

Submission to the Productivity Commission's Inquiry on the Conservation of Australia's Heritage Places By Convict Trail Project Inc.

Background

The Convict Trail Project Inc. [CTP] is a grass-roots, not-for-profit organisation based north of Sydney NSW, established for the care, protection and promotion for the 1826-1836 convict built Great North Road [GNR]. Its members are the local community organisations with an interest in the road and the authorities that manage sections of the road. The Great North Road, much of which is still in use today, is a road with the 1820/30s walls, bridges and culverts which still carries today's traffic. As a public road it is public property, managed in sections by the Roads and Traffic Authority [RTA] and several local government authorities as well as the National Parks and Wildlife Service [NPWS] with small abandoned sections in private ownership by the National Trust, other bodies and individuals. The following remarks are made from the perspective of a group trying to care for and protect the Great North Road.

The main pressures on the conservation of historic heritage places

The 'Public Attitudes >< Weak Cultural Identity' Circularity and the need for Leadership by Governments

Australians, in general, do not share a broad or deep conception of their history or cultural evolution in world terms. A major part of their cultural heritage is associated with ethnicity and with its associated 'black' politics such that many Australians do not identify with it. That leaves a relatively thin veneer of European common heritage much of which does not originate in, nor was it inspired by, this land.

This veneer is increasingly overlaid by the migrating values and traditions of other cultures eg. SE Asia and the Indian sub-continent. This process makes the development of personal frameworks of cultural reference very difficult for many Australians. Consequently, they appear to have difficulty assessing for themselves the cultural value of places, buildings, objects, documents, artefacts etc. and tend to greatly undervalue the cultural values of the physical heritage. This is compounded by the partial valuation frameworks from 'economic rationalism' with which they have some degree of familiarity. The limitations of this framework are legion in that it does not look long-term, uses market valuation or arbitrary book valuations, cannot conceptualise intangibles and yet will happily, in other contexts, include valuations based on such notions as 'goodwill'!

Creative leadership is necessary in these circumstances as some Australians are cynical about 'experts' and wary of authority so a 'selling' and promotional approach to heritage conservation is required. This needs to be led, at least initially by governments prepared to take the advice of their staff and specialists.

Other pressures arise from:-

- a) The lack of expertise to undertake timely cultural/ heritage assessments before items are threatened/ eroded/ lost
- b) The lack of authority/ empowerment of cultural specialists in organisations often led by those with a narrow/ myopic 'economic rationalist' view of the world.
- c) The lack of swift and discrete processes of protection for items
- d) The lack of an integrated system of assessing, protecting and managing cultural heritage ie. in NSW both the Heritage Act and the Environmental Planning and Assessment Act are relied on to variously protect and manage heritage places/ items however the personnel in the planning system are not generally trained or equipped to undertake the necessary investigative, documentary, assessment, protection or management work.

The economic, social and environmental benefits and costs of the conservation of historic heritage places in Australia

Economic, social and environmental benefits of heritage, as with any other 'product', will simply remain potential benefits without a serious and realistic business plan rooted in that product eg. based on its unique selling points ie. cultural significance to the 'customer'/ observer/ visitor/ tourist. This may have intrinsic value, rarity value or may be used to value-add to some related or unrelated visitor experience. eg. a map that gets you via the convict-built Great North Road to the Hunter Vineyards and a brochure that tells you what is significant about the places and things you are seeing when following that map eg. A product of the penal and colonial policies of Great Britain carved-out of the landscape (hardwood and sandstone) of Australia; both as a punishment and to create a conduit for colonisation and exploitation of this land.

I will spare you the rocket-science comment. The issues are about commitment and leadership from government.

The current relative roles and contributions to the conservation of historic heritage places of the Commonwealth and the state and territory governments, heritage owners (private, corporate and government), community groups and any other relevant stakeholders

The poorly developed mechanisms for the wider community to recognise its stake in the cultural values of private property (from cultural landscapes of many square kilometers to minute moveable items) through a public contribution to its conservation, research interpretation etc. perhaps in return for various forms and degrees of public access eg. from going onto a property at certain times of year to examining a 3D image of a small object on a website. Such contributions could be financial, expertise, in-kind, site management etc. depending on the nature of the item and its degree of significance.

