



CROWN LANDS PLAN OF MANAGEMENT

**THE FORMER POLICE INSPECTOR'S RESIDENCE
1 DUKE STREET GRAFTON**

Adopted: 25 March 2011



PLAN OF MANAGEMENT

for

THE FORMER POLICE INSPECTORS RESIDENCE 1 DUKE STREET, GRAFTON

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March 2011

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Drawing C-01 Site Plan and Internal Building Layout.

- Appendix 1 Status Diagram of Reserve 84696
- Appendix 2 Conservation Management Plan Report.

EXECUTIVE SUMMARY

This Plan of Management (PoM) provides a framework for the future management of part Reserve 84696 for Public Buildings known as 1 Duke Street, Grafton. The Crown land covered by the Plan is managed by the North Coast Accommodation Trust (NCAT) on behalf of the Government and community of New South Wales and contains the former Police Inspector's Residence circa 1873. The historic building is an important part of the heritage of Grafton and is a significant community resource.

The Plan of Management outlines the management direction for the reserve over the next 5 to 10 years in accordance with the requirements of the *Crown Lands Act 1989* and addresses the following key issues:

- Conservation of an existing heritage item of local significance;
- The formulation of a strategic direction for the Reserve;
- Application of sustainability principles to reserve development and management practices;
- Providing the community with appropriate levels of access to the reserve;
- Introduction of appropriate new activities and development to provide a financial basis for Reserve management and effective conservation of its historic values;
- Vegetation management;
- Security and appropriate risk management.

The vision for the reserve is *to preserve the unique character of the historic Grafton Police Inspector's building while optimizing the building and the reserves continued use and public benefits.*

A Conservation Management Plan (CMP) has been prepared to provide the heritage basis for the PoM. The CMP sets out the principles for the protection and maintenance of the heritage building in relation to its significance. For this to be achieved there needs to be an initial injection of capital and an ongoing source of funds to support its long term maintenance and protection. As buildings fare better in the long term when they are occupied and cared for, the expanded use of the site and adaptive use of the historic building is considered to be the best solution to ensure its ongoing preservation. The CMP proposes the adoption of these principles with utmost care and recognition of the heritage values.

To best realise its public value, the PoM identifies a range of suitable adaptive uses for the reserve and proposes development of a function center or similar facility in a way that complements the former Police Inspector's Residence consistent with the principles and intent of the CMP.

To help facilitate the vision for the reserve, this PoM recommends that the scope of the declared purpose of the reserve (being reserve for "public buildings"), be formally expanded to maximise the range of opportunities for appropriate public use. To address any inconsistency with existing and potential future uses and the *declared purpose*, this plan of management adds "public recreation" and "tourist facilities and services" as compatible and acceptable *additional purposes* pursuant to Section 114(1C) – Crown Lands Act 1989."

1 PREAMBLE

1.1 Introduction

This Draft Plan of Management has been prepared in accordance with the provisions of the Crown Lands Act 1989 to provide a framework for the future management, use and development of the site known as the Former Police Inspector's Residence on reserved Crown land at 1 Duke Street, Grafton. The Crown land covered by the Plan contains a heritage item that is a significant community resource.

A Plan of Management provides the statutory basis and direction for the management of the Crown reserve. This Plan outlines the management direction for the next 5 to 10 years for the reserve containing the Former Police Inspector's Residence in accordance with the requirements of the *Crown Lands Act 1989*. The purpose of the Plan of Management is to establish objectives, environmental and management strategies, actions and the means that will be employed in the management of the reserve to meet the needs and expectations of the local and wider community and to allow the use and maintenance of a heritage item in accordance with its heritage significance.

1.2 Location and Land Status

The Crown land covered by this Plan of Management comprises Part of Reserve 84696 for Public Buildings gazetted on the 10th January 1964. The title description of the land is part Lot 701, Section 4, DP 92920. The North Coast Accommodation Trust was appointed to manage the Reserve on the 7th August 2009.

The reserve contains a dwelling known as the Former Police Inspector's Residence. The reserve is managed by the North Coast Accommodation Trust (NCAT) on behalf of the New South Wales Government for the benefit of the community. The reserve is located in the City of Grafton in the Clarence Valley Local Government Area. The reserve is bounded on the north by Victoria Street, on the east by Duke Street, on the south and west by a Reserve for Public Recreation. Administrative buildings such as the Grafton Court House are also located within the reserve.

1.3 History of the Reserve

The current reserve was established in 1964; however, the area bounded by Victoria, Duke and Prince Streets and the Clarence River, known as Section 4 of the Town of Grafton, was established at an early date as an area of Crown land set aside for public buildings and for public recreation. Table 1 provides a history of the status of the land which illustrates the rich tapestry of administrative actions over many years to meet the land requirements of Commonwealth, State and Local Government agencies and the community for areas of foreshore active open space. It is clear that there has been a longstanding recognition of this area as a precinct for public use and enjoyment. The current Plan of Management seeks to build on the attractiveness of the location and to provide facilities that will be attractive to residents and visitors of the Town of Grafton.

Table 1 History of Land Status Action for Section, Town of Grafton

Action	Notes and Reference
Reserve for Public Recreation & Wharves	Notified under the general notice of 24 December 1861 (revoked 26 October 1889)
Reserve 9992 for Public Buildings and Wharfage	Notified 26 October 1889 - Misc 499 Gfn
Reserve 43610 for Public Recreation & Access	Notified 17 February 1909 (Including the Boulevard but excluding the areas occupied by the ferry Rowing Clubs shed, Water Brigade shed & police boat shed).
Reserve 44271 for Public Recreation & Access	Notified 25 August 1909 following closure of southern end of Duke Street on 14 July 1909.
Reserve 44413 for Public Baths	Notified 29 September 1909 (Clarence River at end of Duke St)
Reserve 57970 for Public Baths	Notified 8 May 1925 (expanded area).
Reserve 57972 for Police Purposes	notified 8 May 1925 (within Boulevard – assumed to be relocated police boatshed) revoked 21 April 1961
Reserve 69373 for Public Recreation	Notified 28 June 1940 (Allot 4 Section 4)\
Special Lease – Bowling Club	SpL 1961/55 Grafton (Allot 10)
Reserve 84696 for Public Buildings	Notified 10 January 1964 (Misc .4407.Gfn, G. 50.1359
Reserve 85477 for Public Recreation	Notified 15 October 1965 (The Boulevard & Memorial Park).
Grafton City Council appointed trustee of Reserve 85477	Notified 3 June 1966.
Revocation of pt Reserve 84696 for Public Buildings	Notified 14 March 1980 (west of 1 Duke St) for addition to Reserve 85477 for Public Recreation
Grafton Boulevard (R85477) Reserve Trust Established	Notification 20 May 1994 assigned the corporate name to the trust responsible for R85477 and appointed it to manage part Reserve 84696 (1 Duke St).
Reserve 85477 for Public Recreation	Notification of 31 July 2009 revoked appointment of Grafton Boulevard (R85477) Reserve Trust with respect to part Reserve 84696.
North Coast Accommodation Reserve Trust appointed trustee of part R84696 (1 Duke Street)	Notified 7 August 2009.

Figure 1 shows the location of government buildings in about 1865: School of Arts, Gaol, Court House, Custom House, a boat shed and jetty. A Permissive Occupancy (licence) to the Grafton Rowing Club for boat shed and floating stage has also been granted.

