

SUBMISSION TO THE PRODUCTIVITY COMMISSION

on the

The Productivity Commission Draft Report on the Conservation of Australia's Historic Heritage Places

January 2006

Introduction

Thank you for the opportunity to provide comments to the second round of consultation on the above draft report.

Terms of reference of the inquiry:

"The conservation of our built heritage is important. Places of historic significance reflect the diversity of our communities. They provide a sense of identity and a connection to our past and to our nation".

Given the terms of reference and the number and quality of submissions received, I am surprised and dismayed at your key recommendation that 'privately owned properties should be statutorily listed only after a conservation agreement has been negotiated with the owner.'

This is a bit like saying cars need only stop at traffic lights after an agreement has been negotiated with the drivers, or bag limits of fish don't apply with fishermen until after agreement is reached.

I believe we need to establish the fact:

Is Australia's built heritage important or isn't it?

If it isn't, we may as well all go home now and stop wasting our time and money.

If it is important, (we are the custodians), then our heritage should be treated with the respect it deserve and valued as a unique asset (in some cases priceless with untold tourist potential).

Points I wish to make are:

A valued resource MUST have regulation. Whilst it is desirable for heritage property owners to have voluntary conservation agreements, this should not be the deciding factor on whether the property is listed or not. This would put the wrong emphasis on heritage listing and it would soon be common knowledge that there are ways around it. Listing would become meaningless except for a few dedicated souls, National Trust buildings and government-owned properties not desired for redevelopment. Already property developers can bulldoze a heritage building and fill the land with Tuscan villas, which adversely effects the historic ambience of the streetscape or area.

Heritage must have protection. It would be better to list ALL heritage properties as a matter of instant protection (as has been suggested - first do no harm) and then at a later date properties with little value can be removed. This procedure should not be confused with striking off heritage protection or changing heritage precinct boundaries to cater to property developers as has been the case in South Australia (Port Adelaide, Adelaide City and North Adelaide).

Australian heritage is under critical threat and more needs to be done, not less. The concept of heritage property owner's conservation agreements has merit, (if you "lead a horse to water" concept), given that many owners of heritage properties willingly conserve them. But the responsibility of conserving our heritage should not fall on the shoulders of one sector, nor should heritage be seen as a disadvantage. The 'quick dollar' inappropriate property developments and midnight demolitions must be addressed.

6.4 Measuring the benefits of historic heritage conservation.

I was disappointed that your draft recommendations had no mention of any form of raising the profile of Australian heritage by education in schools, public awareness campaigns, media guidelines for Australian content, funds for community cultural events and the like.

Whilst measuring benefits/costs of heritage was discussed, this cannot be fairly assessed until heritage's profile is raised.

Compared to the Arts and Sport, Australia's heritage has a low profile with minimal funding. Most of which goes to natural conservation. Additional funding is required, perhaps linked to Tourism. Has the Productivity Commission compared heritage funding to moneys allocated to the arts, sport and other non essentials?

Heritage linked to tourism (Cultural tourism) has potential for enormous economic benefits. "Short term profit" thinking of governments on property development must be changed to embrace long term tourism growth.

Further, governments give big incentive dollars to manufacturing industries, overseas universities etc to come here. These businesses can (and have) pulled up stakes and gone home leaving us with a black hole and their now unemployed workforce.

With tourism, we own it. We should be focussing on our sense of difference and highlighting our heritage, positioning ourselves for the expected huge China market.

Community attitudes change, especially with a better perceived value. In the Draft Report the Tasmanian Government noted: *Our heritage today is a reflection of the fact that previous generations have valued it enough to ensure it is maintained...* Perhaps a lesson from the past - It is too late once it's gone!

**My Comments Contrary to Your Recommendations:
Re Implementation Issues** (page xxxv 3rd paragraph).

"The Heritage Councils would have to change their focus from reliance on strong regulation ... to encompass developing new procedures for negotiating conservation agreements"

NO! There MUST be rules and accountability. A heritage regulatory authority is required, totally independent of Government as Government is often a partner in property development (not always appropriate ie Glenelg and Port Adelaide). This authority should have teeth and should act in a similar way as the ACCC polices industry issues, fisheries industry polices their industry etc. Whilst it was argued that restrictive regulations do not adequately protect heritage, much can be done to restore heritage values and public perception and education.

