
HUBERT ARCHITECTS

PH:ph

14 February 2006

Heritage Inquiry
Productivity Commission
PO Box 80 Belconnen ACT 2616

Dear Sir

Re: Submission to draft report on Productivity Commission Inquiry into Conservation of Australia's Heritage Places.

I write to submit my response to the Draft Report of the Productivity Commission Inquiry into Conservation of Australia's Heritage Places.

Since graduating in architecture in 1989, I have focused my professional career on working in heritage. I have been involved in various aspects of heritage conservation including architectural projects, conservation management and local council heritage advisory positions and undertaking heritage studies.

I am concerned at many of the findings and recommendations in the Draft Report. Some appear to be based more on the ideology of deregulation rather than real investigation of the success of the system. There is little attention to the success of heritage listing and controls.

The finding that heritage listing is encouraging deliberate demolition of heritage listed properties is simply not true. There are certainly a small number of properties that have been subject to arson or demolition when a heritage listing has been suggested for a property, but in most of those cases, there are a number of planning issues involved of which heritage is but one. While there may be neglect of properties, this is more likely to be due to a place being old and unused rather than it being heritage listed. In my work with local government, I have yet to see a building being demolished merely because it is heritage listed.

A number of submissions rightly raised the question of assistance for the property owner. Financial assistance or other incentives for property owners are needed. Local government funds are better spent on providing simple heritage assistance programs, such as the programs many local governments in NSW operate, and other incentives such as rates rebates than putting resources into conservation agreements. Such agreements would be a huge drain on local government resources requiring constant negotiation and alterations to statutory lists. The difficulty of negotiating such agreements can be seen by considering

how many such agreements for places of national heritage significance have been reached under *The Environment and Heritage Legislation Amendment Act (No. 1) 2003*. Planning controls and good local government heritage policies already provide a de-facto agreement.

The idea that local governments should directly compensate property owners when a place is listed as a heritage item is not reasonable. Councils do not compensate property owners when other planning controls are imposed nor do they receive a benefit when planning controls are changed to allow greater development and therefore raise property values.

It is wrong to suggest that most Councils list places as heritage items without adequate investigation. In NSW at least, heritage studies are usually undertaken by or under the direction of external consultants who have experience in assessing heritage significance. This is followed by an extensive period of consultation where property owners are invited to comment on proposed listings. Most Councils consider issues raised by property owners as well as whether there would be a substantial loss of development potential prior to listing places as heritage items. The system is thorough and professional.

The Draft Report states that "...no Australian State requires at the local level a statutory listing of a place's heritage significance" (p. 90). While it might not be a statutory requirement, most local heritage lists in NSW are supported by inventory sheets that include a Statement of Significance. It is certainly accepted as best practice and greatly assists in the management of heritage listed properties.

Since the introduction of the first statutory heritage controls in the 1970s, thousands of historic buildings, which would otherwise have been demolished to make way for new development, have been saved and conserved. The economic success of projects such as the Queen Victoria Building underline the benefits of heritage listing. This building would have been demolished were it not for heritage regulations.

Statutory heritage schedules are not an end to themselves as suggested in the report. They are prepared to provide for the future protection and conservation of heritage places. They also provide recognition of places to ensure appropriate direction of funding.

The costs of maintenance of heritage listed places are often exaggerated or taken out of context. A building needs maintenance whether heritage listed or not. The lack of maintenance on many old buildings often results in high repair costs. These should not be confused with maintenance costs. Many modern buildings also have high maintenance needs such as sophisticated cleaning systems, reliance on sealants that have a short life cycle, and reliance on membrane roofs that are prone to leaking. Issues such as these are not always recognized as maintenance issues and often result in complete replacement of buildings after a relatively short period. As well as being a waste of resources, this rarely makes economic sense.

Strategies for dealing with heritage that do not involve a constant drain of funds into unworkable negotiations are needed and have been suggested. These include education programs, assistance with expertise and technical solutions, financial incentives through rate and tax rebates, direct grant or low interest loans, seed funding, amendments to insurance

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regulation, and a range of other options. Such strategies should be a focus of the report's recommendations.

I hope that in finalizing their report, the Productivity Commission takes into consideration the need to provide strategies that will provide a real benefit Australia's built heritage rather than suggesting unworkable bureaucratic systems that will further drain local and state governments without providing any real benefit.

Yours Faithfully

Pamela Hubert