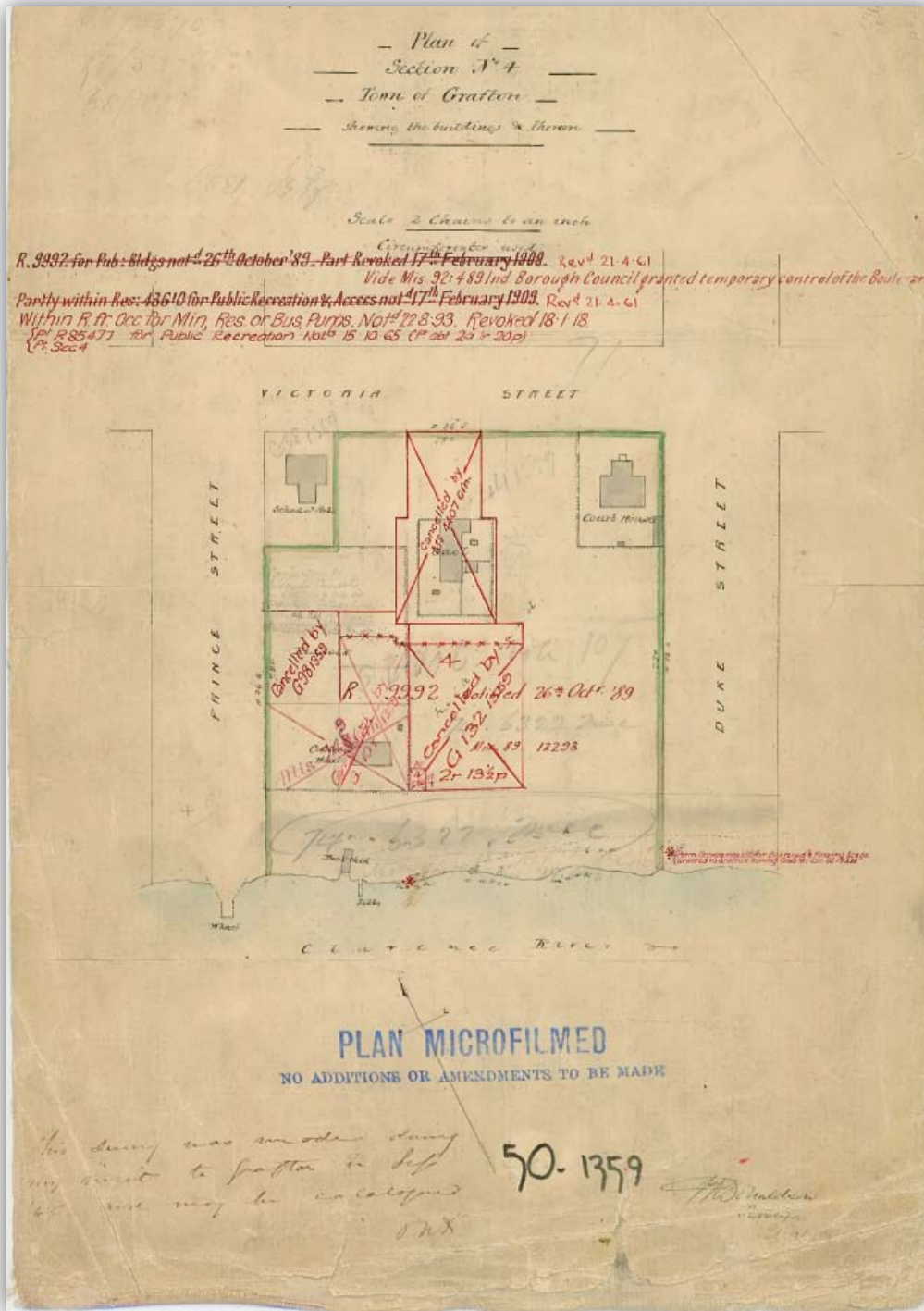


Figure 1 Plan of Section 4 Town of Grafton¹

In the following decade the civic precinct has substantially evolved with the addition of a new court house, police quarters, town hall and post office. The former court has been adapted as a police station and survey office as shown in Figures 2 and 3 from extracts from the Town Maps of Grafton printed in June 1880 and 1890 respectively. Wharves and boatshed are now well established on the river bank in a reserve for Public Recreation described as The Boulevard.

¹ The handwritten note at the bottom of the plan reads:
This survey was made during my visit to Grafton in Sept '65 and may be catalogued. JW Maldern, Surveyor Sept 13/

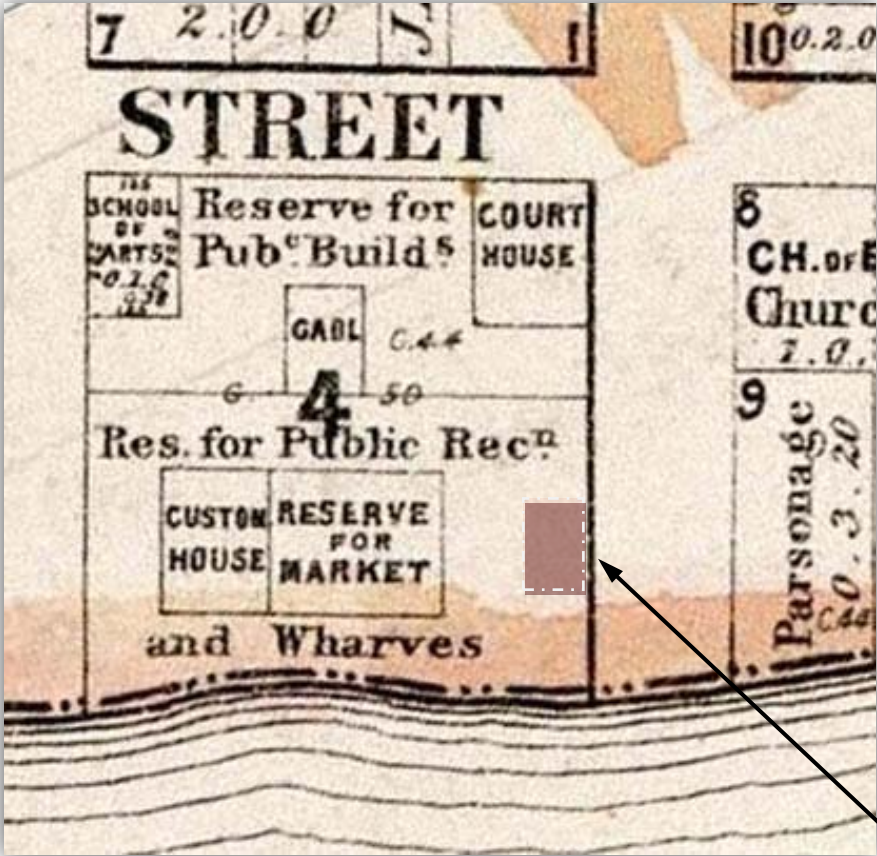


Figure 2 Extract Grafton Town Map 1880

Former Police Inspector's Residence

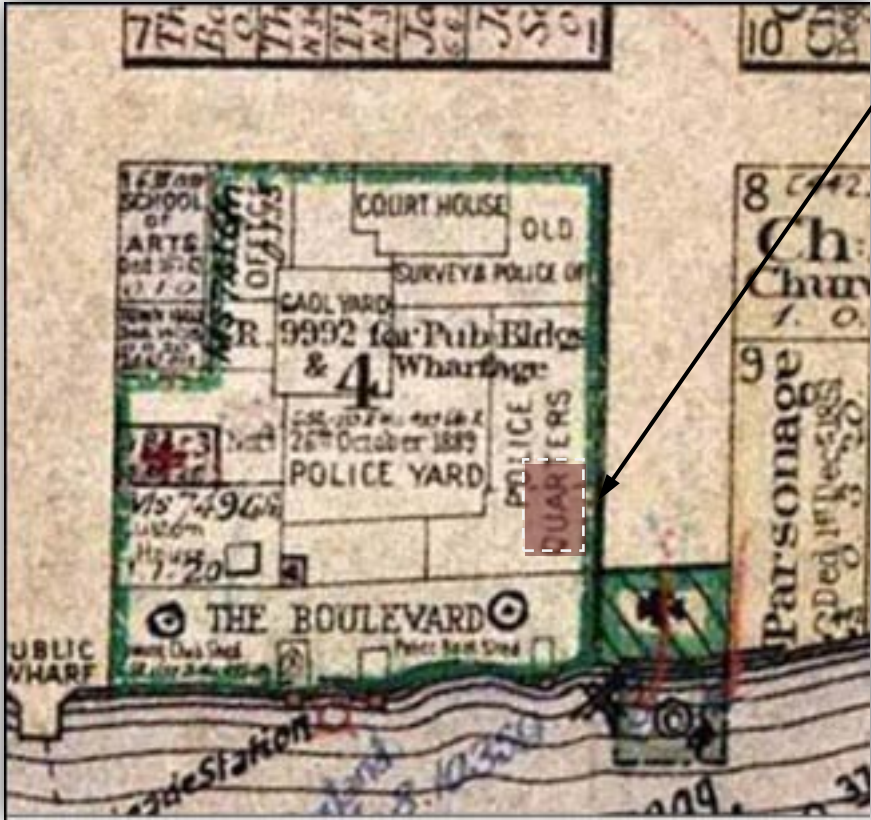


Figure 3 Extract Grafton Town Map 1890

Figure 4 provides a pictorial view of Grafton which dates from 1888. At this date all the main buildings are evident including gaol, courthouse, post office, police quarters, stables and the residence of the police inspector. In addition to the residence there is evidence of buildings for separate kitchen and toilets.