Options for public contribution mechanisms are available but a disinterested or cynical government would always find reasons of precedent or equity for not being able to implement these. The measure of commitment is ultimately how creative a government is prepared to be in devising these mechanisms:-

- a) GST refunds/ exemptions on authorised conservation expenditures/ expenses. This could be via the same mechanism as the owner-builder's licence that attracts trade discounts. Imagine people proudly wielding their 'Heritage Conservation Owner's Card'- which could also get them discounted admission to National Trust places and events- think partnerships and bundling-in widespread 'member benefits' as do credit card companies, health funds etc..
- b) Realistically valued authorised grants or low-interest loans for conservation work in partnership with the big banks- think of the PR benefits of some of those massive profits being ploughed-back into Australian culture at a practical grass-roots level. The recipients may even fund the bulk of their conservation work via a loan from these institutions!
- c) Banks already sponsor high-end activity in the arts and culture eg. opera and theatre.
- d) Larger/ more realistic loans secured against the title of heritage properties. This may even involve the acquisition of the property upon death or sale. There are acquisitive competitions for artworks so why not for heritage property where its significance to the community so justifies. Encouraging the adaptive reuse of some of these places as community buildings for appropriate uses.
- e) Empowering community-based heritage advisors (over 150 across NSW) through a greatly expanded toolkit of resourcing mechanisms eg. authorising the issue of heritage discount cards; access to and info about low interest loans and loans secured against property such that the government invests in and then gets a return on a properly funded and supervised conservation project upon sale or transfer.

The positive and/or negative impacts of regulatory, taxation and institutional arrangements on the conservation of historic heritage places, and other impediments and incentives that affect outcomes

Making heritage places subject to a development assessment process that is poorly resourced or trained to do the job suggests that local heritage officers should be undertaking these assessments against national and local (model) guidelines and standards. Exemptions are already embodied in council plans and policies such that the usual floor-space ratio, car parking, land/ building use controls do not apply where the priority is the future economic use of a culturally significant place. Imagine making cathedrals comply with current parking or height codes and the impact this would have on historic city cores!

There is role conflict and value conflict amongst the various personnel involved in assessing heritage work in councils ie. planner, heritage officer, building inspector, engineer etc.. A heritage architect has the ability, or could be trained, to administer the peripheral considerations whilst focusing on the core cultural heritage management issues.

Emerging technological, economic, demographic, environmental and social trends that offer potential new approaches to the conservation of historic heritage places

A very important, but much neglected concept is 'embodied energy'. This idea recognises that many old objects, places, buildings or detail or materials have an absolutely prohibitive replacement value in that one cannot afford to bring back a Michelangelo if the Cistine Chapel were to be lost. It also places heritage materials and historical costs into a modern energy conservation/ materials recycling framework ie. it brings an economic rationalism to the materials, craftsmanship and energy (in all its forms) embodied in the object we now enjoy. This is another tool it is not a complete framework for evaluation. What it does achieve is recognition that building conservation can make a big contribution toward other environmental goals.

Demographically we face a retiring cohort of baby-boomers which in the Hunter region is also swelled by the in-migration from Sydney (DIPNR Hunter Regional Strategy= 300,000 people over next 20 years). This cohort will be retiring with the tastes and the superannuation-funded means of restoring and upgrading the services of heritage buildings. However as noted below the gap in trades skills will not meet the likely demand without government facilitating the process of upgrading trades skills. The infrastructure is partially in place for this but training programs are unrealistically funded for this sector where high incomes can be had on the back of a burgeoning property market without going for further training. This represents a skills-gap threat to heritage conservation work and hence to the nations cultural heritage. It is also a foregone employment-generating opportunity.

Possible policy and programme approaches for managing the conservation of Australia's historic heritage places and competing objectives and interests.

