

## City of Fremantle

### COMMENTS ON PRODUCTIVITY COMMISSION DRAFT REPORT CONSERVATION OF AUSTRALIA'S HISTORIC HERITAGE PLACES

---

24 February 2006

#### INTRODUCTION

City of Fremantle welcomes this draft report as the next step in the inquiry process. The City of Fremantle together with the heritage industry as a whole has invested considerable effort and hope in the outcomes of the inquiry. Fremantle community too has shown a lot of interest and hopes in the Productivity Commission's work expecting a greater commitment of the government into improving the current, limited range of heritage incentives, by allocation of increased and tangible resources to funding of the conservation efforts. The City was hoping to see an improvement in the approach and standards of heritage conservation in Australia.

In this respect the draft report is disappointing. While it appears relatively accurate in articulating the problems, it offers little potential for improvement. Instead the report adds to the complexities rather than offers practical or even just workable solutions. As detailed below, the theoretical approach of the Commission is also misguided - it is almost exclusively focused on an individual and transient owner(s) of a heritage place to the exclusion of most other owners and considerations. It attempts to operationalise the costs and benefits of heritage conservation in economic terms which defeats both, the nature of heritage and its economic benefits flowing from its conservation.

The report ignores the world wide principle and practice of heritage conservation, which on the one hand involves the ongoing maintenance costs and on the other, its benefits accumulate as a continuum and can only be realised over a long period of time. In this respect, and by the commissioners' own admission, the analysis highly influenced by the artificial and outdated division between the privatisation of costs and socialisations of benefits resulted in an impossible attempt to appraise the costs and benefits as per an accountancy book, which in this case is difficult, if not impossible. In addition the analysis is not grounded in the experience and realities of 30 years of heritage conservation practice in Australia. Instead of adopting the many representations made for an increased use of motivational measures, such as the National Incentives Taskforce report prepared for the Environment Protection and Heritage Council: "Making heritage happen - Incentives and Policy Tools for Conserving Our Historic Heritage", 2004, the draft report barely mentions the incentives option and does not deliver the resourcing recommendations so keenly sought by the governments or industry. There are also other disappointing aspects of the draft report.

As a consequence the City of Fremantle strongly opposes the Commission's draft recommendations and proposes that the report be reviewed. The City recommends that in reviewing the report, the Commission reconsiders its current approach, especially the major thrust of many of its recommendations.

#### SUMMARY OF COMMENTS

Our comments focus on the following key points:

1. City of Fremantle does not support the major thrust of the draft report in linking statutory listing activities to voluntary conservation agreements. The promotion of agreements is supported as one of many means of achieving conservation outcomes, but not as the only, or even major means, to the exclusion of all other forms of heritage listing, protection and incentives to conserve.

2. The recommendations and the report's emphasis on voluntary agreements appear to be based on outdated emphasis on private property rights to the exclusion of all other considerations such as legislative responsibilities of private owners in all other areas of urban activity including planning (orderly and proper development), sustainability (incl. dynamic efficiency principles and ensuring that future generations have the same choices available to current generations), impact of externalities on property values (protection of amenity or residential character in the interest of all affected residents/businesses) etc. The Commission's selective emphasis and anecdotal evidence does not justify and is not supported by information presented to the Inquiry the proposal to exclude heritage conservation from the same regulatory measures affecting property rights.
3. City of Fremantle is particularly concerned with the suggested devolution of responsibility for mainstream heritage (with the exception of iconic places or landmarks) from the Commonwealth and State Governments to local governments (communities). Such devolution would replace the existing workable administrative framework of managing heritage conservation through regulation, which can be improved, with a much larger, untested bureaucracy reliant on undefined funding resources, without any assurance or evidence that it would work better and without identifying realistic sources of additional funding required to make it work at the local government level.
4. The draft report is particularly disappointing in its approach to resourcing issues, including the evident absence of new or innovative approaches. On the contrary it seems to be based on the already outdated and globally discredited economic rationalism theory, particularly ill suited to measuring costs/benefits of heritage conservation.
5. City of Fremantle recommends that economic argument and recommendations of the report be reviewed in light of the National Incentives Taskforce report prepared for the Environment Protection and Heritage Council: "Making heritage happen - Incentives and Policy Tools for Conserving Our Historic Heritage", April 2004. The findings and recommendations of this report have been based on the thorough world wide study and offer a range of practical solutions which can be considered and applied to the Australian context by both Australian government and owners of heritage places/communities.
6. City of Fremantle is of the view that its initial recommendations communicated to the Commission during an interview with the commissioners and public hearing has not been reflected in the draft report.
7. The draft report makes a number of useful and important comments, which are disappointingly not carried forward into either findings or recommendations. In particular the significance of educational role and responsibility of the government to ensure effectiveness of heritage conservation.
8. City of Fremantle supports a number of useful and practicable recommendations such as those related to data (3.1) reporting of heritage costs (7.4) and the use of conservation management plans (7.5).