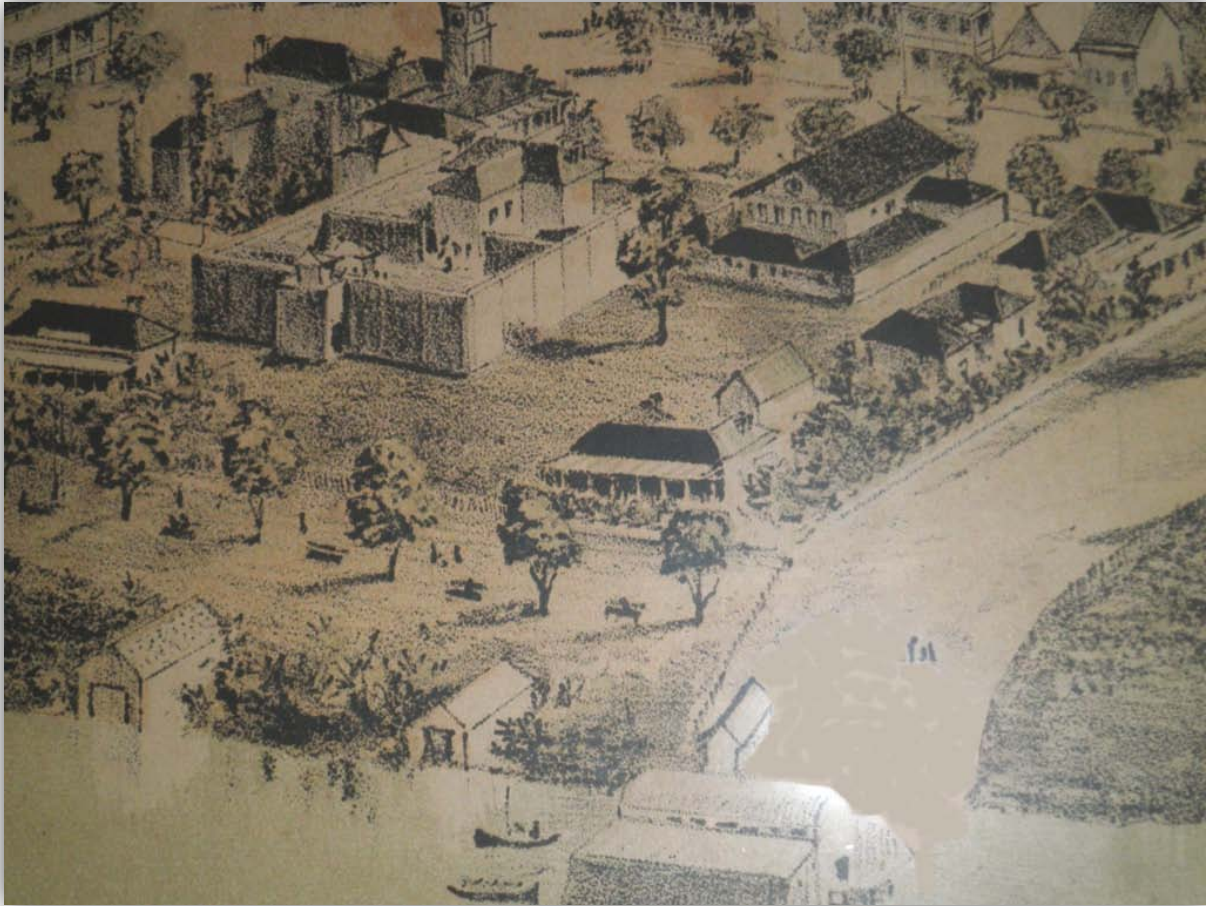


Figure 4 Section of a 'Birds-Eye View' of Grafton from *the Illustrated Sydney News* 31 May 1888.

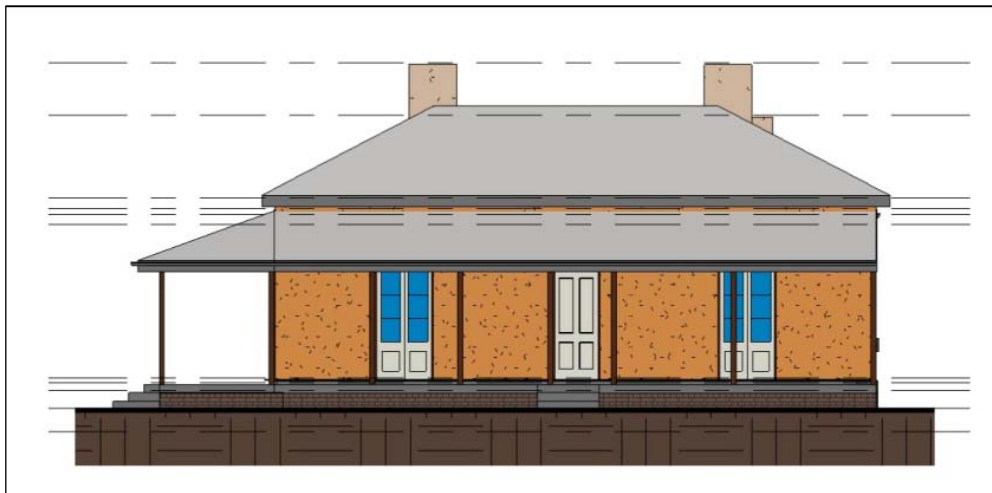
A precise date for the construction of the Police Inspector's residence is not known but there is clear evidence of its existence by 1886² so that a date in the early 1880s is possible. Research by Gary Fidler (see Appendix 1) has established that the building was extended in about 1890-95 to provide an additional kitchen and scullery. In the early 1950's the western two rooms were demolished for reasons that are unknown and replaced with a verandah which wrapped around the northern face of the building to result in the current layout which is shown in Figure 6 in Section 2 of this Plan. In terms of its use, the residence was used as a Police Inspectors residence until the late 1970s. In the beginning of the 1980's a new Government Office Block and police headquarters were built on the site of the gaol and consideration was given to demolishing the residence. However, in 1982 Grafton City Council resolved that the building should be retained and in 1994 Council was appointed as the trustee. Between 1994 and 2003 the site was leased to a succession of private

² Donald Ellsmore Pty, *Former Police Inspector's Residence at 1 Duke Street, Grafton, Heritage Report and Conservation Management Policies*, 2003, P. 7.

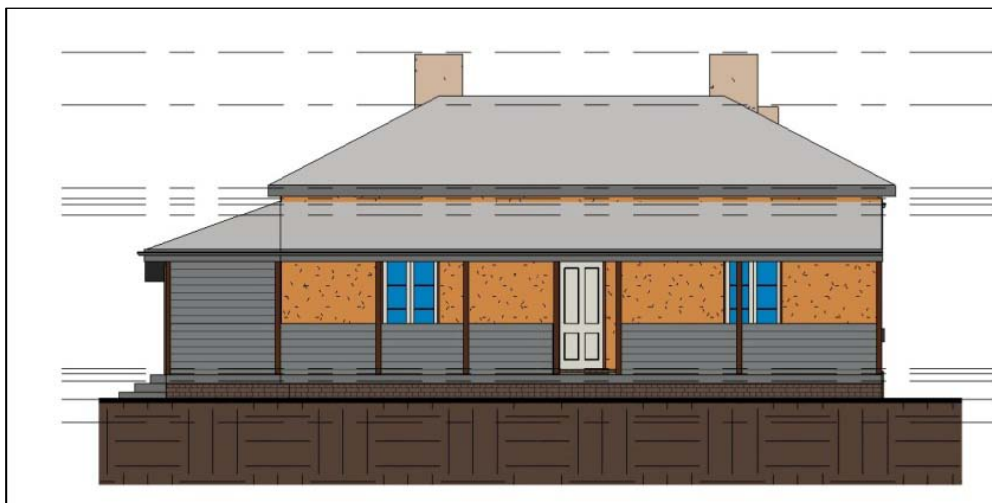
tenants and thereafter as an office, and for training purposes before becoming vacant. The evolution of the Residence between 1875 and 2010 as modeled by Gary Fidler Architects is shown in Figure 5.



