

Submission on the Heritage Inquiry by the Australian Government Productivity Commission



Gold Coast City Council

Organisation: Gold Coast City Council

Date: July 2005

Contact: Judy Austin, Cultural Heritage Planner

Mailing Address: Po Box 5042
GCMC, QLD 9729

Email Contact: jaustin@goldcoast.qld.gov.au

Phone Contact: (07) 5582 8306

Confidential: No

In response to the many questions and prompts provided in the Productivity Commission Issues Paper, May 2005, Conservation of Australia's Historic Heritage Places, the following points are raised from Gold Coast City Council:

1. It is agreed that an inquiry is needed into the current practices of heritage conservation in Australia and Gold Coast City Council is pleased to participate in the process. However, no formal notification of the Inquiry was given to Council to ensure that there would be an opportunity to participate. Concerns exist as to the extent and scope of information that will be collected if Local Governments across Australia are not made aware of the Inquiry.
2. All levels of government have the potential to play an important role in heritage protection and it is necessary for governments to be involved in the preservation of our Country's heritage. Although they play a large role in heritage conservation it is simply something that cannot be left up to private markets alone as the value of heritage is often hard to measure against economic costings. Heritage has intrinsic social and aesthetic values within the community and governments have the ability to take into account the broader social benefits of heritage conservation.
3. A major impediment to heritage conservation in Australia is the current lack of financial assistance available to owners of heritage properties. The Issues Paper mentions that the Cultural Heritage Projects Program (CHPP) is available to provide grants towards heritage conservation projects. This Program is no longer in place and has not been funded for some time. There is currently no direct financial assistance available for the owners of historic heritage properties from the Federal Government or the Queensland State Government. If there is to be improvements in heritage conservation across Australia then support needs to come from all levels of government, with leadership from the Federal Government to ensure that heritage is taken seriously. It is essential that the Federal Government re-instate the CHPP or similar as financial assistance is a critical part in ensuring that heritage places can be cared for and preserved.
4. There are no mechanisms in place to offer much support or incentives to private owners for them to want to agree to have their place listed on a heritage register. This causes some resentment to heritage listings. With financial assistance in place it increases the attractiveness of owning a heritage property and the ability for the owner to be able to maintain the site without facing a personal financial loss. This especially

applies if substantial costs are involved in preservation and upkeep due to the heritage values of the property (e.g. carefully restoring a heritage house compared with doing less expensive but incompatible renovations).

5. In recent years both the Commonwealth and the Queensland State Governments have introduced taxation and other incentives in the preservation of the natural environment and it is considered that similar arrangements could be applied to the preservations of the nation's historic cultural heritage.
6. It is excellent that the newly established National and Commonwealth Heritage lists are regulated under legislation that ensures sites on these lists will be given proper protection. Sites on these lists should receive Federal financial assistance to ensure their ongoing preservation. Places of National significance should remain the responsibility of the Commonwealth Government under the *EPBCA 1999*. If places were not considered important enough nationally to make it onto this list then they could be included onto the State Registers.
7. Concerns exist that the National List is aiming too high with heritage significance levels as currently less than 10 properties are registered on this list. The State Government is the main protector of heritage at the present time. It is unclear, and some confusion exists amongst the community, about what role this National List will eventually play and how much support, staffing, funding and proactive listing the Federal Government is planning to provide in regards to this List.
8. At the State level in Queensland there is currently no legislative requirement for owners of heritage properties to maintain the property's heritage values. Emphasis needs to be placed on the ongoing need to protect heritage-listed places once they have been registered on a State or Local list. Amendments need to be made to the legislation to ensure that people can be prosecuted if heritage sites are simply left to deteriorate. In conjunction with this, financial support and incentives also need to be available to owners of heritage properties to encourage and enable them to properly care for the heritage values of their site.
9. Locally significant places are given no protection against development if they are not on a local register. Many local governments do not have established local lists and therefore places of local heritage significance are not identified and protected in a systematic manner. Where no local list exists, places of local heritage significance are usually only protected if there is an uproar from the local community, they are in public ownership, they are on private land and not interfering with development, or they are protected by private owners who have regard to the heritage values of the site that they own. Many planning schemes do not identify locally significant heritage places and therefore they are not included into the development assessment decision-making processes. Stronger legislation, financial assistance and guidance is needed from the State or Federal level to encourage and enforce local heritage issues into the planning process.
10. It is a highly contentious exercise for Local Governments to try and regulate local heritage, as what is perceived as important to one person may not be to another. Most local governments do not have the necessary structures in place to administer local heritage lists effectively and make informed decisions on additions, removals and proposed development to heritage sites. Smaller Councils especially will not have the resources or staff to provide qualified heritage advice and input into their development assessment processes. There is a strong need to have local lists managed and administered by an overarching Regional Heritage Body funded at either State or Federal Level.
11. It is extremely difficult to take into account the social, environmental and community benefits of heritage conservation and factor those into a comparison with economic benefits. For highly contentious development applications on sites that are not on a

legislative heritage list, decisions are often made based on economic outcomes without true regard to the heritage significance of a site (e.g. on land with high development potential and Council has concerns of compensation if the application is refused on heritage grounds). An independent body is needed who can assess local heritage values of sites. This role could be undertaken by an overarching Regional Heritage Body funded at either State or Federal Level (as also mentioned above).

12. For Local Heritage Registers the State and Local Governments are able to make most decisions on places in this register. However due to reasons outlined in points above, it would be beneficial to have a body/council/committee set up to oversee the nominations, removal and demolition of places on Local Lists. A suggested way to do this would be through the establishment of Regional Heritage Councils. One set up for a whole State would create too onerous a workload, replicate existing State roles and slow the local listing process down. Requiring individual Local Governments to each establish a Heritage Committee may also be too onerous (especially for smaller shires). It is therefore thought a Regional Board to be the best option.
13. Local Governments should be able to nominate places onto Local Heritage Lists and only difficult decisions could be referred to the Regional Heritage Council. This ensures that there will always be a back up process if disputes arise and that places are not being lost through lack of community will. It will also assist Councils who may not have qualified heritage staff to be able to make (or advise their Council on) informed decisions. Local Heritage Lists could be kept all together for the whole of the State. However, Local Governments should manage their own Register and inform their relevant State Heritage Agency of any additions made to their Register so the state-wide Local Heritage Register can be up-dated.
14. Developments occurring as part of a Heritage Agreement should be able to proceed without the need for further heritage approval if all relevant plans and concepts were agreed upon and previously signed off by a Heritage Council (State or Federal) as part of the Agreement. The relevant Local Government authority should supervise works if Local Council approval is needed as well. Further heritage approvals should only be sought if changes are made to original plans, or are specifically requested as part of the ongoing process outlined in the Heritage Agreement.
15. Listing criteria for places onto any heritage list (National and especially State and Local) should be proactive as there is a need to recognise the cumulative impacts of potential loss of heritage places over time. Listing criteria should allow for this to be a valid reason to preserve heritage places in the present time. It would be beneficial to be able to use some perception in listing heritage places and be proactive in realising the need to identify and protect the real gems of places now, even if they are currently well represented, to ensure that in the future they will still exist.