

**Submission
No 203**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Name: Ms Sue Murray

Date Received: 4 July 2021

Submission on the NSW Heritage Act

Thank you for the opportunity to make a submission on the NSW Heritage Act. I was not aware of this review until recently, so my submission will only cover issues of immediate concern to me in relation to several sites in the centre of my home town of Braidwood.

I am writing as a resident of the town of Braidwood, which is the only town listed on the NSW State Heritage List. I am the President of the Braidwood Community Association. My concern is with developments within the centre of Braidwood which are impacting on the heritage values of the town, and do not appear to have been properly assessed by the Heritage Council or by the NSW Heritage office. I am raising these specifically to point out what appears to be a breakdown in the process for assessing developments in the town, which could impact on the State Heritage listing.

Specifically I refer to two developments on opposite corners of Wallace and Duncan Streets, which are in the very heart of the town, and impact on sites which are included in both the State and Local Heritage lists. The first is the development and expansion of an agricultural supplies business at 121 Wallace St. It is now called Nutrien Ag (formerly Landmark). Since 2014 this business has acquired land from a neighbour, and has expanded the business onto this property. In doing so they have removed a historic laneway and modified the Georgian town plan, which is a significant value of the "Braidwood and its Setting" listing. Neither the expansion of the area owned by the business, and subsequent changes in the layout and use of the site were referred to HNSW for assessment and comment. A DA to develop the site in 2020 was not referred by QPRC to HNSW. A neighbour contacted HNSW at the last minute before it went to Council for approval, and on receipt of an email from HNSW, the DA was deferred to the next Council meeting. It was then decisively rejected by the Council. The owners of the business have subsequently applied for a Review of this decision. The proposal they have submitted for 'review' is not the same as the one rejected by the Councillors on Nov 25 2020. In particular, it proposes to demolish two walls in the listed historic Dalgety Building on the corner of Wallace and Duncan Sts. This building is not identified in the Request for Review as being Heritage Listed. The entire site itself is not identified in the Request for Review as being part of a Heritage Conservation Area. The DA is not identified as being an Integrated Development.

Very few people in the community were notified of this Request for Review, so the number of submissions received was probably quite low. I am not aware whether this Request for Review has been referred to HNSW. It's possible that the process of review could take until after Sept 4th when a new Council will be elected. The changes being proposed will significantly alter the appearance of the streetscape on Duncan St, and will create a large area of bitumen paving with constant truck movements both on and near the site. The truck movements have already caused damage to the locally heritage listed former hotel next door at 133 Wallace st. There are several local heritage listed buildings close to this site, which could potentially suffer damage from the increased heavy truck movements on the roads and within the site itself.

The second DA (DA.2021.1240) is a proposal to subdivide land currently in the curtilage of the Albion Building, which is a State Heritage listed item, and one of only 4 individual sites in

Braidwood on the SHL. A previous attempt to subdivide this land into 3 lots was rejected by HNSW, as it would have separated the former Hotel building from the stables at the back, and removed these stables from the State Heritage listing. The current proposal for a 2 Lot subdivision appears to have received a Section 60 approval. This proposed subdivision goes straight through a group of 100 year old sheds, which the owner proposes to demolish once the subdivision is approved. These sheds are specifically identified in the Local Heritage Listing of the site, administered by QPRC. This creates a direct conflict between the HNSW Section 60 approval, and the protection of the sheds under the Local Heritage listing.

The State Heritage Listing of 'Braidwood and its Setting' has not been supported by any significant funding, and the funding available has decreased in recent years. The application of Development Controls in the heritage precinct appears to be inconsistent. The referral of proposals to HNSW also appears to be inconsistent. Minor changes such as safety improvements to a pedestrian footpath over a bridge at the entrance to town were referred, while the really significant developments at 121 Wallace St, referred to above, apparently have not been referred. Heritage referrals appear to be delaying long-awaited work on a planned road upgrade in Lascelles St. This may be a reflection of understaffing at the HNSW office. As Braidwood is such an important town in terms of the preservation of its Georgian layout and significant architectural heritage, surely it should have one person at HNSW dedicated to assessing all matters relating to development within the listed precinct.

I am attaching:

- 1) My submission to QPRC on the proposed subdivision of the land behind the Albion Building (QPRC DA.2021.1240)
- 2) My submission to QPRC on the Request for review of their decision to reject DA.2020.1172. In error I attached a docx version of this, and I can't remove it, so I have also attached a pdf which I would prefer to be used.

As a general comment, I suggest that if the current Heritage legislation and management systems cannot adequately protect the centre of the only State Heritage Listed town from significant changes which reduce the heritage values of the sites in question, there are serious problems which needs to be addressed. This will require both more qualified people being employed to do this work, and a significant increase in funding for the preservation of our town. It may also require a change to the Development Controls to strengthen the protection of the town's most significant buildings and sites.

Thank you for considering my comments.

Sue Murray