



New South Wales

# North Coast Regional Environmental Plan 1988 (Amendment No 3)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*.

ANDREW REFSHAUGE MP

Minister for Urban Affairs and Planning

Sydney, 3 August 1999

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## 1 Name of plan

This plan is the *North Coast Regional Environmental Plan 1988 (Amendment No 3)*.

## 2 Aims of plan

This plan aims:

- (a) to conserve the built environmental heritage of the land to which this plan applies by extending the heritage controls in the Principal Plan to additional items and land of regional and State heritage significance in the North Coast Region, and
- (b) to include as heritage items of regional and State heritage significance for the purposes of the Principal Plan items that were previously deferred from *North Coast Regional Environmental Plan 1988 (Amendment No 1)*, and

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- (c) to include as heritage items of regional (but not State) heritage significance for the purposes of the Principal Plan items that were previously deferred from *North Coast Regional Environmental Plan 1988 (Amendment No 1)*, and
- (d) to add new conservation areas to Schedule 1 to the Principal Plan, and
- (e) to add land to the former Bowraville Urban Conservation Area (and rename it as the Bowraville Conservation Area), and
- (f) to make various minor alterations for the purpose of improving the operation of the Principal Plan.

### **3 Land to which plan applies**

This plan applies to land to which the Principal Plan applies.

### **4 Principal Plan**

In the plan, *North Coast Regional Environmental Plan 1988* is referred to as the Principal Plan.

### **5 Amendment of Principal Plan**

The Principal Plan is amended as set out in Schedule 1.

### **6 Amendment of North Coast Regional Environmental Plan 1988 (Amendment No 2)**

The *North Coast Regional Environmental Plan 1988 (Amendment No 2)* is amended by omitting clause 6 (n) and (o).

## Schedule 1 Amendments

(Clause 5)

**[1] Clause 1 Citation**

Omit “1988”.

**[2] Clause 5 Definitions**

Omit “and shown on the Conservation Area map” from the definition of *conservation area* in clause 5 (1).

**[3] Clause 5 (1), definition of “extractive material”**

Omit “turf,”.

**[4] Clause 5 (1), definition of “New South Wales Coast Government Policy”**

Omit the definition. Insert instead:

*NSW Coastal Policy 1997* means the Government publication with that title published in 1997.

**[5] Clause 5 (1), definition of “the Conservation Area map”**

Omit the definition. Insert instead:

*the Conservation Area map* means the map marked “North Coast Regional Environmental Plan—Conservation Areas” deposited in the North Coast office of the Department of Urban Affairs and Planning.

**[6] Clause 7 Plan preparation—prime crop or pasture land**

Insert after clause 7 (a) (iv):

- (v) rezone prime crop or pasture land for purposes other than agricultural only after a detailed analysis of the agricultural capability of the land and adjoining land has been carried out, and

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### **[7] Clause 7 (b) (v)**

Omit clause 7 (b) (v) as inserted by the *North Coast Regional Environmental Plan 1988 (Amendment No 2)*.

### **[8] Clause 32A Plan preparation—coastal lands**

Omit “New South Wales Coast Government Policy” wherever occurring.  
Insert instead “NSW Coastal Policy 1997”.

### **[9] Clause 32A (2) (c)**

Omit the paragraph. Insert instead:

- (c) prohibit development of buildings or other structures, except those required for erosion control works or beach management, on dunes, beaches or headlands not occupied by buildings or other structures, and

### **[10] Clause 32B Development control—coastal lands**

Omit “New South Wales Coast Government Policy” wherever occurring.  
Insert instead “NSW Coastal Policy 1997”.

### **[11] Clause 38 Plan preparation—urban land release strategy**

Omit “proposed” from clause 38 (1). Insert instead “adopted”.

### **[12] Clause 38 (3)**

Omit “and shall be exhibited for public comment and be available for public inspection, without charge, at the office of the council during normal office hours”.

### **[13] Clause 38 (4)**

Insert after clause 38 (3):

- (4) The council must ensure that a copy of the strategy adopted under subclause (1):
  - (a) is available, without charge, for public inspection and comment at the office of the council during normal office hours, and

- (b) is, immediately after it is adopted, forwarded by the council to such public authorities as, in the opinion of the council, have responsibilities reasonably requiring them to be aware of the strategy.

**[14] Clause 44 Objectives**

Omit “and aircraft noise pollution”.

Insert instead “, aircraft noise pollution and other environmental hazards”.

