

Braidwood Matters

Welcome

to the fourth edition of the newsletter that is keeping you up to date on what's happening with the proposed listing of Braidwood and its Setting on the State Heritage Register.

In this issue we conclude our report on the issues/questions raised at the Heritage Office meetings with Braidwood businesses.



Background

The NSW Heritage Office met with representatives of the Braidwood business community on Wednesday 17 August and Tuesday 6 September 2005 to provide an opportunity for issues and questions to be raised about the proposed listing of Braidwood and Its Setting on the State Heritage Register.

Last week we reported on a number of issues/questions that were raised at the meetings with Braidwood businesses. In this issue we report on the last of these issues. In our next newsletter we will provide a response to the rural landowners who attended the 12 September 2005 meeting with the NSW Heritage Office.

CATEGORIES

Tourism

- The NSW Heritage Office foresees considerable benefits for the town from the listing, and particularly from a tourism perspective. The Tallaganda Shire Business Survey Report, June 2001, reported 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.
- The Heritage Office has discussed a proposal with Palerang Council to fund the preparation of a heritage tourism strategy to assist in the marketing and promotion of Braidwood, should the listing proceed.

Economic and social benefits of proposal to list Braidwood and Its Setting

- 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 was provided to Palerang Council and the Heritage Office on 16 September 2005. 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 Braidwood is listed the Heritage Office intends to monitor the economic impacts on the town.

Development control plan

- The initial early draft of the development control plan 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.
- In July 2005 Council resolved 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.
- Ultimately, Palerang Council is responsible for development in Braidwood through its development control plan. Once the DCP 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 developments, subdivisions and demolitions, to the Heritage Council of NSW for consent.
- All other proposals would be determined by Palerang Council.

Curtilage around the town

- The curtilage covers the rural land immediately surrounding the town to the north, south and east. This is the land referred to as the 'setting' for Braidwood. It is this land, in addition to the town, which will be added to the State Heritage Register

if the listing proceeds. This 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.

Why wasn't the curtilage extended to the west?

- The Heritage Office recognises the significance of the housing commission developments on the western edge of the 1839 town plan. They may qualify for listing on the Local Environmental Plan. This is a matter for Palerang Council to consider. They are unlikely to meet the criteria for State Heritage Register listing.
- The view to the west toward Mount Gillamatong is of significance, but due to the topography, the management of development on the land between the western town boundary and Mount Gillamatong is not as critical as managing the views to the north, south and east, where the hills are much closer to the town. The western rural-zoned land and its vistas are more appropriately managed by Palerang Council through local planning instruments.

Environmental protection zone

- 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.

View cones

- The view cones start at the ends of the streets meeting the northern, eastern and southern boundaries of the 1839 town plan. They end at the first substantial topographical rise or ridge top. Their purpose is to conserve the significant views from within the town to the surrounding countryside.

Renovations

- In the first instance, proposed renovations and alterations would be the subject of development applications to Palerang Council. If it appeared that a renovation, for example, might be so extensive as to constitute a de facto demolition, then Council would refer the matter to the Heritage Council which would then have a consent role. The Heritage Office is producing a policy statement to clarify this matter.

What skills/expertise does the Heritage Office have to make judgments about renovations?

- The Heritage Office is staffed by experienced professionals in planning, architecture and cultural heritage management, many with post-tertiary qualifications, who assess development proposals to determine whether or not they retain or diminish the heritage significance of the listed item. The office works in a very consultative way with developers, large and small, to achieve results that meet the developer's needs while also respecting the value of the heritage item.

Heritage Incentives Program/Funding

- Any conservation works to a State significant place where the total value of the works is at least \$20,000 are eligible for funding from the Heritage Incentives Program run every two years. Funding for less expensive works will be available from the special Braidwood fund to be managed by Palerang Council. Retrospective funding is not available.
- 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 Heritage Incentives Program proposals is commensurate with that obligation.
- If Palerang Council decides to establish a local heritage fund, Council will determine how the fund should operate.



Consultation process

Why didn't the Heritage Office start its consultation approach when Andrew Refshauge first announced it?

- The NSW Heritage Office is not a large organisation and has to prioritise its activities accordingly. At the time of the announcement its resources were committed to the investigation and assessment of a number of heritage items, where demolition or neglect threatened the survival of the item. Discussions commenced with Council in August 2004.

The community has not been informed about how to write submissions.

- The primary purpose of submissions is to express the writer's view of the Heritage Council's proposal to consider the listing of Braidwood on the State Heritage Register. This can be expressed in any way that the writer feels adequately conveys those views.



Photograph: Robyn Conroy - NSW Heritage Office

The process won't change anything; it's not proper consultation as it will not affect the proposed model.

- The model in the existing legislation is the only model the Heritage Council is appointed and empowered to administer. The consultation process is conducted to enable people to be informed about what is being proposed, to seek explanation on issues to do with what is being proposed and to express their views about it.

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?

- 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 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.

Parking

- Parking is among the issues that Council will have to deal with as Braidwood continues to grow, whether or not it is listed on the State Heritage Register.

Fees

- 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 is 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.

The Heritage Office may require businesses to spruce up or beautify their operations

- The Heritage Office is not empowered to require any such improvements. The 'Minimum Standards of Maintenance and Repair' oblige owners only to keep their buildings structurally sound and fit for occupancy. These standards are intended to prevent demolition by neglect.

How do you choose what it's the most appropriate period to which a building should be conserved?

- It's not possible to generalise on this issue. It is a matter for judgment and can usually be resolved through discussion with Palerang Council's heritage advisor.

Timetable

September 2005 – Preliminary report on Rural Impact Study due

21 October 2005 – Consultation concludes

2 November 2005 – Heritage Council of NSW considers listing of Braidwood and its Setting.

QUERIES

If you've got a query about the proposed listing of Braidwood and its Setting then ring Bill Nethery on telephone 9873 8566 or email bill.nethery@heritage.nsw.gov.au

If you have a query about items in this newsletter contact Elaine Stewart on telephone 9665 2329 or email estewart@zipworld.com.au

Visit www.heritage.nsw.gov.au for updates on the proposal to list Braidwood and its Setting on the State Heritage Register.



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