These points are elaborated in the following section.

## **DETAILED COMMENTS**

### **Recommendations supported by the City of Fremantle**

City of Fremantle supports the following draft recommendations.

Draft Recommendation 3.1 All levels of government should put in place measures for collecting, maintaining and disseminating relevant data series on the conservation of Australia's historic heritage places.

Draft Recommendation 7.4 The Australian Government should implement reporting systems that require government agencies with responsibility for historic heritage places to document and publicly report on the heritage related costs associated with their conservation.

Draft Recommendation 7.5 State, Territory and local governments should:

- produce adequate conservation management plans for all government-owned statutory-listed properties; and
- implement reporting systems that require government agencies and local governments with responsibility for historic heritage places to document and publicly report on the heritage-related costs associated with their conservation.

Draft Recommendation 9.4 State governments should put in place systems for their local governments to request compulsory acquisition in cases where this becomes the only way to ensure cost-effective conservation of places of local significance.

### **Recommendations NOT supported by City of Fremantle**

City of Fremantle does not support the Commission's key draft recommendation, as follows, and the other consequential and related recommendations.

#### ***Cultural heritage of Australia***

Draft Recommendation 7.1: The Australian Government should phase out the Register of the National Estate for historic heritage purposes, beginning with the closure of the Register to any new nominations.

The nation's valued heritage places cannot be restricted to the few icons proposed for the National Heritage List.

Draft Recommendation 7.2: State and Territory Governments should remove any references to the Register of the National Estate from their planning and heritage legislation and regulations

The Register of the National Estate has established a heritage status of places that are not replicated in other registers and this is a highly relevant consideration in planning and heritage legislations. The references should remain in place until all places on the Register of the National Estate have been reassessed and re-assigned to the relevant registers.

Draft Recommendation 7.3: Those State Governments that have specific legislation governing the operations of the National Trust should repeal such legislation

There is no justification given for this, and it is inconsistent with the paragraph preceding the recommendation, which reads:

"That said, the Commission is cognisant that the role and structure of the National Trusts are currently being reviewed by the Minter Ellison Consulting Group. The outcome of this review will inform the future of the National Trust."

#### ***Conservation agreements and listings***

Draft Recommendation 8.1 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.

The proposal is impractical and unworkable. It would replace the existing workable regulatory framework for managing heritage conservation through planning, which can be improved, with a much larger, untested bureaucracy with the unknown outcomes and uncertain financial backing, for the misleading reasons.

### ***Conservation agreements for privately-owned heritage places***

Draft Recommendation 9.3 (also 9.1 – 9.6 with the exception of 9.4): State governments should require their local governments to add non-government owned properties to a local heritage conservation list only after a conservation agreement with the owner has been entered into and remains in force.

The proposal is impractical and unworkable. It would replace the existing workable regulatory framework for managing heritage conservation through legislative means and planning, (which can be improved) with a much larger, untested bureaucracy with the unknown outcomes and uncertain financial backing, for the misleading reasons.

### ***Heritage conservation and planning***

Draft Recommendation 9.7: State and Territory governments should modify their planning legislation and regulations to remove any requirement to take heritage considerations into account in relation to any individual property other than those requirements relating to zoned heritage areas.

