

## ***Submission to the Productivity Commission Inquiry into the Conservation of Australia's Heritage Places.***

This submission relates to the listing of an entire town, Braidwood, and its setting on the NSW State Heritage Register. Our family settled in Braidwood in 1946 and the family appreciates the heritage aspect of the town. We still have family living there, in a house that is a 'listed heritage item' in the local Palerang Council Local Environment Plan.

This submission addresses two issues, in relation only to the proposed listing of Braidwood:

*What are ...current pressures and emerging trends influencing the conservation of historic heritage places?*

*How can the policy framework be improved?*

It appears the concept and process for listing an entire town and its setting by the NSW Heritage Office is significantly flawed. This is due to the apparently rushed and ad hoc manner in which the NSW Heritage Office has approached the listing of Braidwood and its setting. A great concern is that there is, in fact, no process or procedure which has been developed for listing a whole town and its setting prior to this proposed listing.

In mid-March 2005 the Braidwood community was first notified that the NSW Heritage Office was considering listing Braidwood and its setting on the State Heritage Register. The NSW Heritage Office set up and participated in four public information sessions, limited to twenty five people per session, scheduled to last one hour including half an hour for questions. This was the sole consultation process provided for a listing that is the first of its type in Australia and to be in perpetuity. The meetings were run from 14 to 16 April 2005 - over two years after the Heritage Office states it was first approached regarding listing Braidwood and its setting on the State Heritage Register - and one month before the 16 May 2005 closing date for submissions regarding listing to the Heritage Office.

So far the process has seriously affected the social fabric of the Braidwood community. The division in the town over heritage has caused rift and acrimony amongst families, friends and neighbours with strong feeling, lack of information, misinformation and real concern regarding economic security fuelling the situation. It has been the cause of publicly malicious and harmful comments in the community and local paper and prompted the formation of a concerned group that comprises almost 50% of the town's adult population. This group is known as Save Braidwood Inc.

At time of writing the Heritage Office is proceeding with the listing proposal with closure for submissions from the community now being 7 October 2005, even though the community has not yet seen the new Local Environment Plan or the new Development Control Plan written largely by the Heritage Office. There is concern about the land included in the curtilage around the town. The community has been

provided with minimal information about this. Indeed the Heritage Office itself is unable to say how much rural land is affected by the curtilage but local residents estimate it at a not insignificant 800 to 1000 acres. We note that because of the pressure of the Save Braidwood group the Heritage Office is only now (mid-August 2005) planning to hold a meeting with affected landholders. There is still enormous concern and disquiet within the local community regarding this proposal. It has huge ramifications for the town, yet it is seemingly continuing to proceed without adequate information or due consultation, and again within a very rushed and limited time-frame, all set by the Heritage Office.

***What are ...current pressures and emerging trends influencing the conservation of historic heritage places ...?***

Pressures and emerging trends which are affecting the listing of Braidwood and its Setting on the NSW State Heritage Register and are causing major concern are:

**The listing of the town and its setting is *in perpetuity*.**

This decision has the potential to impact on future generations in social and economic ways which are not being addressed with due time and consideration in this rushed process so far.

**The listing of a town and its setting has not been done before in Australia.**

As this proposal is a first it is vital that due process and consideration be given to a decision that is of enormous import and significance. There is considerable disquiet that so far the process has been rushed and excluding of the local community.

**No consideration is being given to alternative models for ensuring the preservation of the town while at the same time allowing it to grow and prosper in challenging times for rural communities.**

Unlike Victoria, there has been no public consultation with the public of NSW and professionals in the field on the development of a model that will meet the needs of all areas of the community. As this listing will, as suggested by Mr Michael Collins (Chair of the NSW Heritage Council), establish a process for listing other towns, it deserves adequate time and serious consideration to ensure this is the right course and, if so, that it is a model of integrity and congruity.

**There appears to have been no concerted effort to develop an integral plan or process to list an entire town by the Federal, State or Territory governments before commencing this project.**

**There appears to be no independent arbitration or court of appeal process if the State Heritage Office decides to list a town.**

**There appears to be no requirement for the State Heritage Office to enter into extensive community consultation** at a level appropriate for the proposal to list an entire town and its setting in perpetuity.

**There has been unwillingness on the part of the State heritage office to listen to people's concerns** or to hold public forums to allow discussion and debate of information or concerns. Instead there has been a very limited process of 'top down' information sessions.

*...How can the policy framework be improved?*

- There is a need for an intensive effort by the Federal, State and Territory governments to investigate the need to list an entire town and its setting. The successful Victorian state system of heritage overlay may be a more valid, sustainable and harmonious alternative to listing a whole town and its setting.
- If listing a whole town and its setting is established as the appropriate and approved method of ensuring preservation for the future, there needs to be a concentrated and meticulous effort to develop an accepted plan and procedure for that process - before any such listing is mooted.
- In conjunction with government planning regarding development of a process to ensure future preservation of an entire historic town and its continuing viability, governments need to research and plan appropriate funding levels which they are prepared to maintain and increase to pay for the escalating cost of the yearly additions to the nation's heritage lists and registers.
- There is a need for evaluation of economic costs involved in historic heritage, and policies to be formulated to deal with ongoing and increasing associated expenses at a local and personal level for individual owners. This may be through assistance by means of subsidies, grants, incentives, compensation, reduced rates or other strategies.
- The State Heritage Office needs to seek appropriate information and understanding regarding the finely balanced economic situation in many rural communities. Unless a town remains economically and socially viable the very fabric the Heritage Office wishes to preserve will disintegrate.
- The State Heritage Office should be obliged to enter into extensive community consultation at a level appropriate for the proposal to list an entire town and its setting if this proves to be the desired model. There is a need for forward planning which includes comprehensive involvement of those who will be affected by heritage listing.

- There needs to be a valid, fair and independent appeal process available if the State Heritage Office decides to list a town and there are concerns regarding listing.

### ***Conclusion***

There needs to be wide-ranging and rigorous debate regarding the efficacy of listing a whole town and its environs and examination of all alternative models. If listing a whole town is the most appropriate model then the NSW Heritage Office needs to actually develop a clear policy and procedure on listing a town and its setting on the State Heritage Register in perpetuity. A listing of such consequence warrants extensive public consultation over a significant period of time and the consideration of preserving both the built heritage of a town and the social and economic well-being of the community. The desired outcome should be to ensure the integrity and mutual satisfaction of both the community and the Heritage Office. ***Festina lente.***

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