(a) Pre 1890



(b) 1940



(c) 1960 – 2010

Figure 5 Evolution of the Former Police Inspectors 'Residence.

The North Coast Accommodation Trust was appointed to manage the reserve in August 2009 and has undertaken extensive maintenance to the residence to ensure its structural integrity.

In summary, the place has been used for residential purposes sometimes as ancillary to other public activities within the reserve, and for other commercial and community purposes.

1.4 The Basis for Management

The management of Part Reserve 84696 is to be in accordance with the objects and principles of Crown land management described in Sections 10 and 11 of the Crown Lands Act 1989 and the land management provisions of Part 5 of the Act. The land will therefore be used and managed in accordance with the following:

- The Plan of Management applying to the land;
- Environmental Planning and Assessment Act 1979 and any planning instrument permitting the use of the land for a specified purpose or otherwise regulating the use of the land;
- Crown Lands Act 1989;
- Crown Lands (General Reserves) By-law 2006; and
- Local Government Act 1993.

The preparation of this Plan of Management included site inspections, consultation with the Trust, reviews of relevant Land and Property Management Authority reports and policies.

The principal issues addressed in this Plan include:

- Conservation of an existing heritage item of local significance;
- Encouraging appropriate development through the creation of leases/licenses for uses that are compatible with existing civic and commercial activities within the City of Grafton to provide the financial basis for maintaining the Reserve;
- Vegetation management; and
- Access and parking.

1.5 Purpose of this Plan

The overall purpose of this Plan of Management is to establish objectives, performance targets and the means the Reserve Trust will employ to achieve the objectives and performance targets. The existing residence is an asset that needs to be used and maintained. The specific purpose of the Plan is to provide the basis for new activities and forms of development to be introduced to the reserve to allow greater use of the reserve by the public and to provide the income to maintain a heritage asset.

The most significant issues therefore to be addressed in relation to the ongoing management of the reserve are:

- The formulation of a strategic direction for the Reserve;
- Ensuring that sustainability principles are incorporated into the development and management practices adopted;
- Maintaining the fabric of the heritage item and its curtilage having regard to its heritage significance;
- Providing the community with appropriate levels of access to the reserve;
- Introducing new activities and development to improve the financial basis for the management of the Reserve and its assets;
- Vegetation management; and
- Security and appropriate risk management.

1.6 PUBLIC CONSULTATION

The draft plan was placed on public exhibition from 21 January –18 February 2011. Exhibition was advertised in the Clarence Valley Daily Examiner on 21 January 2011. Copies were available for viewing at LPMA and Clarence Valley Council offices at Grafton as well as the LPMA website.

2 THE EXISTING SITUATION

2.1 Description of Residence and adjoining area

The site of the former Police Inspector's residence shown in the aerial photograph of the site shown in Photograph 1 enjoys a unique location with frontage to the Clarence River and expansive river views in close proximity to the Grafton CBD.



Former Police
Inspector's Residence

Photo 1 Aerial view of the Former Police Inspectors 'Residence.

The strong heritage character of the Precinct is reinforced by a group of fine heritage buildings (former Court House, existing Court House, Post Office, hotel and business houses), wide streets and majestic street trees. Together these contribute significantly to the image and identity of the historic City of Grafton. The parklands facing the Clarence River provide an important recreation area which includes the local rowing club facilities, an outdoor performance area, city gardens, war memorial and is a favourite lunchtime spot for workers and visitors.

The precinct is listed as a heritage conservation area and several of the individual buildings are listed as items of State, Regional and Local heritage significance. The entire precinct forms a part of the Grafton Conservation Area under the North Coast Regional Environmental Plan 1988.



Photo2 View of Residence from Boulevard Walkway. (source Clarence Valley Council)



Photo 3 View of Clarence River from Front Porch of Residence (source Clarence Valley Council)



Photo 4 **Rear of Residence** (source Clarence Valley Council)



Photo 5 **Rear Yard of Residence** (source Clarence Valley Council)

Immediately to the north of the Residence is the Police and Emergency Services Building, its compound and an access way. The residence is screened by heavy boundary landscaping and mounding. Areas of open space wrap around the reserve on the southern and western boundaries as shown in the aerial (Photograph 1). A number of historical oblique photographs are contained in the Fidler Report in Appendix 2.

The internal layout and location of the Residence within Part Reserve 84696 is shown in Figure 6.

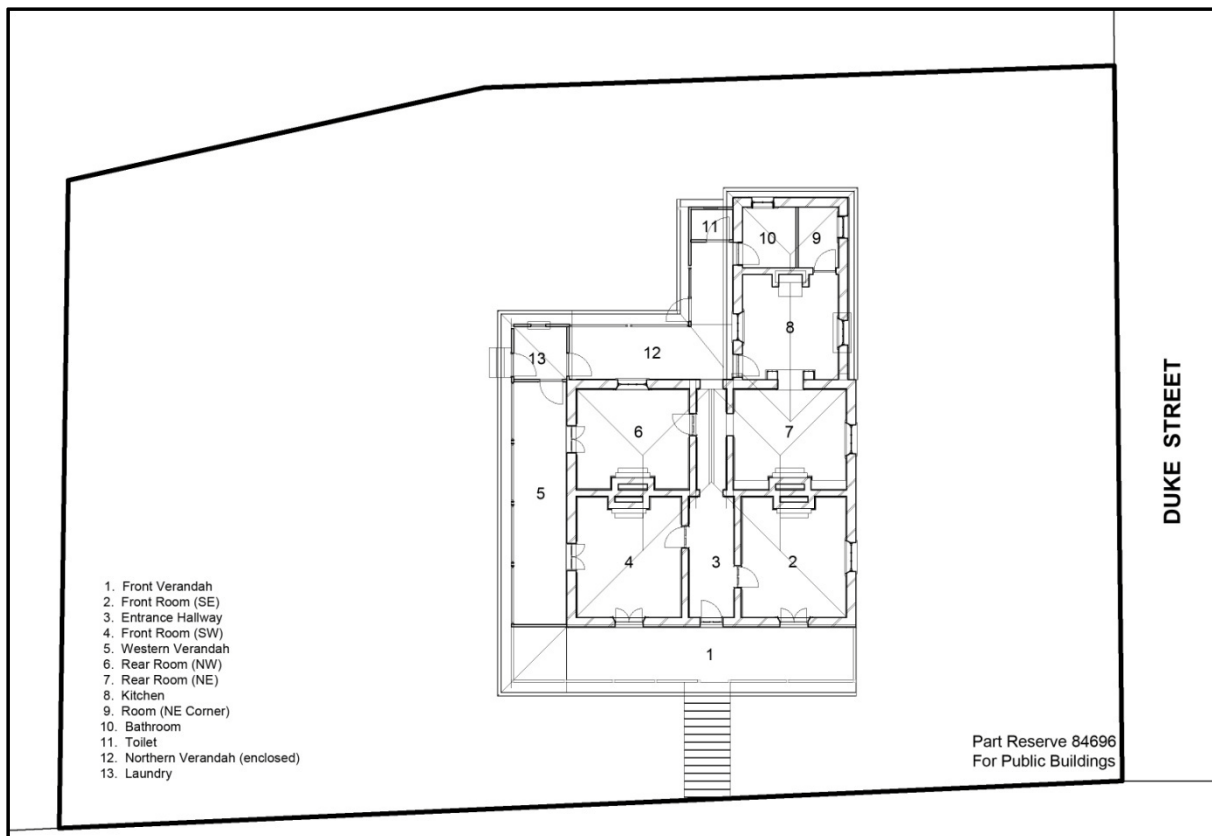


Figure 6 Current Layout

2.2 Strategic Assessment

The following assessment of the site containing the Residence summarises the main issues that require consideration. It has been used to identify actions and the priorities required to ensure the conservation of the existing heritage elements and to facilitate greater community access to and use of this area of the Grafton Civic Precinct.