**[15] Clause 45 Plan preparation—hazards**

Insert after clause 45 (1) (c1):

- (c2) geological or soil instability,

**[16] Clause 56 Plan preparation—land in the vicinity of aerodromes**

Omit the definition of *Australian noise exposure forecast* from clause 56 (3).

Insert instead:

*Australian noise exposure forecast* has the meaning given to that expression in the Australian Standard entitled *AS 2021–1994 (Acoustics—Aircraft noise intrusion—Building siting and construction)* published by Standards Australia in February 1994.

**[17] Clause 76 Development control—natural tourism areas**

Insert “for tourism purposes” after “tourism area” in clause 76 (2).

**[18] Schedule 1 Conservation areas**

Omit Schedule 1. Insert instead:

**Schedule 1 Conservation areas**

(Clause 5)

**Bellbrook Conservation Area**, being the area shown edged heavy black on Sheet 1 of the Conservation Area map. (A138)

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**Bellingen Conservation Area**, being the area shown edged heavy black on Sheet 2 of the Conservation Area map.

**Bowraville Conservation Area**, being the area shown edged heavy black on Sheet 3 of the Conservation Area map. (A069)

**Coraki Conservation Area**, being the area shown edged heavy black on Sheet 4 of the Conservation Area map.

**Gladstone Conservation Area**, being the area shown edged heavy black on Sheet 5 of the Conservation Area map. (A137)

**Grafton Conservation Area**, being the area shown edged heavy black on Sheet 6 of the Conservation Area map.

**Grevillea Conservation Area**, being the area shown edged heavy black on Sheet 7 of the Conservation Area map. (A058)

**Nimbin Conservation Area**, being the area shown edged heavy black on Sheet 8 of the Conservation Area map. (A066)

**St Andrew's Conservation Area**, being the area shown edged heavy black on Sheet 9 of the Conservation Area map. (A065)

**Ulmarra Conservation Area**, being the area shown edged heavy black on Sheet 10 of the Conservation Area map. (A134)

### [19] Schedules 2 and 3

Omit “SHIRE” and “MUNICIPALITY” wherever occurring in all headings.

### [20] Schedule 2 Heritage items of State and regional environmental significance

Under the heading “**BELLINGEN—Bellingen**”, insert in alphabetical order:

- Bellingen Court House, 53 Hyde Street (A095)
- Bellingen Police Station and Residence, 49 Hyde Street (A096)

**[21] Schedule 2**

Under the heading “**BYRON**”, insert in alphabetical order of locality:

**Brunswick Heads**

- Barnes House, 40 Mullumbimby Street (A088)

**Laverly’s Gap**

- Mullumbimby Power Station (comprising the power house containing two water turbines and four diesel generators, the sub-station and the weir, flume and tunnel), Wilson’s Creek Road, near Laverly’s Gap (A029)

**[22] Schedule 2**

Insert in alphabetical order of local government area:

**CASINO**

**Casino**

- Old Casino Railway Station Group (comprising the former railway station building, the remains of the carpenter’s/fettler’s shed and associated components such as switching gear), located adjacent to the north of Dyraaba Street at the northern end of Walker Street and on the northern side of the Casino-Murwillumbah Railway Line, Casino (A030, A031, A032)

**KYOGLE**

- Tabulam Bridge, Bruxner Highway (over Clarence River) (A037)

**NAMBUCCA**

**Nambucca Heads**

- “Royal Tar” Bed Logs, on vacant Crown land within the Inner Harbour on the northern bank of the Nambucca River near Nambucca Heads (A074)

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### TWEED

#### Chinderah

- Chinderah Cemetery, Chinderah Road, Chinderah (Lot 493 DP 720407 (R87004 for Preservation of Graves) and Lot 49 DP 841783) (A013)

#### Murwillumbah

- Murwillumbah High School (comprising the three storey brick classroom block referred to as “A Block”), Riverview Street (Lot 6 DP 820602) (A010)

### [23] Schedule 2

Under the heading “**GRAFTON CITY—Grafton**”, insert in alphabetical order:

- Grafton Gaol Group (comprising the main gate house, the associated perimeter wall fronting onto Hoof Street, the adjacent former Governor’s residence (now used as the administration building), the range building for prison officers and visitors and the male cell block (“A” Wing)), corner of Queen and Hoof Streets (A025)
- The hull of “SS Induna”, bank of Clarence River, west of Grafton Road and Rail Bridge (part of the bank of Clarence River below MHW, R56146 from Sale or Lease Generally) and the Bow Memorial in Earl Page Park, near Riverside Drive, South Grafton (A021)