Policy and programme need to be more integrative of heritage conservation ie.:-

- Energy policy/ Greenhouse - embodied energy of heritage
- Skills training- loss of physical case-studies/ models of how things were done in the past, evolution of materials, structural building-forms etc.- parallels with biodiversity and the gene pool for future robustness and creativity in the face of change
- Contribution of heritage to tourism and to visitors understanding of this land, its settlement and its people
- Aboriginal, natural heritage and post-colonial cultural heritage
- Contribution of heritage to Australian identity and to how we are perceived around the world eg. a dilute form of American? (hopefully not)

Integration of natural and cultural heritage frameworks as they interact in many cases eg. the unspoilt landscape setting of a settler cottage is fundamental to understanding or experiencing the settler's world as well as to the Australian aesthetic of verandah-cottage, bush, wind pump (windmill) etc. that have become iconic in art and cinema but are disappearing in the real Australia as visitors and residents experience it. Not much is purely Australian but the assemblages of items are distinctive eg. verandah is a Hindi word and the lean-to structure brought here by British with Indian Raj experience. English-style Georgian and Victorian buildings can be found in the UK but they are the visual history indicating that Australia evolved from a British colony. The battle that had to be waged to save the fine Queen Victoria Building in Sydney would have been a no-brainer in Europe. The remarkable thing about this was that it was not won on its heritage merits but that the Builders Labourers Federation took up the cause and green-banned its demolition. The government of the day took the view that nothing should stand in the way of the pursuit of personal/ corporate profit. This from the same society that stakes a claim on the concept of mateship.

To leap to 'policy and programme' ignores the intermediate step of internal government culture. If public servants constantly hear denigrating remarks from ministers about 'heritage' holding-up investment or projects then they will become acculturated into that thinking- if only for mercenary reasons that they realise their careers may depend on it.

'Money talks' as they say and big-spending agencies will have the human and financial resources to sweep away 'obstructive' heritage; and its advocates. Selfish, ego-driven bureaucracies will find it very hard to build a reputation for being culturally caring as it is a collective value antithetical to the individualism promoted in government systems of reward and career advancement. Cultural values are better seen by the eyes of sensitive and thoughtful, contemplative, spiritual people.

This brings me belatedly to Aboriginal people and culture. This area of cultural heritage also needs to be integrated with natural and with European or post-settlement heritage.

In NSW for example the policy framework needs to integrate the actions of:-

- The Heritage Office (built post-colonial heritage)
- The planning system (all heritage forms)
- DIPNR (natural heritage- formerly Land & Water Conservation)
- DEC (Aboriginal Heritage- National Parks and Wildlife Service)

The Great North Road [GNR] embodies elements of all four- it passes through a spiritually significant landscape in east-central NSW; a landscape that bears the marks and sites of that earlier culture. The route of the GNR was fixed along some Aboriginal ridgeways tracks used by them for millennia. Ironically the inability of the Whitefella to find the water along the route led to the GNR's demise in a period of just 30 years- little longer than the time it took to build it with 1500 convicts (1823-36).

Without legislative backing the Convict Trail Project has had to rely on a Memorandum Of Understanding where the responsibilities of more than one agency are involved.

Sections of the Great North Road pass through unspoilt 19th Century landscape that looks much like it would have done to Aboriginals and to convicts and travellers at the time the GNR was built. There is a strong congruence between the timber bridges and sandstone structures of the GNR and the wooded sandstone country out of which it literally and metaphorically grew. Such structures cannot look intrusive in this landscape. However, as this is being written, the big-spending RTA of the NSW Government and generously-funded sections within Cessnock Council would like to replace these with low-maintenance, durable concrete bridges. Arguments of safety, vehicle axle-weight and ride-quality are all marshalled to the cause of removing the older bridges from use/ public experience. The similarity between rumble-strips and the rattling timbers of old bridges seems to elude the rationalists. Similarly the role of narrow bridges and speed-control thresholds in slowing traffic is lost on them. Rationalist minds are also blind to the fact that the old, narrow, rattling bridges tend to be where bridge-point settlements exist and therefore they slow traffic entering school zones and residential areas more effectively than any 40kph 'school-zone' sign; which, in these rural areas, have little chance of being policed.

The Great North Road is a tourist area where some people wish to drive more slowly to appreciate the landscape. A slower road design-speed complements and facilitates that style of driving.

Need to include Heritage Appreciation in a broad range of education courses.

Policy and programme therefore will need to address the inclusion of cultural heritage in tertiary education/ training of highway engineers and of town planners and building inspectors such that it is no longer seen as heroic to ride roughshod over heritage and its advocates in government or public forums. The Illustrated Burra Charter contains all that is needed to broaden the minds of the engineering and construction professions if integrated into tertiary courses and all assessed assignments.