The following points have not been ranked and hence they do not provide an indication of the order of priority.

Strengths

- Location - particularly in terms of proximity to Clarence River, the riverside pathway and the adjoining areas of open space;

- Proximity to the Grafton Business Centre and the commercial activities, services and people it attracts;
- Heritage interest in the site;
- Direct access from Duke Street;
- Availability of parking in Duke Street – particularly after business hours;
- The existing heritage building;
- Existing landscape features;

Weaknesses

- Age and condition of the existing residence;
- Heritage constraints;
- Proximity to traffic and parking demands generated by adjoining administration buildings;
- Proximity to unsightly public amenities building;
- Size of the site imposes constraints on potential development opportunities;
- Development area is poorly connected to the commercial precinct by administrative buildings;
- Nature and condition of site fencing; and
- Difficult site to secure (despite proximity to Police Station).

Opportunities

- Improvements to the presentation of the residence and its curtilage;
- Improvements to the fencing and connections to the adjoining areas of open space;
- New development in keeping with the scale and heritage character of the existing residence to improve public use of the reserve and to generate income to maintain the residence;
- Better integration with the balance of the reserve and the adjoining open space; and
- Vegetation in and around the reserve can be improved.

Threats

- Environmental hazards – especially flooding;
- Vandalism; and
- Neglect if not properly maintained and actively used.

2.3 Heritage Assessment and Significance

The Police Inspector's Residence is listed as a local heritage item in the Grafton Local Environmental Plan 1988 as part of the Grafton Civic Precinct Conservation Area. It is therefore included in the State Heritage Register which contains the following Statement of Significance:

The Former Police Inspector's residence at Grafton is a place of significance to both Grafton and the State of New South Wales. It is well constructed in local materials in the traditional manner of masonry walls and a steeply pitched roof incorporating a concealed valley. Its siting was one of strategic importance at the end of Duke Street on the river's edge near to

the principal riverboat wharves. It formed part of the government precinct in the town, being a place whose function was strongly related to the policing of the area and the administration of justice.

The building forms part of a group of civic buildings of high significance to the state. It illustrates the principal characteristics of the substantial investment by the NSW Government at the end of the Nineteenth century in places whose prospects were high. Grafton was then an important place of commerce with important communication and export facilities provided by the river boats and sea going vessels that could service the town at the deep water port of Grafton.³

The revised Heritage Supplement to the Conservation Management Plan contained in Appendix 2 has expanded Ellsmore's conclusion in relation to the significance of the building as follows:

The building at Grafton is not rare and not particularly representative. Its context has been eroded by the works undertaken in the early 1940's that altered the appearance of the place by removing two rooms on the Western side, and the redevelopment works on the adjacent sites that diminished the relationship between the residence and other historic buildings in the precinct. The building has undergone many changes in its history and reflects the ever changing function and appearance of the residence. However it can still be recognised as the Police Inspectors Residence."

Gary Fidler concludes:

....the Conservation Management Plan's prime consideration is the protection and maintenance of the historic item related to its significance. For this to occur there needs to be an initial injection of funds as capital and then an ongoing source of funds for the maintenance and protection of the item. All buildings do this better when used and therefore by their occupation are cared for. By proposing an expansion of the use of the site and adaptive use of the Residence it is ultimately the solution to ongoing care of the Residence. The Conservation Management Plan proposes the adoption of these principles with utmost intention of care and recognition of the heritage item "The Police Inspectors Residence".

2.4 Management Issues

The Reserve will cater for a range of activities similar to any other park or reserve of its scale and purpose. The issues that arise must be identified and addressed to minimize potential conflicts and safety risks.

³ The Statement of Significance is based on the assessment contained in a report by Donald Ellsmore Pty Ltd, *Former Police Inspector's Residence at 1 Duke Street, Grafton, Heritage Report and Conservation Management Policies*, 2003, P. 24.

- Conflicts and incompatibilities relating to different reserve uses and with the uses of the surrounding reserved lands (e.g. recreational activities on the adjoining recreational reserve, operational requirements of the police and other public services);
- Access and increased visitation (e.g., disabled access, parking, hours of operation etc);
- Protection of reserve assets (e.g. protection from vandalism); and
- Maintenance of reserve assets particularly the existing residence.

2.5 Summary

The Former Police Inspector's Residence is an important heritage item although as a residence it is not particularly notable. However, in order to maintain this building and the land it occupies, and to allow the reserve to be used by the public consideration needs to be given to other sources of income that may be generated by appropriate development of the site.

3 STATUTORY AND POLICY FRAMEWORK

3.1 Introduction

This Plan of Management has been prepared in accordance with the Crown Lands Act 1989, to provide a framework for the future management, use and development of the Former Police Inspector's residence and surrounding lands within Reserve 84696. Other legislative requirements, including environmental planning policies, guidelines and strategies, have also been addressed in the Plan.

3.2 Crown Lands Act 1989

The objects and principles of Crown land management are listed in Sections 10 and 11 of the Crown Lands Act and form the starting point for the preparation of Plans of Management. The principles of Crown land management are that:

- *Environmental protection principles be observed in relation to the management and administration of Crown land;*
- *The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible;*
- *Public use and enjoyment of appropriate Crown land be encouraged;*
- *Where appropriate, multiple use of Crown land be encouraged;*
- *Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity; and*
- *Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles.*

In terms of Plans of Management, the single most important management provision is given by Section 114(2) of the Act which provides:

(2) If a plan of management is adopted:

- (a) the reserve trust shall carry out and give effect to it, and*
- (b) no operations may be undertaken on or in relation to the reserve unless they are in accordance with the plan.*

The *Crown Lands Act 1989* and existing policy for the management of Crown land has always encouraged the appropriate commercial use of reserved Crown land. Commercial activity can meet the needs of public users of a reserve as well as generate the financial means to manage and improve the Crown Reserve system generally. A specific requirement of the Act has always been that the proceeds of commercial activities on reserved Crown land are to be spent on the management of reserved Crown land. Thus the revenue generated from a commercial undertaking on any reserve is a potential source of funds for the on-going management of physical improvements as well as the natural components of reserved land.

This Plan of Management provides the planning framework through which management initiatives can be implemented. It identifies the strategies (including forms of development and potential tenure arrangements) required to achieve the objectives of the Plan.

3.3 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the statutory basis for the development consent process in New South Wales. Section 79C of Part 4 of the EP&A Act outlines the factors that a consent authority must consider when assessing a Development Application under Part 4 of the EP & A Act. These factors include:

- any environmental planning instrument;
- any draft environmental planning instrument that has been placed on public exhibition and details of which have been notified to the consent authority.
- any development control plan;
- the Regulations;
- the likely impacts of the development, including environmental impacts on both the natural and built environment, and social and economic impacts on the locality;
- The suitability of the site for the development;
- any submissions made in accordance with the Act or the Regulations; and
- the public interest.

The EP & A Act has a range of other provisions that may take effect depending upon the nature of a development proposal and the issues that may be encountered. Part 3A of the EP & A (discussed further below) requires that development declared to be subject to Part 3A requires the approval of the Minister for Planning. The approval is subject to the determination of an application accompanied by an environmental assessment (EA) prepared in accordance with the Director-General of Planning's requirements.

Where development consent is not required for a type of development but the activity is undertaken by a public authority or requires the prior approval of a public authority, a review of environmental factors (REF) is required to be prepared and assessed under Part 5 of the EP & A Act.

3.3.1 Grafton Local Environmental Plan 1988

The Reserve is subject to the provisions of the Grafton Local Environmental Plan 1988 (GLEP).

Under this environmental planning instrument the land is currently zoned 3(a) Business. In this zone the following objectives and development controls apply.

Zone No 3 (a) (Business Zone)

1 Objectives of zone

The objectives of this zone are:

- (a) to allow for retail, commercial, high density residential and restricted service and light industrial uses,*
- (b) to control land use location and character within the commercial area by development control plans, and*
- (c) to define the main area for business and commercial activity within the City of Grafton.*

2 Without development consent

Nil.

3 Only with development consent

Any purpose other than a purpose specified in item 4.

4 Prohibited

Agriculture; animal establishments; brothels; bus depots; cluster development; extractive industries; gas holders; generating works; industries (other than light industries or those ancillary or complementary to commercial premises); junk yards; liquid fuel depots; mines; recreation establishments; road transport terminals; restricted premises; sawmills.