It makes no sense to treat heritage places outside zoned heritage areas differently to those within such areas. It makes no sense to disconnect heritage conservation from urban development, particularly in the traditional, established urban areas.

Draft Recommendation 9.8: State and Territory governments should remove the identification and management of heritage, zones, precincts or similar areas from their heritage conservation legislation and regulation leaving these matters to local government planning schemes.

This would mean that precincts, areas, zones could not be included on the State Register of heritage Places.

Note the contradiction between 9.7 (modify regulations) and 9.8 (remove regulations), and the ambiguity introduced by the coma after 'heritage' in 9.8

## **GENERAL COMMENTS**

City of Fremantle supports the greater use of negotiated conservation agreements but not linked to listings in the recommended way. We also recognise the need to be able to prioritise conservation efforts. However, the arguments against this recommendation, as formulated, are many.

### ***Economic***

The Productivity Commission's conclusions are based on the premise that it is possible to relate and measure running costs of heritage conservation against the long term social benefits as an accounting book. Yet a recognised shortage of the reliable economic studies of the subject demonstrates that this is a flawed assumption and a difficult accounting formula to equate. There are many reasons why it is not easy, if not impossible to apply the straightforward economic equation of cost and benefits flowing from heritage conservation:

- While the costs of heritage conservation are privatised (often fall on an individual, transient owner of a heritage place) the benefits are not only societal, but in relation to an individual owner, generational (benefit the owners in the subsequent generation or a sequence of owners/custodians over an extended period of time). For example the benefits flowing to current owners of heritage properties in Bruges, Florence, Marshes in Iraq or Wieliczka (birth city of Pope Paul II), can not be measured against the cost of their respective constructions and/or the running cost of their maintenance at any particular point of time.
- The cost/benefits equation does not take into account the 'intangibles' or social costs and benefits flowing from heritage conservation. The cost/benefits equation does not take into account the irreplaceable nature of heritage as a community resource or a custodian nature of the ownership of a heritage place. Therefore the recommendation to assign responsibility for the assessment of heritage value to affordability to conserve a place by any transient custodian(s) (a current owner as

well as the current community) is destined to fail for a sole reason that it does not take into consideration how attitudes towards heritage change over time. For example the predominant response of the Fremantle community to future of the decommissioned Fremantle Prison in the 1980s was to demolish and replace it by the "medium density residential estate or a parkland" (*Fremantle Prison Management Plan, 1989*). Instead the Fremantle community in 2005 is proud of the Prison's National Heritage Listing and looks forward to the benefits flowing from its potential listing on the World Heritage Register, which is likely to place Fremantle on the global map in a way, that no 'medium density residential estate' ever would.

- The Productivity Commission's conclusions ignore the fact that it is regulation that defines a property value and that property rights can only operate within the confines of this regulatory framework. While the most important economic right of a property owner is the right to develop the land, it is the planning regulation (zoning of use and density), which defines the property right. The City of Fremantle supports the Planning Commission's view that "a planning instrument which ignores all heritage considerations is simply setting the value of heritage places below that of all new development: it shapes the market in ways which create an incentive to remove heritage places when it could equally, through exactly the same mechanisms and with exactly the same validity, do the opposite" (*Dawkins, 2005*).
- The Productivity Commission's argument to single out heritage as a special case of urban activity and a determinant of the land value as well as subjecting the heritage value to economic negotiations between a transient owner/community while at the same time excluding heritage conservation from the regulatory mechanisms, is based on the incorrect assumption that property value and the property right is the same thing, equal to the right to maximise the development potential at any point of time. Thus it overlooks the most important role of regulation in defining the value of the land. Also singles out heritage as an absolute value existing outside the realm defined by a regulation (land use control). Singling out heritage as a different value to the values of public amenities, environmental assets and patterns of use in any established traditional environment is confusing as it is not supported by the evidence in the report. It is also misleading in light of the existing context of zoning controls with the ensuing responsibility of governments to ensure a 'proper and orderly planning' of any locality, including the heritage areas.
- The report's suppositions such as "imposing unwarranted costs" or " .. not commercially viable" incorrectly implies that reduced development potential is the same as creating a loss for the owner and ignoring the fact that the development potential is that what is legally permitted. (Rypkema, 2006)
- The assessment of the economic argument of the report, particularly in relation to the cost and benefits analysis seems to also ignore the dynamic efficiency principle widely applicable to a sustainable development and as such relevant to heritage conservation. Yet heritage conservation is a more legitimate process of sustainable urban development than most forms of new and all replacement type of developments. In particular the report remains silent on the criterion "for evaluating projects or decisions that generate a stream of benefits and/or costs into the future. When a set of alternatives is being considered, the dynamically efficient alternative generates the largest present discounted value of net benefits, profits or surplus. (*Hackett, 1998*). The Hackett formula to evaluate cost and benefits of sustainable development (heritage conservation) has not even been considered by the report.
- Despite referencing the National Incentives Taskforce report prepared for the Environment Protection and Heritage Council, it is hard to note how the report's

