

Scanned copy of original submission

AJ:AJ:TP43(93)

20 February 2006

Heritage Inquiry  
Productivity Commission  
PO Box 80  
BELCONNEN ACT 2616

Dear Sir/Madam

**CONSERVATION OF AUSTRALIA'S HISTORIC HERITAGE PLACES  
SUBMISSION**

I refer to your letter dated 14 December 2005 requesting comment on the Productivity Commission's draft report on Conservation of Australia's Historic Heritage Places.

I advise that Council has a number of concerns regarding the proposed changes.

It is considered the preparation of agreements and the changes to the property listing/delisting procedures would create significant resourcing issues for Council.

As most of the individually listed properties are in private ownership, the costs of retaining their heritage integrity could be relatively high. Further detailed analysis of their community heritage value would have to be undertaken and an assessment made on their `value' for a negotiated heritage agreement and the cost to be attributed for their on-going conservation approval.

Considerable time would be required to prepare, negotiate and finalise agreements for each heritage listed property in Monash.

There would be significant financial implications to Council in these processes.

Clarification is needed as to the form or structure of the proposed agreement. It is unclear whether they are private or public agreements and how they would be enforced and/or arbitrated.

Inequity could be created between individual heritage properties. Each agreement could be different and those who can afford better representation will have a greater opportunity to achieve a better agreement outcome.

Each agreement, being slightly different, creates a potential for confusion in the advice given on development options for neighbouring properties. Different advice will have to be given dependent upon the content of the different agreements.

The finalisation of agreements should be separated from the heritage assessment so that process is not inappropriately influenced by non-heritage factors. Also the timing of the agreement should be separate from any sale of land proposal as this could also significantly affect the outcome.

Agreements will not apply to precincts and therefore a dual tier standard will apply. This will add to confusion.

Council is of the opinion that the proposed changes are unnecessary given the high level of acceptance of the current process. In general only a small percentage of property owners object to the introduction of heritage provisions into Planning Scheme.

Further, some of the issues identified could be simply addressed with minor modifications to the heritage provisions of existing planning schemes.

It is also considered the proposed changes could potentially impact on Council's management of privately owned individually listed heritage buildings, with a delisting of a significant number of properties from the heritage provisions of the Planning Scheme, creating an adverse impact on the heritage character of parts of the Municipality.

If you have any questions regarding any of the points raised in this letter, please contact Coordinator of Strategic Planning, on 9518 3620.

Yours sincerely

Coordinator Strategic Planning

Enquiries: Telephone 9518 3620