The uses envisaged by this Plan of Management are defined as *innominate uses* under GLEP; that is, they are not identified as prohibited and therefore require development consent unless authorised by another planning instrument.

The GLEP also contains a number of provisions that relate to development of items of environmental heritage (Cl. 28), development generally in conservation areas (Cl. 29), and the provision of incentives to facilitate the conservation of heritage buildings (Cl. 30). Collectively these provisions are important because the Former Police Inspector's Residence is listed as an item of environmental heritage significance within Schedule 1 of the GLEP. In terms of definitions, GLEP with some exceptions adopts the *Environmental Planning and Assessment Model Provisions 1980*.

3.3.2 Draft Clarence Valley LEP 2010

Zone B3 Commercial Core

Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- To encourage appropriate employment opportunities in accessible locations.*
- To maximise public transport patronage and encourage walking and cycling.*
- To identify Grafton/South Grafton as the major regional business centre in the Clarence Valley, which is to accommodate major state and regional services, professional services and provide higher order shopping.*

- *To encourage the development and expansion of business activities which will contribute to economic growth and employment opportunities within the Clarence Valley Local Government Area.*
- *To encourage business development which is in keeping with the heritage character of Prince Street, Grafton and Skinner Street, South Grafton.*

Permitted without consent

Building identification signs; Business identification signs; Flood mitigation works; Home-based child care; Home occupations; Home occupations (sex services); Roads.

Permitted with consent

Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Home industries; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Any other development not specified in item 2 or 4.

Prohibited

Agriculture; Air transport facilities; Attached dwellings; Biosolids treatment facilities; Boat repair facilities; Canal estate development; Caravan parks; Cellar door premises; Cemeteries; Correctional centres; Crematoriums; Depots; Dual occupancies; Dwelling houses; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Funeral chapels; Funeral homes; Group homes; Hazardous storage establishments; Highway services centres; Hostels; Industrial retail outlets; Industries; Landscape and garden supplies; Liquid fuel depots; Multi dwelling housing; Offensive storage establishments; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential flat buildings; Restriction facilities; Rural industries; Rural supplies; Rural worker's dwellings; Secondary dwellings; Self storage units; Semi-detached dwellings; Seniors housing; Sewerage treatment plants; Sex services premises; Storage premises; Timber and building supplies; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste management facilities; Waste or resource management facilities; Water storage facilities; Water treatment facilities.

3.3.3 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 provides that certain types of works do not require development consent by a public authority, other agencies and authorised persons. The SEPP does not remove the requirement to obtain "approval" in relation to Part 3A projects if the proposed development falls within the provisions of SEPP (Major Development) 2005.

Clause 65 (2) 12 of the Policy provides that in respect of land reserved within the meaning of the Crown Lands Act 1989 development can be carried out without consent by or on behalf of the Director-General of the Department of Lands, a trustee of the reserve or the Ministerial Land Corporation, or an administrator of the reserve if the development is for purposes of implementing a plan of management adopted for the land.

In relation to the development that is likely to have an impact on council-related infrastructure and services; or where the land is flood liable, Clauses 13 & 15 of SEPP (Infrastructure) respectively requires the Trust to notify council and to consider any response received within 21 days where development does not require consent but may have impacts that are not minor or inconsequential for a local heritage item or a heritage conservation area, Clauses 13 of SEPP (Infrastructure) also requires the Trust under this Plan to:

- Prepare an assessment of the impact; and
- Notify the council for the area and provide a copy of the assessment; and
- Take into consideration any response from Council's received within 21 days of the notice.

Development required to be undertaken in the implementation of this Plan of Management under the provisions of Clause 65(2) of SEPP (Infrastructure) 2007 is identified in Section 5.3. of this Plan.

3.3.4 North Coast Regional Environmental Plan 1988

The North Coast Regional Environmental Plan 1988 is a deemed State Environmental Planning Policy. It contains provisions which relate to the making of planning instruments and the assessment of development applications. It relies on the local planning instrument for matters such as permissibility, development standards and the identification of heritage and other environmental attributes. Consequently, it sets out strategic direction for the area.

The Former Police Inspectors Residence is situated within the Grafton Conservation Area under this instrument and is listed as a heritage item of regional environmental significance.

3.4 Clarence River Way Masterplan

Clarence Valley Council has adopted a Masterplan⁴ for the Clarence River Way which sets development and infrastructure goals for its region to position the Clarence as one of the nation's great river experiences.

The core values that underpin the Clarence River Way 'brand' are:

- Family, friends, community
- Real experiences
- Value for Money
- Quality; and
- Sustainable.

The Masterplan is based on a number of interrelated actions based over a large river catchment. The action of greatest relevance to the Plan of Management is Strategy 4 which seeks to reposition Grafton as a "River City" Destination. The Clarence River Way Masterplan builds on Grafton's prime

⁴ Clarence River Way Masterplan – Tourism Investment & Infrastructure Plan, Clarence Valley Council 2009.

waterfront address to the Clarence River through a number of measures including the following actions which are germane to this Plan of Management:

- Re orient the city to the river, including both Grafton and South Grafton.
- Promote the development of a waterfront precinct adjacent the town centre. Focus on the redevelopment and vitalisation of the core river edge from Queen Street to under the Grafton Bridge.
- Improve the presentation of retail and commercial areas for tourism.
- Encourage extended trading hours for restaurants and cafes.
- Facilitate investment in new infrastructure and improve accommodation presentation levels to meet expectations of target markets.
- Improve public access to the waterfront through existing public open space.

Under the objective of establishing the river as the foundation asset in the Clarence Valley, the Masterplan encourages river related development that builds on current assets, provides access to the river, and revitalises the river edge.

The Masterplan also recognises the particular importance of utilising the heritage assets of the Valley and the need to foster available opportunities to integrate civic, public, and institutional buildings to facilitate public use of the waterfront.

The Plan of Management responds to the direction established by Clarence Valley Council by the following means:

- Recognising and maintaining the heritage significance of the heritage item and the place;
- Encouraging development within the Reserve in a manner consistent with the objectives and strategies of the Masterplan;
- and by opening up the Former Police Inspector's Residence to greater public access

3.5 Grafton Waterfront Precinct Masterplan

A draft Grafton Waterfront Precinct Masterplan prepared by Clarence Valley Council was placed on public exhibition in January 2011. It applies the strategic recommendations of the Clarence River Way Masterplan and will form the basis of a revitalisation program for Grafton's iconic waterfront precinct.

The former Police Inspectors Residence at 1 Duke St is recognised as a key feature of the waterfront Boulevard. The Masterplan seeks to promote opportunities for new commercial activities that will enhance the waterfront experience and it supports the proposed redevelopment of 1 Duke St.

3.6 Grafton Community-Based Heritage Study

Grafton Community-Based Heritage Study was adopted by Clarence Valley Council in 2010 and makes recommendations for the formal protection of recognised heritage items and places within the City of Grafton. The former Police Inspectors Residence is recognized as an intrinsic part of the historic Grafton Civic Precinct which is considered to be a possible item of State significance and has been recommended for nomination for listing on the State Heritage Register.

3.7 Other Statutory and Policy Documents

A Heritage Report prepared in October 2003 by Donald Ellsmore Pty Ltd contains a range of conservation management policies. In the accompanying report prepared by Gary Fidler Architects contained in Appendix 2, it is recommended that the current statement of significance be amended in line with more recent heritage investigations and analysis of the place. The conservation principles and the revision to the policies in the earlier Ellsmore Report provide an important addition to the management of the place.

The objective of the *Disability Discrimination Act 1992* is to eliminate, as far as possible, discrimination against people with disabilities particularly in terms of access to premises. The Act also aims to promote recognition and acceptance in the community that people with disabilities have the same fundamental rights as the rest of the community. Future development of the Reserve will be pro-active in relation to providing access for the disabled.

3.8 Summary

There are a range of existing planning controls and policies to protect the heritage of the place while allowing compatible development to be undertaken by the Trust to provide the required income to maintain the asset and to increase the public's access to and use of the reserve.

