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COUNCIL

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submission

22 February 2006

The Commissioner
Heritage Inquiry
Productivity Commission
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Dear Sir,

Re: Conservation of Australia's Historic Heritage Places - Productivity Commission Draft Report

On behalf of the Adelaide Hills Council I provide the following submission with respect to the Conservation of Australia's Historic Heritage Places - Productivity Commission Draft Report currently on public exhibition.

The Adelaide Hills Council has considered the above-mentioned document and supports some of the recommendations contained therein. However, the Draft Report fails to clarify or adequately address some major issues with regard to heritage management, namely:

- As identified there are issues with the current Australian, State and Territory governments' heritage management systems. In particular, there is generally a lack of information available to the public about the value of heritage places, the need to protect them and if any incentives are available to owners of heritage places to maintain or upgrade these.
- A lack of a coordinated approach to heritage management between State Heritage Departments and local governments.
- The need for a more a more consistent approach to both the listing and maintenance of places of heritage significance.
- The lack of State or Federal Government incentive schemes for landowners to maintain or upgrade heritage listed places.
- Lack of staff resources at all levels of government to effectively police and enforce heritage legislation and policies.

The Draft Report does deal with some of the above issues but does not, from Council's point of view, adequately address the future implications of some of the recommendations, as is detailed below:

1. Conservation Agreements

As indicated in point 8.1, The Draft Report states that,

"Privately-owned properties should be included on a national, State, Territory, or local government statutory heritage list only after a negotiated conservation agreement has been entered into and should remain listed only while an agreement is in force."

While it is evident that heritage conservation without some form of 'agreement' may lead to problems of deterioration of heritage places. Council's concern is that there may be a potential reluctance from landowners or community back lash to participating in such 'agreements' and this may result in properties that have heritage value or significance, not being listed for heritage protection if an 'agreement' is not reached.

Further, the Report does not outline where the resources would come from to carry out the public consultation process, the preparation of the respective agreements or the subsequent policing and enforcement to ensure owners comply with their conservation agreements. This is a fundamental issue for local governments who are already resource stretched and any additional imposition from State or Federal Government in this regard needs to be backed up with appropriate resourcing, at no cost to local governments. Council therefore recommends that State and/or Federal Government commit resources to assist local governments in the implementation of any recommendations in this regard. Further, it is considered that the Federal Government should prepare such implementation programs in conjunction with the above recommendation to ensure a consistent approach across all states.

Council appreciates, as may the wider community, the benefits to be gained from heritage conservation. However, the burden of development restrictions and encumbrances that can be associated with heritage places should not be placed solely on the property owner, but rather alleviated with appropriate incentive schemes, the cost of which should be borne by State or Federal Government. One such mechanism would be to fund the incentive scheme from the profits from lotteries, as is the case in England where a certain portion of lottery money raised is set aside as a heritage lottery fund. These monies are then accessed via the public through their local councils and provides assistance of up to 60% of the upgrading/conservation works required. Council considers that this issue warrants further investigation.

The Draft Report is unclear about what implications the recommendations have on the status of currently listed properties. Council recommends that the Draft Report recommendations must not affect or alter the status of existing heritage places and should only apply to new heritage listings.

2. ___ Inconsistencies between Local Government Areas

As identified in 5.2, Local government heritage listed process, The Draft Report states,

...."the commitment to adhere to the requirements can greatly vary between different local governments."

The report goes further to suggest that the varied levels of commitment between local governments could be an indication that state government guidance is lacking. Our view is that the cause for the varied levels of commitment can in many instances be attributed to a lack of state government support and resourcing to assist local council's in this regard. Local council's generally have to focus on meeting higher priority community needs such as the provision and maintenance of capital infrastructure (e.g. roads, libraries, community facilities) and other services, and do not have the capacity to take on added responsibilities. It is considered that further support, interaction and consultation between state and local governments is warranted, and Council recommends that this issue be addressed in the final recommendations of the Report.

It is also considered that effective dissemination of information to the public and local government regarding heritage issues is also lacking at present and it is recommended that a standardised information sheet be prepared at state government level by the relevant

heritage departments, to give direction in this regard. This would go some way to eliminating any inconsistencies in approach across the local government sector. Such an information sheet should contain information regarding the value of conserving heritage, the impact of heritage listing on the development process, availability of any incentives/grants to maintain or upgrade such properties, and a list of heritage advisors and other services available.

Recommendation 3.1 of the Draft Report states, "*All levels of government should put in place measures for collecting, maintaining and disseminating relevant data series on the conservation of Australia's historic places.*" This recommendation is supported as long as state government support is available to update heritage surveys and make the necessary amendments to statutory planning & development control documents. Further, the Federal and/or state governments should provide a mechanism and resources to check and verify such heritage surveys. It is noted that in South Australia the State Heritage Branch does provide financial assistance for heritage surveys and amending statutory planning & development control documents to a maximum of \$5,000 per request. However we are not sure if this is the case in other states. The Draft Report fails to some degree to address these points and again it is considered that the final recommendations be amended to address this.

3. Voluntary listings

Further to point 1 of this letter regarding point 8.1 of The Draft Report, Council does not support the voluntary listings of heritage buildings as this would destroy the philosophical basis on which all of our heritage controls sit. It is considered that once a property has been identified as worthy of heritage listing, then it should be listed.

Council is grateful for the opportunity to comment on the Commission's Draft Report and hopes that these comments will be of value to the Commission in finalising the report.

If you have any queries in regards to the above please do not hesitate to contact 08 8408 0532 to discuss the matter further.

Yours sincerely

Marc Salver
Director Planning