findings have been reflected in the economic argument and recommendations of the Productivity Commission's proposal. The proposed linking of the heritage listing to heritage agreements is not one of them, i.e. the evidence and practices elsewhere have been largely ignored by the Productivity Commission's analysis. Yet the findings and recommendations of EPHC's report have been based on the world wide survey and assessment of a range of practical economic solutions to heritage conservation, which can be considered and applied to the Australian context by both Australian government and the owners/communities of heritage places. Instead the Commission chose to recommend untested solutions, based on the selective and anecdotal rather than factual evidence provided in the report.

- The report fails to acknowledge, let alone include in the analysis leading to its recommendations, a full economic value of heritage conservation i.e. a large area of urban economics, which should have been considered to support both, report's findings and recommendations, because it ultimately does benefit individual owners of heritage properties through the spill over effects into the local economy:
  - Job creation.
  - The labour intensive nature of heritage conservation.
  - The local nature of job creation (heritage conservation in Fremantle has created and supports a range of local businesses ranging from carpenters, stone masons, builders and organic paint suppliers to archaeologists, heritage architects and historians).
  - Support for small businesses which heritage environments attract and support. They generate 25% of the Australian GDP and employ 40% of the Australian workforce (Ripkema, 2006).
  - The successful revitalisation of the inner city through heritage conservation (ex. Fremantle, Bendigo, the Rocks).
  - Market advantage provided by the heritage resources and capacity of heritage to make traditional cities competitive in regional/national/international markets (Fremantle, Barcelona, Amsterdam versus Singapore, Dubai, Hong Kong).
  - The irreplaceable component of heritage resources and sustainable nature of conservation as an important component of an overall sustainable development strategy.
  - sustainable nature and economic benefits of heritage cities, in particular when considered in light of the latest planning theories for healthy cities such as "Western Australian Planning Commission's Liveable Neighbourhoods Design Principles" or "Smart Growth" strategies.
  - An ability of heritage cities/centres to create a social cohesion, economic integration and diversity at the same time. Fremantle is the case in point, where industry, fishing, trade is integrated with educational, cultural, ethnic and real estate economic activities, including the diverse nature of real estate activity ranging from up the market residences to social housing and inner city living.

### ***Terminology and approach***

City of Fremantle regards the approach of the Productivity Commission unduly influenced by the specific economic expertise of the Commissioners. City of Fremantle supports the Western Australian Planning Commission's view, which identifies the problematic nature of the exclusively economic rationale approach by stating that "the relative significance of cultural values compared to economic and environmental values is ultimately a political decision and is a function of the information available to, and the politics of, the decision maker....The degree of cultural significance of a place, like its environmental, economic,

functional and other values, lies in a continuum" (*Dawkins 2005*). Therefore an approach based on linking values which function as a continuum with the transient (economic and political) decision making at a particular point of time is bound to be flawed with contradictions and errors.

In addition the proposal ties identification and management together in a way which breaches one of the fundamental precepts of heritage conservation practice worldwide. It has been a strong article of practice that identification and management should be treated quite separately to avoid management issues influencing identification decisions. The Commission's rejection of this issue and the years of hard experience, and cannot be accepted (p. 186).