Unless heritage conservation concepts become mainstreamed in this way, heritage conservation professionals will continue to be isolated and abused across the country.

Need for Incentives

More equitable treatment of those investing in conservation by the taxation system is essential to express this society's stake in the cultural aspects of their property by both encouraging and requiring compliance with the Burra Charter principles in return for their concessional treatment under the taxation system. There is great scope here for governments to obfuscate by citing state property tax revenues as the target for concessions. There needs to be a whole-of-government resolution perhaps involving the return of more GST to those states where heritage is concentrated. We do not know how the GST formula treats heritage across the states; but if not at all then we submit that it needs to do so.

Need for qualified tradespersons

Getting appropriate traditional trades is a problem to heritage professionals from consulting architects to council heritage advisors to builders and building owners.

The policy/ program implications appear to be the co-ordination of training companies with TAFE and the newly-announced technical colleges in the budget. A two-stage approach is needed:-

A quick-fix to identify skilled people and get them traditional trades-trained to meet the demand eg slaters, tilers, bricklayers/ repointers, roof-plumbers, carpenters, restorers etc.. This would be post-trade training with cash to make the training worthwhile for those already making good wages in non-traditional bricklaying for example.

A long-term strategy to expose all construction trades apprentices to traditional trades and offer them the option of specialising later in their early career.

Funding to regional clearing-house organisations (website, email and mobile-phone based streamlined admin.) to connect clients with these rarer trades and to promote groups of accredited 'traditional trades'-trained craftspersons.

Legislation to prevent the marketing of construction tradespersons as 'heritage' when in fact they have no definitive training in the traditional trades and techniques that the conservation clients seek.

Within Councils there is a need for designated and accredited officers at the policy level and at the development assessment level to handle heritage issues within plan-making and within development assessment in a more expeditious and informed manner. Incentives should be provided for existing staff to become additionally tertiary accredited in heritage conservation. As many in this profession are female this could offer scope for additional part-time and job-share employment that has gender-positive outcomes for women.

Need for funding for Community based bodies

Specific funding for the administration of community-based heritage conservation bodies would be consistent with the Commonwealth government's programs for regional tourism development and for strengthening local economic capacity. This would focus on the funding of incorporated organisations to plan and administer the heritage conservation work as distinct from the physical works themselves; the funding of which we submit should remain with states heritage agencies.

Federal and State heritage Frameworks

The main problem with the State and Federal policy frameworks is they are not backed by community education programs that drive attitudinal changes. There needs to be funds spend on campaigns that will change attitudes towards heritage. Changing attitudes is a long term process one looks for

examples in road safety and health campaigns. The changes in attitude in the general population to drink driving, to smoking, to wearing seat belts and bicycle helmets were all driven by large attitudinal changing publicity campaigns before enacting the supporting legalisation, campaigns that made these issues everybody's business. Protection of Australia's Heritage needs to be made trendy, important and everyone's business.

Specific experiences related to trying to protect, conserve and promote a Heritage Road

Do government agencies follow best practice?

In NSW State and Federal Government agencies are required to develop a heritage strategy and inventory and a management plan for each listed place they own, this is not required of Local Government. Parts of the Great North Road are managed by both state and local government agencies. In theory this means state ownership should result in better conservation outcomes than private or local government ownership but in practice the CTP has found this is not always the case. It appears the problems are related to the culture within the organisations where heritage is not the chief function of the organisation. In some of these organisations, both state and local government, staff with responsibility for heritage appear to constantly be fighting an uphill battle.

Much heritage in NSW is now management by NPWS, in the ten years the CTP has been in existence the NPWS has improved in their management of heritage assets but as their main focus is on landscape management that has first priority and at times this conflicts with the management of heritage items, ie issues related to the removal of trees that are tearing 1830s sandstone walls apart. The CTP has recently experienced major problems with the RTA and their ownership of heritage assets where best practice was either not followed or only reluctantly followed.

In the recent past evidence of the Great North Road was damaged because the road which forms the boundary between two local government areas was heritage listed in one local government and not the other. The heritage listing for the adjacent road was ignored and the road evidence damaged by development in the council area where it was not listed, and further damage was allowed to occur even after it was drawn to the responsible council and the developers attention.