### [24] Schedule 2

Under the heading “**KEMPSEY—Arakoon**”, insert in alphabetical order:

- Arakoon House, near corner of Philips Drive and Cardwell Street (A141)



**[25] Schedule 2**

Under the heading “**KEMPSEY**”, insert in alphabetical order of locality:

**Beranghi**

- The ruins of “Gordon’s Gaol” huts, remains of graves and “Gordon’s jetty”, located some 200 metres from the Maria River at the foot of “Gordon’s Hill” (Lot 1 DP 196559) (A144)

**[26] Schedule 2**

Under the heading “**NYMBOIDA—Ramornie**”, insert in alphabetical order:

- The Ramornie Homestead Group (comprising the main dwelling, the former kitchen building and connected walkway and separate stables), Ramornie Station Road, off Gwydir Highway (C003)

**[27] Schedule 3 Heritage items of regional environmental significance**

Under the heading “**BALLINA—Ballina**”, insert in alphabetical order:

- Ballina Court House and Court Office (formerly the Ballina Post Office), corner River and Martin Streets (A090)
- Ballina Public School (the 1881 Old School House), 38–52 Crane Street (A091)

**[28] Schedule 3**

Insert in alphabetical order of local government area:

**BELLINGEN**

**Dorrigo**

- Hotel Dorrigo, corner Hickory and Cudgery Streets (Lot 3 DP 800990) (A148)

**Fernmount**

- Former Fernmount Police Station (comprising the brick residence and attached cell block), 647 Waterfall Way (76 Trunk Road) (A104)

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### **BYRON**

#### **Bangalow**

- Former Bangalow Court House (Lot 2 DP 808373), Byron Street, (A092)

#### **Mullumbimby**

- Cedar House, 140 Dalley Street (A085)
- Mullumbimby Court House and Police Station (including the lock-up on the southern side), 61 Dalley Street (A131)

### **CASINO**

#### **Casino**

- Casino Court House, corner Walker and Richmond Streets (A100)
- Casino Post Office, Barker Street (A061)

### **COFFS HARBOUR CITY**

#### **Coramba**

- Coramba Police Station (including the lock-up) and Residence, 71–73 Gale Street (Lot 2 DP 574408) (A103)

### **COPMANHURST**

#### **Alumny Creek**

- Alumny Creek Reserve and Alumny Creek Public School Museum, Southgate Road, Alumny Creek near Grafton (Lots 258 and 259 DP 721126 and R140020 for Public Recreation and Museum) (A004)

#### **Copmanhurst**

- Copmanhurst Police Station and Residence, Prescott Street (A101)

### **MACLEAN**

#### **Brushgrove**

- Former Brushgrove Police Station (including the lock-up) and Residence, corner of Clarence and Brush Grove Streets (A172)

**Harwood Island**

- Harwood Island Public School and Residence, 9–11 Morpeth Street (A009A (6))
- Harwood Island Sportsground Grandstand, off Mill Street (A009A (7))

**Maclean**

- Free Presbyterian Church, 6 Wharf Street (A009A (4))
- Maclean Civic Group (comprising the Court House, Police Station (including the lock-up at the rear) and Post Office) Mcnaughton Place (A009A (5))
- Maclean Hospital (comprising the old Operating Theatre only), Union Street (A129)
- Maclean Public School Complex (comprising the brick single storey former principal's residence, the 2–2½ storey brick classroom block and the single storey weatherboard classroom buildings), Woodford Street (A130)
- McFarlane Bridge, across the “South Arm” of the Clarence River (A009A (1))

**Yamba**

- Pair of former Boatmen's Cottages (formerly part of the Clarence River Pilot Station), Pilot and Clarence Streets (Lot 274 DP 48539, R8920 for Pilot Station) (A009A (8))

**ULMARRA**

**Ulmarra**

- Lower Ulmarra former School Residence and School Building (Lot 407 DP 751390), 1708 Pacific Highway (4.7 kilometres north of the Ulmarra village) (A174)

**[29] Schedule 3**

Under the heading “**GRAFTON CITY—Grafton**”, insert:

- “Abbotsford” (single storey weatherboard residence), 11 Alice Street (A159 (1))
- “Bronte” (single storey weatherboard residence), 13 Alice Street (A159 (2))