City of Fremantle supports the Australia ICOMOS's position that it is difficult to see what public purpose would be served by a statutory list that records merely those properties the owners of which (for the time being) are prepared to conserve them. It could not serve as any kind of reliable comparative guide between different states or local government areas, and would further exacerbate the problems of disparity between assessments that the Commission notes exist at present (p. 69). In effect the Commission wishes to introduce a new definition of cultural significance that says "if this owner doesn't wish to conserve the place, it is not important; but if that owner does, it is – for the moment". (AICOMOS, 2006)

The Commission's approach offers little in terms of improving the existing heritage system where heritage values are assessed and recorded independently of economic considerations. The report often accurately records the problems associated with the currently confusing multiplicity of the existing lists, overlapping responsibilities of various levels of government and non-government organisations etc, so it is disappointing that these observations have not resulted in workable solutions which could improve the current system rather than to invent the untested theory with uncertain outcomes.

The Commission notes that heritage agreements can require considerable negotiation (p. 45) and recommends that this function in relation to local heritage be carried out by the lowest level of government (p.153). In this light, and considering limited resources of local governments, available to both negotiating of the listings and providing the financial assistance to private owners, the listing process would be unreasonably more elaborate and constrained than the current system. In case of the City of Fremantle, where the 3600 places currently listed, the current inventory would need to be renegotiated with their current owners and the likely cost of this process would consume resources vastly beyond what the current community can afford even leaving aside the assistance owners might seek as part of the listing deal. Why would the City invest in such a big effort, most likely resulting in poor heritage conservation outcome, which would undermine the Fremantle's market advantage in the Perth region, let alone the national or global context?

In addition, such lists would potentially need to be updated every time a property changed hands and the listing needed to be renegotiated. Given the existing budgets of the City and the likely cost to the community the Commission's recommended listing model would render the whole process unrealistic and unworkable. Not mentioning a disincentive to both owners and the City to place any item on its municipal heritage inventory.

There are number of additional gaps in the Commission's proposal. In addition to the failings of the listing-paying approach, the proposal disregards one of the fundamental principles of sustainability adopted in 1987 by the Brundtland Commission. In particular the Brundtland definition by the World Commission on Environment and Development. Yet this definition of sustainable development is now generally recognised as the standard: «Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.»

The Commission's proposal is likely to deprive future generations from the ability to conserve their heritage since it is unlikely that the current generation would have sufficient resources to leave much heritage behind to conserve. The proposal is likely to result in listings of a limited number of the iconic and landmark heritage places only. Under this

proposal the mainstream heritage, such as in Fremantle, where the built heritage is only one aspect of the total sum of the rich heritage resources of its community, would be largely lost to future generations. The current community would not be in a position to list/finance the protection of all its heritage resources, so it is likely that also the community's social capital and its intangible values would gradually be depleted beyond recovery, depriving future generations of a choice to conserve the shared heritage available to the current owners/community.

There are many other inconsistencies in the Commission's proposal. One of them relates to so called 'externalities' which arise "when the actions of an individual or firm affect the welfare of others and where those actions are not taken into account, in market transactions or in negotiations between parties". The report acknowledges the critical role of government in rectifying negative externalities through planning mechanisms, yet ignores heritage conservation as a positive externality i.e. adding value to an individual property flowing from its heritage site or area context. This relates to the previously mentioned failure to recognise that the primary source of value in real estate is largely external to the individual property. And that it is often the protection of an area's heritage afforded by regulation (i.e. government) that enhances and continually adds value to any parcel of individually owned land within it.

The particular confusion is created by the Commission's focus on individual places, individual owners and individual property rights. In this context the areas such as the West End of Fremantle, which heritage value is defined not only by a collective contribution of the individual historic buildings to a total 'whole', but also by the cultural landscape i.e. the cumulative significance of the remnants of the natural landscape, vistas, street network, foreshore, beaches, wharves and reserves - the protection and survival of all of which would be undermined by the proposal. The recommendations fail to provide a workable system for protection and conservation of heritage areas except somehow confused suggestion to leave area protection to the current (imperfect) system i.e. in fact duplicating the regulatory systems. This approach is likely to render West End incapable of being listed as a heritage area despite the evidence cited in the report that indeed, there appears generally to be much more public acceptance of the need to protect heritage not only of individual places, but also of heritage areas such as the West End of Fremantle.

