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SPECIAL SUPPLEMENT

HERITAGE ACT, 1977

Direction pursuant to section 34(1)(A) to list an item on the State Heritage Register

The precinct of Braidwood and its setting

SHR No 1749

IN pursuance of Section 34(1)(a) of the Heritage Act, 1977, I, the Minister for Planning, having considered a recommendation of the Heritage Council of New South Wales, direct the Heritage Council to list the item of environmental heritage specified in Schedule "A" on the State Heritage Register. This listing shall apply to the curtilage of the precinct, being the land described in Schedule "B". The listing is subject to the exemptions from approval under Section 57(2) of the Heritage Act, 1977, described in Schedule "C".

FRANK SARTOR, M.P.,
Minister for Planning

Sydney, 21st Day of March 2006.

SCHEDULE "A"

The precinct, 'Braidwood and Its Setting', situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land in the Parishes of Braidwood, Coghill, Boyle and Percy, County of Saint Vincent shown to be within the State Heritage Register curtilage on the plan catalogued HC 2008 in the office of the Heritage Council of New South Wales.

SCHEDULE "C"

1. Exemptions relating to the Precinct of Braidwood and its Setting

Exemptions are granted from the need to obtain approval under Part 4 Division 3 of the Heritage Act for all development except the following:

- (a) Demolition of heritage items listed on the Tallaganda LEP 1991 or other Local Environmental Plan applying to the Precinct;
- (b) Development that does not comply with Braidwood Development Control Plan 2006 as approved by Palerang Council on 9 March 2006 other than the following sections:
 - i. 7.21: Waste Management
 - ii. 7.22 Waste Management Plans
 - iii. 7.23 Keeping of Dogs, Cats, Horses, Poultry and Other Animals
 - iv. 7.24 Noxious Plants
 - v. 7.25 Fire Control Measures
 - vi. 7.26 Numbering of Premises and provision of letterboxes

- vii. 7.27 Swimming Pools
 - viii. 7.28 Sediment Control;
 - ix. 7.31 Section 94 and Section 64 Contributions
- (c) For land zoned Rural 1(a): subdivision of land or the erection of a new dwelling or structure greater than 100m²;
 - (d) For land within Precinct 4 (Residential south of the historic town boundary) of Braidwood Development Control Plan 2006: any subdivision of land other than as described in Exemption 2(b1);
 - (e) Any other application referred to the Heritage Council by Palerang Council.

2. Exemptions relating to specific development approvals and applications

Notwithstanding the provisions of Exemption 1; specific exemptions are granted from the need to obtain approval under Part 4 Division 3 of the Heritage Act for the following development:

- (a) All works and activities in accordance with any current development application approval from Palerang Council in force at the date of gazettal of the listing of Braidwood and its Setting other than those applications identified in Exemption (2b).
- (b) Works and activities in accordance with the following development applications and for which comments have been forwarded to Palerang Council by the Heritage Office prior to the date of the State Heritage Register listing of Braidwood providing that the development as carried out is consistent with these comments and the Heritage Council is satisfied that the development will not adversely affect the State Heritage Significance of Braidwood and its Setting:
 1. 'Braidwood Heights' Subdivision Approval DA 0074/2004 (land to the south of the historic town edge) subject to full compliance with the Heritage Office's letter to Mark Barrington dated 5 July 2005;
 2. 'Summerfield Country Estate' Development Approval Little River Road Braidwood subject to full compliance with the Heritage Office's letter to Habitat Property Group dated 14 July 2005; and
 3. The following development applications:
 - i. TSC/127/2003/DA—2 lot subdivision (Lot 22, DP 1023674) 52 Monkitee St
 - ii. 2004/DEV-00104—4 lot subdivision and 4 dwellings (Lots 2, 3 and 4, DP 264513) Monkitee St
 - iii. 2004/DEV-00105—2 lot subdivision and 2 dwellings (Lot 5, DP 264513) Monkitee St
 - iv. 2005-DEV-00262—3 lot subdivision (Lot 1, DP 799533) 1 Monkitee St
 - v. 2005/DEV-00353 (Lot 1, DP 599468) 51 Elrington Street
 - vi. 2005/DEV-00358—2 lot subdivision (Lot 3, DP 635437) 30 Coghill St
 - vii. 2005/DEV-00370—2 lot subdivision (Lot 4, Section 9, DP 758152) 26 Elrington St
 - viii. 2005/DEV-00437—Demolition, erection of new dwelling and commercial premises (Lot 8, Section 11 DP 711539) 50 Wallace St
 - ix. 2005/DEV-00431—23 lot subdivision (Lots 2 & 3 DP 1027223)
 - x. 2005/DEV-00516 – Erection of a shopping complex (Lot 6 & 7 DP 836133) Lascalles Street

3. Exemptions relating to work described in a Heritage Agreement

Notwithstanding the provisions of Exemption 1; specific exemptions are granted from the need to obtain approval under Part 4 Division 3 of the Heritage Act for works described in a Heritage Agreement made between the Minister and an owner of rural land in accordance with Part 3B of the Heritage Act 1977.

4. Standard Exemptions for other Works Requiring Heritage Council Approval

Where development is not exempted by Exemption 1, 2 or 3 above then the provisions of the Heritage Council's Standard Exemptions for Works Requiring Heritage Council approval shall apply.

BRAIDWOOD HERITAGE LISTING

MINISTER'S STATEMENT

Braidwood: Prosperity built on heritage

Walking through the streets of Braidwood, you can literally see into the past.

The historic buildings are well preserved, including the Commercial Hotel, the Court House and St Bede's Roman Catholic Church.

From its early settler years, Braidwood grew to a thriving township, attracting graziers and bushrangers and experiencing the turbulent years of the gold rush.

The State Government's decision to list Braidwood on the State Heritage Register is a formal recognition of the town's special significance in our history.

In fact, it is the first town on the east coast of Australia to be recognised in this way.

Other remarkable Australian sites also listed on the State Heritage Registers include the mining village of Hall, in the ACT; the Mt Torrens village in South Australia; Broome Chinatown in Western Australia and the famous Mawson Station in the Antarctic.

Importantly, the State Government's commitment to protecting the past will be balanced with our plans for the town's future.

We have developed a strategy to ensure the arrangement is flexible and supports the town's economic growth and prosperity.

As Minister for Planning, I recognise that Braidwood needs to continue to grow – to support jobs, families and local businesses.

The heritage listing ensures that everyday development can continue without delay, through the normal Palerang Council processes.

More significant development can also be undertaken where it's demonstrated that it doesn't affect the town's unique heritage characteristics.

The Heritage Office will work with Palerang Council on these issues.

A comprehensive package of exemptions to the heritage listing includes:

- Any development that complies with Palerang Council's "Braidwood Development Control Plan 2006";
- Current development approvals;
- Development applications currently with Palerang Council that have been considered by the Heritage Office;
- Any heritage agreement between the Minister and the landholder.

Finally, the heritage listing will become an important tourism drawcard for local businesses.

Thousand of visitors already come to Braidwood each year, to enjoy its food, festivals, gardens, and goldmining history. Now they will come to see the first heritage-listed town on the east coast.

A long-term, healthy tourism industry will underpin the town's future.

So I am happy to support this heritage listing, which has set Braidwood on a unique course for the early 21st Century.

While the listing preserves the past, it is flexible and practical to protect the town's economic development.

Braidwood's colourful past will become its prosperous future.

Minister for Planning
The Hon. Frank Sartor MP

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