

<p>INDIGO SHIRE COUNCIL SUBMISSION TO AUSTRALIAN PRODUCTIVITY COMMISSION REPORT CONSERVATION OF AUSTRALIA'S HISTORIC HERITAGE PLACES, DECEMBER 2005</p>

Introduction

1. The Indigo Shire Council is supportive of and welcomes any review that will assist in the best practice management of items and places that have cultural heritage significance. Indigo Shire Council has one of the highest concentrations of cultural heritage places and items of any Council in Australia. There is a great diversity of items and places of local and state significance and also potential national significance. The Indigo Shire has managed these places using statutory controls and incentives for the last 20 years and is therefore well placed to comment on the proposed changes and resolutions suggested by the APC.
2. The following comments are directed in part to some of the conclusions drawn by the APC and in particular those resolutions that could be deleterious to the management of heritage. More importantly the following comments are directed to the ways in which Indigo Shire Council sees the management of cultural heritage being enhanced.

General Principles – Burra Charter

3. The Burra Charter provides the recognised standard and philosophy for cultural heritage management in Australia. Practices in the Charter have been applied professionally at local, state and national level. It is considered that any proposed method of cultural heritage management should respect the principles and practices of the Burra Charter. These principles are clearly stated in the Charter. The report does not provide a clear methodological basis for some findings. There seems to be a reliance of anecdotal evidence rather than consideration of the approach of the Burra Charter.
4. Indigo Shire Council suggests that the Australian Productivity Commission (APC) ensures that final recommendations are consistent with the approach and philosophy of the Burra Charter. This will provide both an acceptable standard of management and importantly consistency in outcomes.

Identification of significance

5. Cultural heritage significance is not a negotiable value. The place either has significance or it doesn't. If it is significant then this can be clearly described by: what is significant; why is it significant and how is it significant. It is from this premise that the place can be managed and proposed changes accommodated. It is recognised that change is necessary in the management of cultural heritage items.
6. It is not disputed that there are a variety of reasons why significance may be established. It is suggested that the basis for an assessment of significance should follow principles of the Burra Charter.
7. The quality of heritage studies does vary. Variation appears to be both on a state basis and between individual studies. The APC report provides valuable comment on this.

8. Indigo Shire supports the concept that a Statement of Significance be required for all items, precincts and conservation areas. Statements of Significance should be supported by historical research/ history that will assist in determining the objectives and management and assist in decision making in relation to the item, precinct or conservation area.
9. Indigo Shire furthermore suggests that all statutory bodies regularly review their management of cultural heritage to take into account the changing nature of our environment.

The notion of a mandatory negotiated agreement (to ensure listing) between owners and local government authorities is one that is flawed

10. The premise of a negotiable management of cultural significance contravenes accepted conservation principles. The implication is that management will only occur in the event that a management agreement has been successfully negotiated and entered into by the relevant owner(s) and local government authority. Clearly locally significant places can be exempt from appropriate conservation principles in the event that no agreement has been entered into or that any agreement excludes one or more important component of conservation or component of the item itself. Significance is in this way ascribed by the individual owner in negotiation with the particular local authority.
11. The ability to ascribe or deny significance by individual owners gives no credence to community values and identity or the community's expectation of government as a protector of these values – both quantifiable and unquantifiable.
12. A sense of history and place is important for any community as it informs contemporary cultural practices.
13. Cultural heritage is not just a spiritual feel good commodity that has its own altruistic dynamism - it is also an appreciable commodity and one that has an economic impact. This can be seen in the regional development that has occurred around historic towns: the central goldfields, north-eastern goldfields and many other smaller historic regions. For instance, Beechworth is the location of an international conference in September 2006 on the very topic of how heritage has been used to support revival of rural and regional areas.
14. Cultural heritage provides a significant economic base for Indigo Shire. The value ascribed to the collection of individually listed properties provides an attractor for tourists. It is not conservation areas alone that can be claimed to provide such an attractant. For instance in Indigo Shire there are currently 807 individually listed items and 7 conservation areas. It is not rational to argue that the items – which are in some instances grouped in proximity do not provide part of the attraction of the area for tourist visitation.
15. Flow on effects from tourism provide stimulus for the whole of the Indigo Shire economy.
16. Given that the community in general achieves a betterment from heritage listing in Indigo Shire one alternative if individual negotiations were required in order to protect heritage items is for Council to enter into 807 individually agreements. This figure would not eventuate as the listing of 807 items is an interim measure while heritage controls are being reviewed and community and individual consultation taking place regarding listings.

