

Issues and responses to Braidwood Business Meetings held 17 August 2005 and 6 September 2005

Please note this is not the complete list of issues and responses. The Heritage office is still working on the response to some additional issues raised at the September meeting.

Alternatives to listing the whole town and its setting

Why can't the Heritage Council look at alternatives to listing the whole town such as those in Victoria eg by precincts , or by individual buildings, or in the case of Braidwood, just the main street and/or why can't it leave the rural areas out?

Why list the whole town when a number of items are already protected?

- There are 106 properties in Braidwood already listed as heritage items in Palerang Council's planning instruments.
- There are also four items on the State Heritage Register: Albion Hotel, Bedervale, former Royal Hotel and the Mill Centre.
- These listings have not interfered with their owners' use or business operations.
- The proposed listing of Braidwood and Its Setting recognises the significance of the township and its surroundings as an integral precinct, or 'item' of cultural landscape, of significance to the State. Listing of the town and its setting on the State Heritage Register provides the most effective means of protecting and enhancing the heritage values of the town.
- While individual structures may contribute to a greater or lesser extent to the significance of the town, Braidwood and Its Setting together are critical elements in demonstrating how the town began and developed, based on early colonial planning principles. The various stages of this history and growth are revealed both in the town's buildings and fabrics and in its important relationship to the surrounding rural lands. The proposed listing does not seek to 'freeze' the town in time, but rather to encourage future changes that respect, reflect and preserve these now rare qualities for the benefit and delight of residents, visitors and future generations.
- During the making of several feature films in Braidwood over the years it was not only the town but also its rural vistas which appealed to the film-makers.

Compensation

Is there going to be compensation for owners of heritage items for maintenance and repair?

- There is no provision for compensation for listing under the Heritage Act. There are, however, a number of benefits including being eligible for a heritage valuation for local government rates and land tax.

- State Heritage Register listing would mean the town as a whole will be eligible for funding from the Heritage Incentives Program.
- Funds will also be available through a local heritage fund managed by Palerang Council so that owners could apply direct to Council. Similar schemes operate in many other local government areas in NSW. For larger projects with a minimum project cost of \$20,000 owners can apply direct to the Heritage Incentives Program. Neither of these sources of assistance could be categorised as 'compensation', as no injury or obligation attaches to the listing, beyond the obligation to keep a place structurally sound and in a reasonable state of repair.

Will the owners of rural land be compensated for loss of potential from subdivision or concessional allotments?

- Owners of land currently zoned Rural 1a, are not automatically entitled to assume that approval to subdivide is theirs for the asking. This situation would not change as a result of heritage listing, thus there is no case for 'compensation'. If the area is listed, any subdivision or development proposals in this zone would need the consent of Palerang Council and the Heritage Council.

Who will bear the cost for the extra time involved in the Heritage Office's review of proposals?

- Application fees only apply to the limited number of proposals requiring Heritage Council consent. In these instances the Heritage Council intends to waive the fees for non-commercial applications by individuals. Where the Heritage Council is not the consent authority, but is referred the proposal for comment by Palerang Council, then the Heritage Council will provide advice as to whether the proposal was likely to affect the heritage significance of Braidwood and Its Setting. There would be no fee for this type of referral and the cost would be borne by the Heritage Office.

Policing the maintenance and repair of items

- The Heritage Office relies on Palerang Council, Council's Heritage Advisor and the community at large to bring to its attention instances of neglect of heritage items.

Adapting buildings for occupational health and safety and/or for energy and water sustainability

What about occupational health and safety issues re the size of doorways, steps vs disabled access i.e. maintaining heritage integrity vs public access?

- Council's Heritage Advisor should be consulted, in the first instance, about such issues. The Heritage Office can provide expert advice on health, safety and disabled access issues affecting heritage properties. The Heritage Office also maintains a list of consultants throughout NSW who are able to advise on these matters. This list is to be found on the Heritage Office website.