4 VISION AND OBJECTIVES

4.1 Introduction

This Plan of Management is based on a 'Vision Statement' that will guide the Reserve Trust in its decision making processes. Implementation of the Vision Statement will be through specific management objectives, strategies and actions described below. The structure of the action plans allows the Trust to be responsive to economic factors, new information, and social and technological change.

4.2 Vision Statement

The Vision Statement of the Plan of Management to guide the future management of the Reserve is:

To preserve the unique character of the historic Grafton Police Inspector's building while optimizing the building and the reserves continued use and public benefits.

In its care, control and management of the Reserve the Trust will have a:

- *Commitment to providing appropriate public access to the land, services and facilities under management;*
- *Commitment to maintaining and enhancing the environmental, economic and social values of the land and property managed;*
- *Commitment to providing an economic return to the community from management of the communities assets;*
- *Commitment to achieving efficiency through the use of alternative land management approaches and tools; and*
- *Encourage high ethical and professional standards.*

4.3 Objectives

The Vision for the Reserve will be implemented in conformity with the following specific objectives:

- | | |
|--------------------------------------|--|
| 1. Regulatory Compliance | To ensure that the improvements, facilities and management of the Reserve complies with all applicable statutory standards. |
| 2. Health Safety and Risk Management | To provide and maintain facilities, in a manner, which minimises risk to reserve users, and reserve management. |
| 3. Business Management | To ensure commercial viability which promotes timely and responsible decision-making, and is responsive to environmental, heritage, commercial, legal, social and technological imperatives. |

- | | |
|-----------------------------|--|
| 4. Environmental Management | To ensure that the Reserve is managed and protected in accordance with sound ecological principles. |
| 5. Sustainability | To ensure that sustainability principles are incorporated into the design and maintenance of the existing residence and infrastructure with the ultimate goal that resources are used efficiently throughout their lifecycle and to meet the needs of the community. |
| 6. Facilities | To optimise the potential of the Reserve consistent with the principles of ecological sustainability and heritage significance of the place through the provision of facilities and activities. |
| 8. Reserve Information: | To inform people of the Reserve's attributes, activities and facilities as well as appropriate ways to use and care for them. |

In the development, improvement and management of the Reserve, the Reserve Trust will adopt sustainability principles and recognise the need for:

- (a) Conservation of energy and reduction in carbon dioxide emissions;
- (b) Building materials and building processes that involve low embodied energy;
- (c) Building design and orientation that uses passive solar design, day lighting and natural ventilation;
- (f) Energy efficiency and conservation;
- (g) Water conservation and water reuse;
- (h) Waste minimisation and recycling;
- (i) The use of landscaping to provide shade, shelter and screening; and
- (j) Potential for adaptive reuse of structures and materials.

5 IMPLEMENTATION ACTIONS, STRATEGIES AND REVIEW

5.1 Introduction

A range of measures have been identified as required to implement this Plan of Management to ensure the Reserve is improved and managed in accordance with the Principles of Crown Land Management. The proposed actions are designed to provide for the continuation and improvement of the existing approved land-use in a way that addresses environmental constraints and allows for appropriate commercial outcomes. The proposed improvements required to achieve the desired outcomes of the Plan, identified in this document in Section 5.3, are permitted pursuant to Clause 65(2) of SEPP (Infrastructure) 2007.

5.2 Management Principles

The future use of the Reserve will be based on the following Management Principles:

- Be consistent with the aims and objectives of this Plan of Management;
- Satisfy the land management principles of the Crown Lands Act 1989 and the requirements of the Act regarding the use of leases and licences;
- Be consistent with the land use zoning and heritage provisions under the applicable adopted local planning instrument;
- Ensure and encourage public access;
- Allow for multi-purpose use of the building and its curtilage;
- Ensure regular use to increase security and surveillance of the building.
- Ensure commercial activities are complementary with the civic precinct and the adjoining areas of open space;
- Ensure the conservation of the site by complying with the Conservation Management Plan;
- Minimise vehicle traffic and parking in local streets by promoting pedestrian access; and
- Serve the needs of park users, and the local community.

5.3 Built Form and Permitted Uses

In order to implement this Plan of Management it is propose to develop an area in Part Reserve R84696 covered by this Plan of Management for a function center or similar use. A conceptual plan, prepared by Gary Fidler Architects (see Drawing OF15) is reproduced as Figure 7. The area of the reserve to be developed is to the west of the current residence identified on Drawing C-01 to provide the income required to maintain the existing residence and to achieve the objectives of the local planning instrument.

Figure 7 also addresses areas of the Reserve that are to be retained for landscaping, access and service provision. The linkage between the existing residence, which is to be retained, and the form and scale of any new development is considered in the Management Conservation Plan contained in Appendix 2.

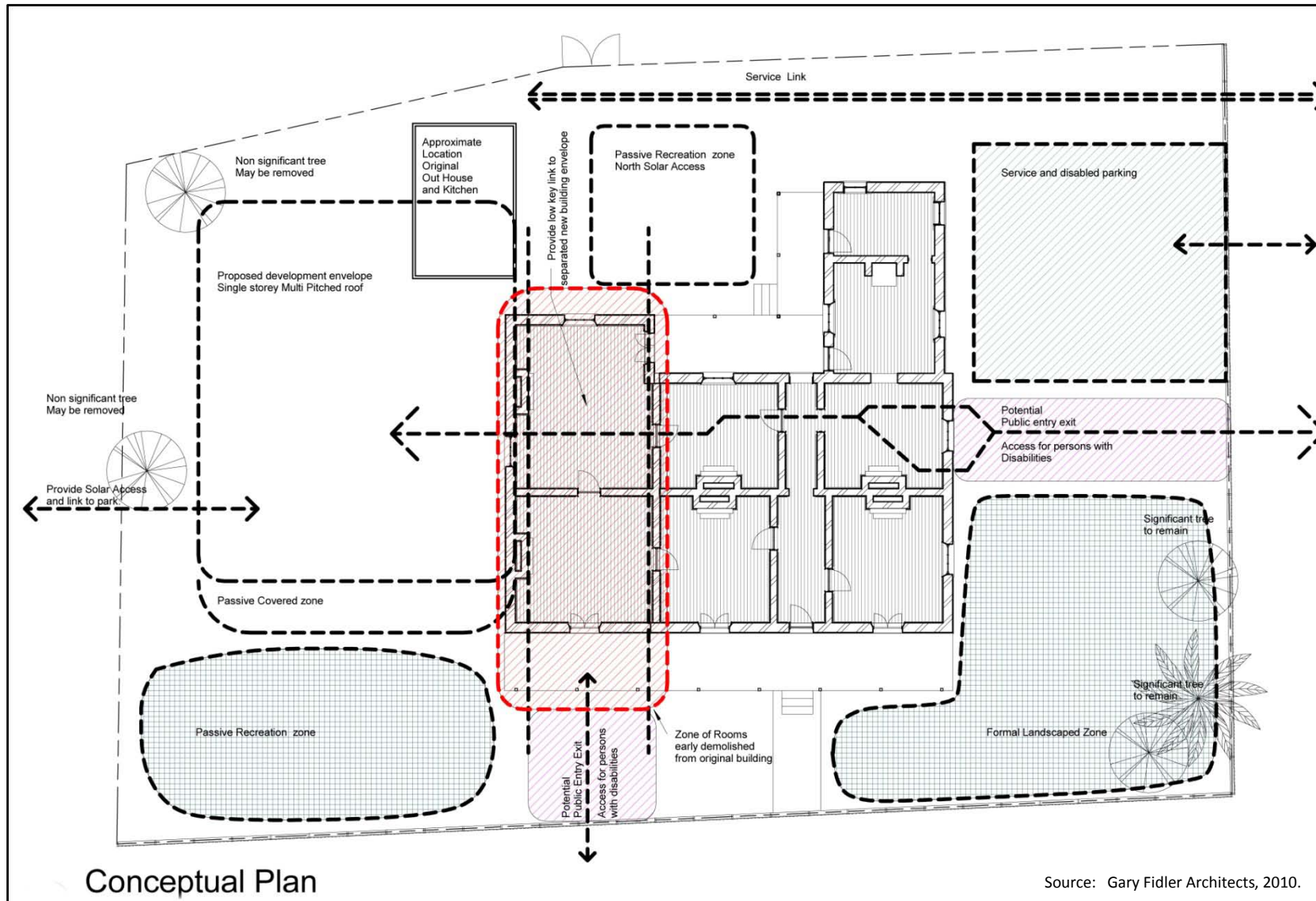


Figure 7 Concept Plan for the Redevelopment of the Former Police Inspectors Residence.