While the report demonstrates that majority of players in the heritage industry recognise that the system is over-reliant on regulation as the means of achieving conservation, it fails to justify the need to reduce regulation, or to make it voluntary. The City of Fremantle recommends that targeting incentives options to legitimate grievances would be a better way to deal with any localised shortcomings.

The City supports the Rypkema's argument that report promotes an inherent futility in making listing voluntary; human nature being what it is, the practical reality is that those who will do the right thing without regulation will volunteer for listing. And those whose actions may warrant intervention of regulation will remain unlisted. The result will be the worst of both worlds – whatever impact heritage listing has will apply to those who seek to do the right thing. And those who do the wrong thing will be unfettered (Rypkema, 2006).

It is possible the Commission does not fully appreciate that the real impact of statutory listing is not an automatic obligation to achieve a high standard of conservation for places irrespective of other factors. For example, a statutory listing at the local level requires a consent authority to take heritage into account as one of a number of important factors when assessing proposals for change. While conservation is a major objective, it is pursued within the real-world circumstances of owners. This can result in a range of possible outcomes, including the loss of heritage values and, sometimes, whole places. There is a stronger objective to prevent destruction and damage (which is probably much less onerous than full conservation) but even this is not absolute.

In this context, the actual additional cost to the owner of statutory listing cannot be presumed at any particular level. City of Fremantle is not aware of any evidence to suggest listing automatically results in an onerous financial burden for owners. There are,



no doubt, some cases where this arises but this would seem to suggest targeted solutions rather than the radical blanket overhaul proposed. It may be desirable for agreements to be used where incentives/assistance are provided.

The Commission appears to be arguing for a return to the situation of the 1950s and 1960s, when property owners could develop, alter or destroy heritage places without legislative restraint, but could also choose to conserve them. The number of places destroyed during those decades, compared with the number actively conserved (as distinct from those that survived by accident) suggests the likely outcome for heritage places if a voluntary statutory listing system is adopted. The current system evolved in response to the perceived shortcomings with the former situation. Experience both here and overseas suggests that market forces will not achieve heritage conservation unless public benefits are internalised through legislative protection, and supported with incentives.

Overall, the voluntary listing option is more likely to cripple listing activity than achieve some overall better outcome for heritage. In addition it seems complex, possibly more expensive than other incentives options, and it would take a long time to implement given existing listings. It will, moreover, result in a series of diminishing lists recording merely owners that wish to conserve places, rather than comprehensively listing places that are intrinsically worth conserving. There is little to recommend this suggestion in practice.

## RECOMMENDATIONS

1. The Productivity Commission should consider the range of suggestions for improving the Australian heritage policy framework found in the:
  - 2001 National State of the Environment report;
  - 2004 Vision for Australia's Cultural Heritage prepared by the National Cultural Heritage Forum;
  - the 1998 Key Outcomes from the National Heritage Convention, and;
  - National Incentives Taskforce report prepared for the Environment Protection and Heritage Council: "Making heritage happen - Incentives and Policy Tools for Conserving Our Historic Heritage", 2004.
2. The Productivity Commission should consider the means of ensuring the effectiveness of current systems of determining levels of significance for the identification and conservation of Australia's heritage.
3. A generous community grants program should be initiated which allows for the identification by the community of its own heritage, and which is backed up by funding for appropriate listing, planning and conservation.
4. The different roles of the three tiers of government should be clarified, integrated and better resourced.
5. Sufficiently fund regulating bodies to be able to provide follow up support to private and commercial owners post-approval.
6. Though focused on modern construction, all trade courses should have a component on traditional construction techniques so that all tradespeople are aware of traditional practice and heritage related issues.
7. Specialist post-trade courses and programs should be developed to meet the need for higher order skills in the heritage industry.
8. Courses in architecture, building and engineering (whether at university or TAFE) should also have components on traditional construction techniques and heritage issues.