If the town was listed can heritage items be adapted for energy efficiency eg solar panels on the roof, water tanks etc?

- Generally, yes. The best solution to incorporating these features would vary from place to place. Council's Heritage Advisor should be consulted, in the first instance, about such issues.

New subdivisions and population growth

Why shouldn't landholders be able to subdivide their land in order to help Braidwood grow?

- During the consultation process for the proposed listing, two developments have already been approved in the town – one for an aged care facility and the other for a residential development of 116 lots. The Heritage Office successfully negotiated with the proponents of these developments to take heritage issues into account in their applications. As a result of these negotiations there will now be improved buffer zones around both developments, with landscaping to reduce the impact of the developments on the heritage significance of the town and its setting.
- The listing area includes a curtilage around the town which incorporates land which is currently zoned rural 1a. (This is land on the north, south and east of Braidwood.) The current zoning of this land does not permit residential subdivision.
- There is development pressure on some of this land – some owners have indicated they would like the land rezoned so they can proceed with residential subdivisions. Applications to rezone this land would have to be made to Palerang Council and ultimately to the NSW Department of Planning. The NSW Heritage Office would be a party to their consideration, if the listing is made, as part of the normal rezoning consultation process.
- The Heritage Office has not included the western edge of the town in the listing because it does not have the heritage significance of the proposed listing area. This area is already host to several 1980s and '90s style subdivisions. There is potential for further development in this area.

What about the loss of prime agricultural land from subdivision? Agriculture contributes a lot of money to the town. Listing of the rural land around the town protects it from subdivision – farmers are business people too.

- The listing of rural lands surrounding Braidwood will not limit the affected landowners in carrying out their day to day farming practices. In fact it will recognise and support the value of this land use in the character and setting of Braidwood. NSW Agriculture has expressed general reservations about the rezoning of prime agricultural land for residential subdivision, because of a decline in this type of land across the state and the increased potential for conflicts between farming practices and residential development.
- Agriculture is a significant contributor to the local economy of Braidwood. (For example, an estimated \$8 million worth of cattle was sold at the Braidwood sale yards in 2005).
- Agriculture has and continues to be a key factor in contributing to the economic environment and well-being of Braidwood.

The minimum catchment for small business is 3000, Braidwood has a population of 1000, therefore the town needs more development.

- A fundamental issue associated with development – and this is an issue for Palerang Council, and not directly associated with the proposal to list the town – is whether the town's infrastructure can accommodate a greater population. With the approval of the two recent developments the population, which is now 1100, is projected to grow to 1700.

Economic and social benefits of listing

Where is the evidence that there will be economic and social benefits for the town from listing?

- In response to issues raised concerning the likely social and economic impacts on the town of the proposed listing, the Heritage Office and Palerang Council have commissioned a Rural Impact Study by the NSW Office of Rural Affairs. A preliminary report will be completed by 16 September and distributed to Palerang Council and the Heritage Office for comment. The final report will be provided to Palerang Council for dissemination to the local community, and will form part of the Heritage Council's consideration of the proposed listing. If the town is listed the Heritage Office intends to monitor the economic impacts on Braidwood.

Real estate issues

How would listing affect the property market in Braidwood?

Listing may make the town too attractive and unaffordable for young people

Listing will lead to a demographic change – more older people, stifling growth

Listing will lead to inequity in the values of older houses vs modern houses, creating a them and us mentality.

- Overall, listing is expected to have a positive effect on properties in Braidwood. Braidwood is, and will continue to be, a desirable place to live. Any benefits resulting from increased visitors and tourism will provide opportunities for more jobs for the community and young people. The study proposed by the Heritage Office will be monitoring this issue.

Housing type

Will listing prevent the development of modern brick veneer housing? Some people want to live in modern houses.

