550-COM-HER-040-010-100310





Kyogle Local Environmental Plan 18

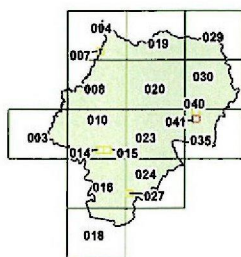
Heritage Map Sheet HER_041

Heritage

- Conservation Area - general
- Item - General
- Item - Archaeological

Cadastre

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0 100 200
metres

Scale: 1:10,000 @ A3

Projection: GDA 1994
MGA Zone 56

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