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- Campbell's House (pair of semi-detached single storey dwellings), 58–60 Queen Street (A151)
- "Dovedale" (single storey residence), 8 Breimba Street (Lot 4 DP 37623) (A156)
- "Dunvegan" (two storey former residence), 47 Pound Street (A110)
- Foott Law and Co building, 56 Victoria Street (Lot 17 DP 521140) (A176)
- Former Police Residence, 1 Duke Street (Part Section 4) (A113)
- Grafton Free Presbyterian Church (simple rendered brick building), 138 Fry Street (Part Lot 25 DP 778063) (A152)
- Grafton Teachers' Centre (former Grammar School), Grafton High School, 97 Mary Street (A028)
- Pullens Store and Warehouse Group, 7–9 Prince Street/2 Kemp Street (Lot 5 Section 4 DP 23 and Lot 6 DP 664187) (A158)
- Schaeffer House (single storey rendered former residence formerly called Kia-Ora), 192 Fitzroy Street (Lot 3 DP 521140) (A168)
- St Andrew's Church and Manse, 111–113 Oliver Street (Lots 4, 7–9 and 11 DP 19369) (A153)
- "Telarah" (two storey brick residence), 289 Oliver Street (Lot 1 DP 657317) (A026)
- TJ Ford Pavilion (Lot 264 DP 823617 and R84899 for Showground), Grafton Showground, off Prince Street (A027)

### [30] Schedule 3

Under the heading "**HASTINGS**", insert in alphabetical order of locality:

#### **Kew**

- Kew Police Station (formerly Kew Court House), 20 Tathra Road (A123)

**Wauchope**

- Former Lock-up Keeper's House (comprising the single storey weatherboard dwelling and former lock-up), 39 Hastings Street (A118)
- Wauchope Court House, 41 Hastings Street (A117)

**[31] Schedule 3**

Under the heading "**HASTINGS—Port Macquarie**", insert:

- "Roto House" (the former National Parks and Wildlife Service District Office and Visitors Centre), Everard Street (A024)

**[32] Schedule 3**

Under the heading "**KEMPSEY**", insert in alphabetical order of locality:

**Frederickton**

- Former Frederickton Post Office (now a residence), 14 Macleay Street (Pacific Highway) (A147)
- Frederickton School of Arts (old weatherboard hall), 20 Macleay Street (Pacific Highway) (A146)

**Gladstone**

- Gladstone Police Station and Former Court House, Kinchela Street (Lots 4 and 6 DP 13158) (A105)
- Gladstone Police Residence and Lock-up (single storey brick residence and separate lock-up at rear), Kinchela Street (Lot 2 DP 13158) (A106)

**South West Rocks**

- Former South West Rocks Pilot Station Group (comprising the former pilot's house and the remaining three former boatmen's cottages), including the South West Rocks Police Station, Gregory and Livingstone Streets (C004)

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### [33] Schedule 3

Under the heading “**KEMPSEY—Kempsey**”, insert in alphabetical order:

- Former Australian Joint Stock Bank (now part of the Kempsey Hotel Motel), 5 Belgrave Street (A142)
- Kempsey Court House, Sea Street, West Kempsey (A120)
- Kempsey Police Residence, 4 Sea Street, West Kempsey (A122)
- West Kempsey Civic Group (comprising the All Saints Catholic Church, corner of Kemp and Marsh Streets; the All Saints Anglican Church, corner of Kemp and Sea Streets; the Kempsey Court House, Sea Street; the former Kempsey Police Station and the Police Cottage in Sea Street) (A139)
- West Kempsey Hotel, 43 Elbow Street, West Kempsey (A140)

### [34] Schedule 3

Under the heading “**KYOGLE**”, insert in alphabetical order of locality:

#### **Mallanganee**

- Mallanganee Public School Residence (formerly the Sandilands Range Public School Residence at Sandilands Range prior to relocation), Tooloom Street (A040)

#### **Sandilands**

- Sandilands Homestead site (once called “East Tabulum Station” and comprising the Blacksmith Shop, the slab and weatherboard barn with loft, saddle room and former quarters and two private cemeteries of the Bruxner and Robertson families), Sandilands, Bruxner Highway via Tabulam (A039)

#### **Wyangerie**

- Bundock family private cemetery, Apple Tree Stud, Wyangerie via Kyogle (A034 (1))

- Wyangerie Homestead, approximately 1 kilometre off Kyogle-Wodenbong Road, 8 kilometres north of Kyogle, Wyangerie via Kyogle (A034 (2))

**[35] Schedule 3**

Under the heading “**LISMORE CITY**”, insert in alphabetical order of locality:

**Dunoon**

- “Cedarville”, 49 Rayward Road (includes residence and grounds) (A057)