- The experience in other conservation areas is that the value of brick veneer housing has not dropped because there is still a demand for this type of housing – especially from those who cannot afford, or don't want, an old house. People choose to buy in these areas because they can be confident about the way the area will develop in the future – there is certainty, and people like that.
- The listing and the development control plan (DCP) will encourage building styles that are more in keeping with the existing fabric of the town within the listed area. There are opportunities for brick veneer developments in the non-listed, western section of the town.

Job opportunities

What evidence is there for a likely growth in job opportunities in the trades from listing?

Will the listing stymie development and lead to a loss of jobs?

- The Heritage Office is working with the TAFE building and trades courses to encourage the development of trades' skills in conservation work. The ongoing availability of work in both the modern and traditional building trades could well encourage trades people, and their families, to settle in Braidwood.
- Because of the town's heritage appeal several feature films have been made in Braidwood. This brought people into the town and created job opportunities. This is just one example of the opportunities which are available to the town by promoting its heritage.

- Normal life will continue after the listing, so the businesses that currently support the town's population will also continue. The two developments approved by Palerang Council will add extra demand for services, which will also create job opportunities.

Too much bureaucracy

Listing is going to mean longer time-frames for decision making and more bureaucracy

- Ultimately, Palerang Council is responsible for development in Braidwood through its development control plan, (DCP. Council is currently developing this plan in consultation with the community and, once it is adopted - and if the town is listed - then the vast majority of proposals will be dealt with by Palerang Council, with the assistance of the DCP.
- If the town is listed, and an appropriate development control plan is not in place, then Palerang Council would refer only proposals for new dwellings, subdivisions and demolitions to the Heritage Council of NSW for consent.
- All other proposals would be determined by Palerang Council.

Listing takes control away from the locals

See answer above

There is too much red tape associated with the Heritage Incentives Program

- The Heritage Office has an obligation to the people of NSW to ensure that its very limited funds are wisely and productively invested in worthwhile heritage conservation projects. The level of scrutiny given HIP proposals is commensurate with that obligation.

Tourism

Once the town is listed isn't the Heritage Office just going to walk away?

- The NSW Heritage Office and its predecessors have had a long standing commitment to the conservation of Braidwood. Since 1980 Government has invested \$596,995 through various incentives programs in the conservation of Braidwood. This represents nearly \$600.00 per head of population. This is the largest per capita investment of funds in the heritage of any town in New South Wales.
- In common with 87% of rural councils in NSW the Heritage Incentives Program and Palerang Council support a heritage advisory service on a \$ for \$ basis.
- The NSW Heritage Office will continue its support for the town through Heritage Incentives Program funding. It has already offered \$20, 000 as the basis for a Braidwood local heritage fund to provide assistance to local property owners through grants for conservation work proposals.

How is the Heritage Office going to assist to bring more tourists into town once the town is listed? Is it going to make \$ available?

- The NSW Heritage Office foresees considerable benefits for the town from the listing, and particularly from a tourism perspective.
- The Heritage Office is willing to support proposals by Palerang Council to promote the town's tourism appeal.
- Tourism is a key to Braidwood's growth and prosperity. A business survey report in June 2001 for the Tallaganda Economic Development Working Group stated that tourism was regarded as the greatest opportunity for the town.¹
- The NSW Heritage Office believes that listing Braidwood gives the town a marketing edge over other historic towns in New South Wales. It would be the first complete town listed on the Register.
- According to Braidwood and Villages Tourism, 3 million visitors pass through Braidwood each year. The NSW Heritage Office believes that, by using the listing as a marketing 'hook', some of those tourists can be convinced to make Braidwood a destination or indeed a hub from which to explore the surrounding villages. Braidwood and Villages Tourism is committed to promoting the town's heritage as one of its most significant attractions.
- If the town was able to attract more tourists to it as a destination in its own right then there would be opportunities for more jobs to be created and for new businesses to be established.
- The Heritage Office has discussed with Palerang Council a proposal to fund the preparation of a heritage tourism strategy to assist in the marketing and promotion of Braidwood.