Partnerships in conservation

The CTP has had a very successful partnership with the Department of Corrective services, where by the Department of Corrective services supplied free labour for some conservation works, this has provide part of the contribution for 50/50 funded heritage grants as well as having positive outcomes for the prisoners involved.

Some of the benefits of heritage conservation are impossible to measure, how does one measure the benefits to society of a modern day prisoner gaining self esteem and a link to society through working to conserve the work of prisoners of 170 years ago.

Heritage Roads

There are specific issues relating to the management of Heritage roads which set them aside from other built heritage. As old roads they often form the boundary between different jurisdictions and as such no-one wants to own them, this was the specific issue that lead to the formation of the CTP. Other issues relate to their status as public roads, as the CTP has experienced roads are public assets expected by their managers, road engineers, to preform to modern standards that they were not built to preform to. The CPT has been asked numerous times about becoming self funding, unlike a heritage building there is no way that a heritage road can be made to be income producing. Heritage roads of which the Great North Road is one were not built to carry fast travelling heavy traffic. There needs to be consideration given to forming an additional classification of road that would attract federal or state funding, a Heritage Road. This classification would then remove the pressure road managers feel to have these roads classified as regional roads to attract state funding. This would allow Heritage roads to be weight limited, restricted traffic roads and persons travelling on these roads would know that different conditions applied to the standard of the road, there may need to be some form of compensation for property owners along these roads to compensate for the potential

inconveniences of the weight limits but there are likely to be long term benefits. The Great North Road and other known potential heritage roads have survived as they are in areas that in the past have attracted little traffic and so have survived much of the upgrading that would have destroyed the heritage features of the roads. This means they are roads that are likely to appeal to tourists and travellers wanting to escape the rush and bustle and big trucks of highways, main road and cities. It is likely that roads that could be classified as Heritage roads would also be roads that already are classified as scenic tourist routes as is part of the Great North Road. In promoting these roads the public could also be educated to expect travel to be at a slower speed, to find sharp corners, to have wooden weight limited bridges and for the road to possibly be narrow and winding, but these things would be part of the tourist experience of travelling on a scenic heritage road.

Another issue with Heritage roads is that each is a linear object made up of a series of sites connected by sections where no evidence of the original road remains but the whole is the one object made up of physical and conceptual sections. Several kilometres of road can be in the one heritage listing this has created problems as anything in the one listing is considered the same site when applying for Federal funding regardless of the fact the sites were several kilometres apart in fact in different federal electorates.

The CTP has identified a major problem with the current heritage listing of the road. This is the recording of all the available evidence. To find and record all the evidence would take a great deal of work and is beyond the resources currently available. It would involve several people walking about 2 meters apart across the road reserve on both sides of the road often in the face of heavy traffic for most of the 240km long road looking for evidence that is often obscured by vegetation. This has only been done in a small section after the initial listings and the Conservation Management Plan was written. Other sections were examined after the bushfires and drought had cleared the road edges of vegetation. In these exercises a considerable amount of additional evidence has been found.

Work of Non-Government organisations

The Convict Trail Project is a non-government organisation that has taken on the task of caring for, protecting and promoting the Great North Road at times in the face of uncooperative government (federal, state and local) bodies. As in most community based organisations a lot of dedication, passion, emotional and physical energy is needed from both the paid as well as unpaid staff. People work in these organisations because they believe in what they are doing, often to their own financial detriment.

The Convict Trail Project with no financial resources has found it extremely difficult to meet the criteria to match funding for heritage conservation 50/50 and in its last project had to go begging for assistance to be able to complete essential conservation on an extremely important structure it did not own. This was made more difficult by requirements that grant applications had to be for works, not plans for works.

Authors
Ken Phelan
Treasurer
Convict Trail Project Inc.(NFP),

Convenor
Hunter Heritage Network (NFP),

Heritage & Civic Design Manager
Cessnock City Council
PO Box 152
62-78 Vincent Street
Cessnock NSW 2325

T: +61 2 49934240
F: +61 2 49934149
M: 0401 107 416
E: ken.phelan@cessnock.nsw.gov.au

and

Elizabeth Roberts
Executive Director
Convict Trail Project Inc.

Convict Trail Project
PO Box 96
Wahroonga NSW 2076

T: +61 2 94893603
M: 0427 101 913
E: convicttrail@bigpond.com