With regard to the proposed concept plan for the redevelopment of the Former Police Inspectors Residence, various discussions have taken place between Clarence Valley Council and various parties in relation to the development of further facilities on the site, for example, a commercial kitchen and conference facility.

Based on the aims and objectives of this Plan and the Conservation Management Plan for the Former Police Inspector's Residence suitable uses of the Reserve could include:

- art gallery;
- artists / writers studio (short-term);
- caretaker's residence as ancillary to a permissible use;
- commercial uses e.g. offices;
- community facilities;
- exhibitions / displays;
- functions with indoor / outdoor facilities;
- kiosk, café/restaurant, tea rooms;
- launches (books, products);
- meetings by community groups; or,
- museum.

The approved activities and works that are consistent with the purpose of the Reserve, the existing and proposed land use zone in the local planning instrument and appropriate to the heritage significance of the place are as follows:

Approved Activities and Works: *Business premises; Community facilities; Educational establishments; Function centres; Information and education facilities; Office premises; Residence (ancillary to other approved use), Recreation facilities (indoor). Landscaping, tree removal, tree replacement and weed removal.*

A conceptual plan, drawn from the Conservation Management Plan in Appendix 2 prepared by Gary Fidler Architects, is shown in Figure 7. This plan identifies the zones where future development under this Plan is envisaged and the issues that need to be taken into account to ensure that new development respects and responds appropriately to the heritage significance of the item.

In accordance with section 3.3.3 of this Plan, before any development is undertaken to implement this Plan a review of environmental factors will be prepared and Council will be notified of the proposed development. This review is to include an assessment of all relevant issues including the provision of parking, visual impacts and matters referenced in the Conservation Management Plan contained in Appendix 2.

5.4 Leases and Licenses

This Plan authorises the Reserve Trust to enter into leases/licences with the consent of the Minister for the whole or part of the Reserve for purposes listed in section 5.3 and any other purpose consistent with the Reserve's public purpose. A temporary licence may also be granted for any purpose listed in Clause 31 of the Crown Lands Regulation 2006 that is consistent with the public purpose of the Reservation.

5.5 Landscape and Grounds

Landscape works and plantings to the curtilage of the Residence should respect and enhance the significance, setting and views associated with the Reserve. Plantings should not obscure key views from and to the building or its features. Landscaping should aim to enable and enhance the adaptive re-use of the place without compromising its identified cultural significance.

Where existing trees are required to be removed to enable development or use(s) permitted by this plan to be undertaken, suitable replacement plantings based on endemic species should be undertaken within the Reserve.

5.6 Future Actions

The Reserve and Residence are currently under the management of a Reserve Trust that has taken active steps to secure, improve and protect the Reserves assets. However, future development of the Reserve undertaken directly by the Reserve Trust or under lease or licence is essential to provide the income required to maintain the Residence and the Reserve. In order to implement this Plan of Management, development consistent in scale and intensity with the options developed in the Conservation Management Plan contained in Appendix 2 should be considered as a high priority within the first year of this Plan.

To help facilitate the vision for the reserve, this PoM recommends that the scope of the declared purpose of the reserve (being reserve for "public buildings"), be formally expanded to maximise the range of opportunities for appropriate public use. To address any inconsistency with existing and potential future uses and the *declared purpose*, this plan of management adds "public recreation" and "tourist facilities and services" as compatible and acceptable *additional purposes* pursuant to Section 114(1C) – Crown Lands Act 1989."

In order to better manage the heritage values of the site and risks associated with public visitation this PoM proposes the addition of the reserve to Schedule 1 - Crown Lands (General Reserves) By-law 2006.

5.7 Review of this Plan of Management

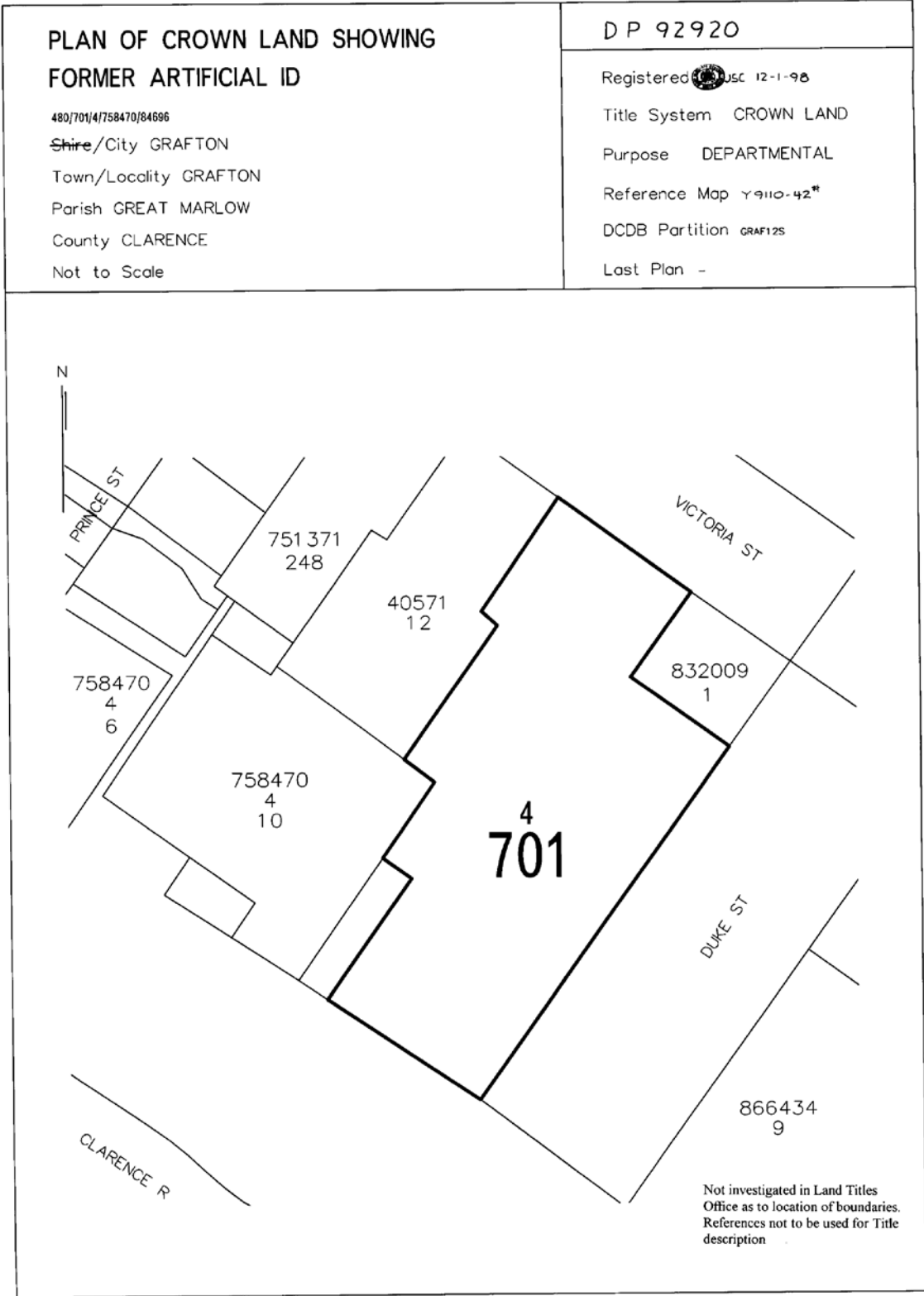
The Plan of Management will require regular review and updating to ensure that it reflects current community expectations and changing circumstances. Reviews will be carried out by the Reserve Trust Board as follows:

- an annual review to determine progress in implementing the Plan, and to set the implementation program for the following year.
- a complete revision of the Plan at the end of five years, or sooner if considered appropriate; and
- as required by changes in legislation, or as directed by the Minister for Lands.

With each review of this Plan of Management, community feedback will be invited to provide guidance on future needs and expectations, and the need to adjust management objectives and principles.

Appendix 1 Status Diagram of Reserve 84696

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APPENDIX 2

Conservation Management Plan