**[36] Schedule 3**

Under the heading “**LISMORE CITY—Lismore**”, insert in alphabetical order:

- Boat harbour, Bangalow Road, Lismore (at junction of Wilson’s River and Coopers Creek, approximately 4 kilometres north-east of Lismore) (A044)
- Flat Building (known as the Coleman Street Flats), 7 Coleman Street (A053)
- Former Lismore Council Building, 165 Molesworth Street (A181)
- Former Lismore District Works Office (also previously the office of the Department of Public Works and Services), 186 Molesworth Street (A126)
- Former Lismore Post Office, 172 Molesworth Street (A041)
- “Graham Centre” (formerly known as the Australian Joint Stock Bank or the T&G Building), 22 Woodlark Street (A064)
- Lismore Court House (comprising the 1880s built main building), 7 Zadoc Street (A042)
- Lismore Police Station (comprising the main police station building, the lock-up at the rear and the double garage), 40 Molesworth Street (A125)

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- North Lismore Pioneer Cemetery and Memorial Park, 2 Nimbin Road (at northern end of Wilson Street), North Lismore (Lot 303 DP 729253 Parish of North Lismore) (A043)
- “Winsome Hotel”, Bridge Street (A054)

### [37] Schedule 3

Under the heading “**NAMBUCCA—Bowraville**”, insert in alphabetical order:

- Former Bowraville Court House (now Bowraville Police Station), 25 High Street (A098)

### [38] Schedule 3

Under the heading “**NAMBUCCA—Macksville**”, insert in alphabetical order:

- Macksville Court House, 50 River Street (A020)
- Nambucca Hotel (with the principal heritage elements comprising the verandah, entrance foyer and staircase), corner Wallace and Cooper Streets, Macksville (Lot 6 DP 6045 Section B Town of Macksville) (A075)

### [39] Schedule 3

Under the heading “**NAMBUCCA**”, insert in alphabetical order of locality:

#### **Nambucca Heads**

- Nambucca Heads Sea-wall located within R81262 from Sale or Lease generally on the northern bank of the Nambucca River between the Nambucca Heads Inner Harbour to the west and Wellington Rocks to the east and including Indicator Point and the Fishing Wall (A082A)

### [40] Schedule 3

Under the heading “**RICHMOND RIVER**”, insert in alphabetical order of locality:



**Coombell**

- Coombell Bricks (also known as Casino Bricks Pty Ltd) site (A056)

**Evans Head**

- Thomas Paddon's Grave, off Iron Gates Road (located on a ridgeline within Lot 163 DP 831052) (A022)

**Irvington**

- "Irvington Wharf", Irvington Wharf Road, off Bruxner Highway, east of Casino (Lot 260 DP 722406 (R85622 for Future Public Requirements) and Lot 261 DP 722406 (R85660 for Public Recreation)) (A048)

**Tomki**

- "Tomki Station" (comprising the stone stables, the hexagonal meathouse and the large cast-iron boiling down vat at the entrance to the property within the road reserve), 2135 Bruxner Highway, east of Casino (A050A, A060)

**[41] Schedule 3**

Under the heading "**RICHMOND RIVER—Coraki**", insert in alphabetical order:

- Coraki Police Station, 125–129 Richmond Terrace, Coraki (A102)

**[42] Schedule 3**

Under the heading "**TWEED**", insert in alphabetical order of locality:

**Burringbar**

- Burringbar Railway Station (1890s weatherboard building) (A014)

**Dunbible**

- Dunbible Creek Railway Bridge, near Stokers Road Rail Crossing (A016)

**Uki**

- Holy Trinity Church (Lot 116 DP 755730), 1473 Kyogle Road (A185)

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- The Old Bank (formerly the ES&A Bank) (Lot 6 DP 8107), 1468 Kyogle Road (A188)

### [43] Schedule 3

Under the heading “**TWEED—Murwillumbah**”, insert in alphabetical order:

- Austral Building (also known as “Tongs Corner”), 1 Wollumbin Street (Lot 1 DP 772596) (A033)
  - Former Salvation Army Building, 21 Queen Street (Lot A DP 395020) (A189)
  - Murwillumbah Civic Precinct (comprising the Murwillumbah Court House, Police Station with original lock-up and Police Residence), 61–83 Murwillumbah Street (Lot 4 Section 1 DP 758739) (A017)
  - Murwillumbah Museum, 2 Queensland Road (Cnr Lot 1 Section 30 DP 758739) (A011)
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BY AUTHORITY