Curtilage around the town

Who determined the extent of the curtilage? Can it be amended at a later date, i.e. made bigger?

- The curtilage was recommended in a preliminary study commissioned by the NSW Heritage Office.
- The reason for the community consultation and for the Council's heritage study process is to make sure that the boundary at the time of listing (if listed) reflects the heritage significance accurately. Once listed, the Heritage Office has no intentions of amending the boundary.
- All lands within the shire outside the curtilage will continue to be managed by Palerang Council. Any proposal to modify the boundary would need to go through the same requirements of advertisement and public consultation as with any new listing.

¹ Strategic Economic Solutions for Tallaganda Economic Development Working Group, *Tallaganda Shire Business Survey Report*, June 2001

What about the environmental protection zone extending beyond the curtilage?

- The Heritage Office has no role in any decision to create Environmental Protection Zones. Environmental protection is not a Heritage Office issue but is a zoning issue that is the responsibility of Palerang Council. The State Heritage Register listing does not propose any changes in the current zonings.

Development control plan

Who wrote the DCP – whose document is it? What say do residents have in what it says?

- The initial early draft of the document was developed for the Heritage Office based on DCPs in other local government areas in NSW. The Heritage Office then forwarded the draft to Palerang Council to amend and modify to meet its own needs before putting it on exhibition to get public comment. When finalised after community input it will be Palerang Council's planning document to assist in the future development and needs of the Braidwood community.
- As the first step in this process, Palerang Council resolved in July 2005 to release a 'Heritage Discussion Paper' for community discussion. This will then be finalised into a draft development control plan which will also be released for community discussion. The Council held a meeting with interested members of the Braidwood community on Tuesday, 30 August 2005 on the Heritage Discussion Paper.

Miscellaneous

The cemetery needs major work and major funding

- The Heritage Office has received a nomination, which is currently being assessed, to list the cemetery on the State Heritage Register. As part of Braidwood and Its Setting, the cemetery would in any case be eligible to apply for Heritage Incentives Program funding.

What happened to the rights of the individual? Why not let residents opt out of the listing if they want?

- With the inclusion of the exemption and heritage package there is likely to be very little impact on the daily lives of Braidwood residents. The rights of the individual are safe and sound and in the main any new proposals will continue to be dealt with by Palerang Council. Approval from Council is needed for a broad range of matters including renovations, new uses etc and there are no automatic rights to these matters.
- The community supports this part of our democratic system and this includes the need to conserve places of special value to them and future generations. They wish to be involved in proposals which would transform items of state heritage significance within their community and would be concerned if this was done without the consent of the appropriate authorities or an opportunity to have their say.

What about owners with big blocks who don't want them and the awkwardly shaped blocks?

- Any changes to the current subdivision patterns will require the consent of Palerang Council and also the consent of the Heritage Council. It should not be interpreted that the requirement to refer proposed subdivisions to the Heritage Office for consent is a guarantee they will be refused. The aim of heritage listing is not to prevent or frustrate development but rather to ensure that development occurs in a way that does not adversely affect heritage significance.

In addition to the issues presented above a number of positive comments were made about the proposed Listing, as documented below:

Listing is good for Braidwood

Braidwood would be a destination [if it is listed].

Listing would be a good thing for business.

A heritage town is unique and attracts people.

We need the listing to prevent Braidwood turning into Berry or Bowral. They've been wrecked by ugly development.

Braidwood is privileged to be listed. Listing will allow the town to pause and reconsider the unfettered and unplanned development that has taken place in the past.

Braidwood is a unique place with unique buildings.

It is important to live in a visually pleasing area.

Heritage is a benefit in its own right not just because of potential tourism spin-offs.

Heritage listing may establish standards

Listing may bring economic, cultural benefits – artists' services, shops, marketing tool.

Listing would make us proud of our town