9. The Productivity Commission should recommend to government that these issues are pursued as part of a proposed national review of current education and training. In doing so, a degree of national coordination and information sharing would be desirable.
10. Government should recognise the substantial contribution made by Australia ICOMOS and other NGOs.
11. The Australian Government, together with State and Territory Governments, should develop a model approach to the:
  - integration of heritage in the planning approvals process; and
  - the relationship between heritage and planning/development control which deals with the relative power of each, including the special case of large developments. This model should have as a central principle a fundamental respect for heritage values, and should be developed in consultation with the range of stakeholders at various levels of government and the non-government sector.
12. Agencies should be sufficiently resourced to fully implement and enforce their legislation.
13. The Productivity Commission should investigate the resources available to local governments and heritage councils to support and encourage Local/State/Territory government departments/agencies, and also investigate the resources needed.
14. Provide incentives or requirements for government agencies with heritage responsibilities to undertake and promote strategic and long term research in historic heritage and to invest in and maintain 'in house' expertise in relevant historic heritage skills.
15. local governments should instigate a program of survey and assessment of historic heritage resources conservation areas; develop clear policies and strategies for the conservation of this resource where such are not already in place; and to invest in appropriately qualified staff to ensure the long term investigation, interpretation and conservation of the resource and the integration of its management into the overall management of the heritage areas.
16. Awareness of potential heritage impacts needs to be raised amongst policy makers and regulations in non-heritage sectors. This may assist to avoid conflicts in the first place. Policies are needed outlining an assessment process for managing conflicts that do occur.
17. The Australian Government should provide substantially greater ongoing financial incentives for private historic heritage conservation consistent with the public benefits achieved through such conservation.
18. The potential costs of conservation should not be included in listing criteria.
19. Priority setting for conservation activity should not be based on certain forms of heritage listing nor levels of significance. Rather, priorities should be established on the basis of the specific needs of a place including significance, condition, ability to undertake necessary works, and other available resources for the works.
20. Local governments require sufficient resources and in-house heritage expertise to effectively deliver their component of the heritage management system.

21. An effort should be made to have a single set of national guidelines for conservation management plans.
22. The Productivity Commission should consider establishing principles for different levels of incentive that might be provided, by whatever means, to different classes of property and owner.
23. Land rates or taxes should be structured to reflect the conservation use of a property where this has been designated through a heritage listing.
24. The Productivity Commission should endorse the principle that governments should provide financial assistance for heritage conservation, perhaps invoking the concept of mutual obligation.
25. The Australian Government should reinstate a grants program or programs to achieve a range of objectives including:
  - a. research;
  - b. training;
  - c. the provision of technical advice/expertise;
  - d. development of philosophy, practice and standards;
  - e. national database developments;
  - f. international heritage activities;
  - g. property acquisition; and
  - h. conservation work.
26. In some cases, such funding may be provided in conjunction with funding made available by others, such as the State and Territory governments.
27. The Productivity Commission should consider recommending a tax incentives scheme for heritage, and it should carefully scrutinise arguments against tax incentives which might be based on the failure of the former scheme.
28. Tax incentives must be considered as one possible form of incentive in a package of measures which address the range of situations affecting owners.
29. The Australian Government should develop a comprehensive package of assistance in response to a strategic framework for Australia's heritage. While this may include the possibility of one-off special assistance, the package should address the long-term and widespread needs of Australia's heritage.

Agnieszka Kiera            24 February 2006

National Incentives Taskforce for the Environment Protection and Heritage Council, April 2004. 'Making heritage happen - Incentives and Policy Tools for Conserving Our Historic Heritage';

Dawkins, 29 July 2005. 'Submission by the Western Australian Planning Commission';

Australia ICOMOS, 10 February 2006. 'Comments on Productivity Commission Draft Report, Conservation of Australia's Historic Heritage Places';

Donovan D. Rypkema, 23 February, 2006. 'Memorandum to National Trusts of Australia re: Productivity Commission Draft Report';

Brundtland Commission, 1987. 'World Commission on Environment and Development'.