Assuming the figure was reduced by as much as one half the cost in time and resources to negotiate 400 plus agreements is prohibitive.

17. In the event that the scenario continued options available to Council do not include entering into agreements for all items of cultural heritage significance. This would potentially be cost prohibitive.
18. Options are also not around taking money from essential services such as roads or services for the aged or children. Given reduction in funding in real terms for many of the community service programs Council provides Council is not in a position to consider redirection of any remaining optional expenditure into the heritage area.

Alternative funding scenarios

19. It is noted that the APC has not recommended alternative funding scenarios from Federal or State governments to address the issue of funding deficits for local government. Alternative funding mechanisms would be required to support any requirement for heritage agreements on individual items.

Poor management of locally significant places has the potential to degrade state and nationally significant places.

20. A further flow on effect from heritage agreements and loss of selected local items relates to the physical proximity of some such items to state and nationally significant items. In many instances locally significant places provide an appropriate setting for state and nationally significant places. If locally significant places are allowed to be compromised through poor management this will have a flow on effect and degrade and compromise the values of state and national places. For instance in Beechworth if all the locally significant items and places were up for negotiation there could not be a consistent and rigorous management of the whole place. This would ultimately degrade the whole township, associated mining sites, cultural landscapes and the *raison d'être* of many of the state significant items.
21. The APC postulates that dereliction and loss of heritage items occurs as a result of heritage listing. This is a generalisation which is not supported in Indigo Shire. It is agreed that lack of resources can and does lead to some items not being adequately maintained. This is clearly not limited to items of cultural heritage. It can however lead to loss to a community of items of significance. It is agreed that financial support could prevent such loss in some situations.

Efficacy of listing as a management tool

22. The discussion hereto has not addressed the efficacy of existing mechanisms within Victoria and more pertinently within Indigo Shire. Listing and controls have been operating within this shire for 20 plus years. In that time significant achievements have been made in conservation and management of a range of listed items. Listing is accompanied by a Statement of Significance. This identifies key elements of the item. Control are tied to the elements of significance. For instance internal controls are not applied where it is the façade of a building only that is of significance. In that event external paint controls and possibly removal of vegetation would be the likely controls applied.

23. Listing flags the significance of the item. At the time of a proposal for development, redevelopment or otherwise of the item Council negotiates an appropriate outcome with the proponent. This considers the heritage significance of the item and seeks to find optimum solutions consistent with Burra Charter principles. Council employs a part time Heritage Advisor, who is usually integral to discussions on any item.
24. Where a planning permit is required half the normal fee is payable if a planning permit would not otherwise have been required but for the listing. This usually results in a \$45 fee.
25. Of benefit over and above the nominal fee is the provision of free heritage advice. The cost of this service is only partly subsidised by State government, the cost is largely borne by the whole community (the recipient of cultural heritage value) in this shire.

Impact of listing on property value

26. The majority of individual heritage items have achieved a remarkable capital gain. Between the last two valuation periods prices have risen by 47%. The increase in property prices can be explained by demand for these types of properties. This is in part attributed to the management of cultural heritage – prospective owners know that the values found in these properties will be protected and the character of the region maintained.

Conclusion

27. Essentially, there is a concurrence:
 - That items and places should be selected based on a rigour and objectivity and that there should be a concise statement of significance for all items placed on any schedule.
 - The criteria for assessment should clearly stated.
 - There should be a consistent approach to the management of all cultural heritage items.
 - There should be an equitable outcome where community and individual equity is balanced in the planning process.
 - All items listed on all statutory lists should be reviewed periodically.
28. It is recommended that there be some form of financial support for any individual owner(s) who can demonstrate hardship because of the listing. One form of recompense would be through a tax rebate system where the whole of the community is seen to support items of value as cultural heritage whether at local, state or national level is a national attribute and is not parochial.