

27 February 2006

Heritage Inquiry
Productivity Commission
P O Box 80
BELCONNEN ACT 2616

Dear Sir,

**RE: PRODUCTIVITY COMMISSION DRAFT REPORT
CONSERVATION OF AUSTRALIA'S HERITAGE PLACES**

Reference is made to the draft report prepared by the Productivity Commission regarding the Conservation of Australia's Heritage Places.

It is considered that the key recommendations of the report with respect to the introduction of negotiated conservation agreements determining the listing of the vast majority of heritage items removes wider community out of the process of protecting places of value for future generations.

The incidents of demolition by neglect, while often controversial, are very small in number as compared to the number of items listed, and are not considered to warrant the overhaul of the existing statutory listing processes as proposed.

The following responses are provided with respect to the Commission draft recommendations:

- It is considered that there is adequate provision made for financial incentives programs, however, they require increased financial support;
- It is highly unlikely that Council would purchase properties if conservation agreements cannot be negotiated with property owners, which would leave these sites with no legislative protection or recognition;
- The suggestion that Councils have the resources to negotiate, monitor and update conservation agreements is considered unrealistic. It is also of major concern that in order for conservation agreements to be developed, the future financial requirements of a property would need to be determined. This process in itself would necessitate the preparation of a detailed heritage assessment and management plans, which would be a costly financial exercise for property owners. It is unlikely that Council would

have the resources to undertake these assessments on an individual basis;

- The low percentage of rejected Development Applications (ref. Table B13), 2.8% in NSW would seem to suggest that new development is not hindered substantially by the heritage listing of properties;
- Under Section 79(c) of the Environmental Planning and Assessment Act, terms of consideration specifically do not require a proponents individual financial circumstances to be taken into account. The listing of a heritage item under a Local Environmental Plan should similarly exclude such financial issues;
- Tying conservation agreements to individual property owners and legislative protection provides no long term security for the recognition of a site's heritage values;
- The proposed regime severely under-rates the value of the vast majority of heritage sites in the City for future generations;
- Efforts would be better targeted towards supporting a more rigorous assessment/updating of local lists to ensure accuracy rather than risk losing the listings altogether;
- Financial support should co-exist with the listing of the property, with owners having the opportunity to access funding;
- There is no reference to the needs for heritage trades training and support which is essential for the preservation of heritage items;
- The proposed regime would be likely to result in a loss of heritage items and/or their integrity leading to demolition, unsympathetic additions and alterations and inappropriate contextual development. This would fly in the face of communities expectations that these values are protected and will be for future generations.

Should you require clarification of any of the above, please do not hesitate to contact the undersigned.

Yours faithfully

DAVID SIMM
MANAGER DEVELOPMENT AND ENVIRONMENT