

20 February 2006

Response to the Productivity Commission Draft Report on the Conservation of Historic Heritage Places

This submission has been prepared in response to the above draft report. The acute disappointment which we feel in the limited and apparently biased response of the report to the Terms of Reference for this inquiry has led us to respond to the recommendations of the draft report.

The partners of McDougall and Vines have been involved in heritage conservation and management for twenty years as a firm, and for a number of years prior to that as individual practitioners. This submission reiterates the responses made by a large number of submissions from similarly experienced and concerned organisations and individuals.

Heritage Listing

Our main area of concern relates to the recommendation of the draft report for privately owned properties to be included on a statutory heritage list only with the approval of the owner and only after the provision of a negotiated heritage conservation agreement. This is a form of voluntary listing. In our experience, such an *ad hoc* approach to listing creates serious anomalies in the consistency and retention of heritage assets of an area or region.

In this recommendation of the draft report, the process of assessing the heritage value of a place is being confused with the next stage of the planning process, the assessment of the affect of development proposals on the heritage qualities of the place.

The heritage value of a place is inherent and assessable against criteria set out in either heritage or planning legislation. This process of listing and statutory protection, which has been in place for up to 30 years (depending on the State concerned), was established to prevent ongoing demolition and loss of built heritage after the post war period, and clearly differentiates between heritage value and development.

The listing process in South Australia, through the preparation of Heritage Surveys by qualified professionals, involves public scrutiny and representation from owners and the broader community. Submissions and objections are considered by both the local government authority and by the state government prior to the finalisation and authorisation of any statutory schedule of heritage places.

The cost of implementation of the proposed new system is completely ignored in the draft report. The system would be extremely difficult to implement, inefficient, time and resource consuming, and ineffective in assuring the conservation of heritage in the long term.

We do agree with the finding of the Commissioners that each assessment should clearly state the extent of the significant built fabric which should be conserved. This would go a long way to clearing up the belief that listing prevents any change to a place. This statement is part of any heritage survey undertaken in SA presently.

Property values

The unsupported assumption of the draft report that all owners are disadvantaged financially through heritage listing is false. Heritage listing reduces property values only when there is discrepancy between the development potential of the site (where zoning allows much greater density of development) and the existing building density.

Generally, in heritage areas, property values increase due to the certainty of development density and opportunities. Adelaide suburbs such as St Peters and College Park, Semaphore, Unley and Mile End have all had greater property value increases than other similar early suburbs where heritage planning controls do not exist. This increase in values results from protection of the overall heritage character through careful heritage planning provisions which allow for careful monitoring of development. Inappropriate development, which may result in negative impacts on adjoining properties (and associated loss of property value) are generally prevented by these heritage controls.

Heritage Planning

There is an extensive framework of planning controls in local Development Plans which provide clear guidelines for heritage conservation through the development assessment process. This has evolved over the last twenty years in response to community and local government concerns about the steady erosion of the built heritage character of their neighbourhoods and suburbs. This framework focuses on the importance of wider community benefit rather than individual monetary gains, through the retention of assets and amenities which are available to all, and is simple another land use zoning policy. In South Australia, the inclusion of local heritage places and areas in the Development Plan is functioning successfully and being pursued by all councils (with the exception of the Adelaide City Council) with positive outcomes. The ongoing concerns and community opposition to many developments in North Adelaide are the result of the current system of voluntary listing, which has created uncertainty in the planning process in this suburb, which surprisingly was identified as having heritage value in its listing on the Register of the National Estate.

Incentives

The issue of appropriate incentives and resources is poorly addressed in the draft report. Inadequate consideration has been given to the full range of assistance that can be provided to all owners of heritage places.

It is our experience that financial assistance is an important factor in ensuring appropriate conservation outcomes for a listed building. Often a modest amount of funding, accompanied by free technical advice, is enough to encourage appropriate works and serve to seed further conservation and maintenance work. There are many documented examples, such as in Broken Hill, where this incentives funding has a significant multiplier effect on the local economy through the employment of local designers, contractors, tradesmen, suppliers of materials and so on, specifically working on conservation projects.

In addition, the availability of relevant advice through heritage advisory services, or expert in house planning staff at local government level is essential in maintaining conservation standards and this requires full support of local government initiatives from state and commonwealth governments. The draft report neglects this important element in the roles and contributions of each level of government, despite it forming part of the Terms of reference of the inquiry.

Previously, appropriate incentives were provided for community heritage projects via the former National Estate Grants Program (NEGP), resulting in an equitable distribution of commonwealth funding. The current federal government assistance for heritage projects, (which is only for places on the National or State Lists) results in only “iconic” heritage being supported, rather than the important neighbourhood level initiatives previously supported by the NEGP.

The draft report does not investigate or propose funding opportunities or models, clearly identified under its terms of reference which was to examine “*possible programme approaches for managing the conservation of Australia’s historic heritage places*”.

Conclusions

We believe that the draft report as presented is totally inadequate in its analysis and conclusions, and should either be discarded or completely rewritten to include, among other changes, the following points:

- Recognition that heritage value is separate from negotiations relating to development, and listing should be based on heritage value and not private owners’ opinions and expectations.
- Recognition of the benefits of area conservation through heritage planning controls in development plans.
- Recognition of the necessity for the Federal Government to commit to provide a more generous and accessible funding system for conservation of listed places.

The time and effort spent on this enquiry, both by the commissioners (who appear to have ignored the bulk of the submissions), and the many individuals and professional organisations who have prepared detailed and considered responses, appears to have been for nothing.

KATRINA McDOUGALL

ELIZABETH VINES