In short, the draft recommendations are cumbersome with a negative view on heritage which would have an adverse effect on heritage protection. It is mentioned that many owners perceive a heritage building is more costly to maintain. This issue should be addressed in other ways.

Incentives for heritage preservation should really focus on giving heritage a higher value. It should be more visionary to include tourism, education for school children on pioneering achievements (especially local and state), public awareness programs and work skill initiatives which could also address social issues. No person is disadvantaged by owning an antique piece of furniture, nor should heritage property ownership be disadvantaged, as evidenced by several submissions. Funding and incentives to heritage property owners on an equitable system from ratepayers, state and federal governments should be increased. Grants should be easy to apply for, not be bogged down in impracticalities (such as over expensive tradespeople. Grants should be accountable. Submission 12, Broken Hill City Council is a fine example of local government/community incentives at work while promoting pride of place and cultural tourism. Perhaps a heritage lottery could be set up and other initiatives put in place to invest into heritage. There should also be a higher media profile and more focus on awards for heritage conservation. Governments should be more open and accountable and listen to the community on conservation.

7.1 Phase out the Register of the National Estate

NO. There are a number of problems with the new National Heritage List. More work needs to be done on it. Some problems are:

- Listing is at the Minister's discretion. Should an important listing merely be interpreted by one person, regardless of criteria it meets?
- No listing will take place without the consent of the State Government - a major concern. (what if governments have an agenda contrary to heritage values - such as Recherché Bay, Tas (Submission 10) and Port Adelaide, SA?)
- Staff at the Department of Environment and Heritage in Canberra appear to have little knowledge of South Australian heritage
- Without the Register of the National Estate, there is a black hole for other heritage of national significance other than one (the best) of its type listed on the new National Heritage List .

7.2 State and Territory Governments should remove any reference to the Register of the National Estate...

NO, I agree with the suggestion from the Australian Heritage Council that *the Register of the National Estate* "should become the multilevel database containing the complete inventory of Australia's heritage places, which have been identified on a statutory heritage list, and accessible to all through its web links" (Register of the National Estate p154)

"The RNE has some implications at the state and local level through reference to the Register in some State legislation, and the practice of referring to it in heritage-related court action. Hopefully it may also have the effect of heritage being more difficult to erase at a state level.(page 155). Hopefully, it may also have the effect of heritage being more difficult to erase at a state level.

I would agree that should National Trust be taken over by government bodies, their effectiveness as an independent advocate for heritage conservation and membership based community to pursue their own objectives might be compromised. (P156).

7.4 The Australian Government should implement reporting systems that require government agencies ... to publicly report on the heritage costs associated with their conservation.

NO Why would this cost be taken out of context? Many of the benefits would probably be intangible.(tourism, education, community spirit etc). I don't know of other costs being highlighted in this way. It would be more appropriate to seek and utilise suggestions from the public and commercial sector on ways the community can benefit and be involved, on how the building is (or could be) reused. Costs could be a component. Benefits should also be noted saving the building from demolition and higher air conditioning costs, preserving the streetscape etc.

7.5 State, Territory and local governments should:

oProduce adequate management plans for all government owned properties; and implement reporting systems that require government agencies ... to publicly report on the heritage costs associated with their conservation.

NO Again this cost is highlighted as if it is begrudged. It is more appropriate to report on the success (or otherwise) of the property, seek public and commercial support and suggestions. All too often there is inadequate consultation before redevelopment.

8.1 'privately owned properties should be statutorily listed only after a conservation agreement has been negotiated with the owner.'

NO. Properties should be listed if the HERITAGE VALUE is there. Properties should remain listed over changing ownership.

Many private owners of historic heritage places are expected to maintain the heritage values at their own expense for the benefit of the community (P1620.

Owners of a heritage property (especially their home) should be given every encouragement and assistance. (see above). Outer rural properties should be considered with a cultural tourism and community focus.

9.8 State and Government should remove the identification and management of heritage zones ...

NO Whilst classification and protection of South Australia's built heritage is, and has been abysmal, heritage of significance should remain listed as state significance and not just local. It could be under the stewardship of local councils.

Issues I think Important Not Mentioned in Draft Recommendations:

Council building / planning processes should be as smooth and helpful to small property owners as large property developers enjoy. In particular heritage bodies/councils should not be ridiculously pedantic, slow and expensive for small property owners (often the case). This is likely a major contributor for property owners' dislike of heritage listings.

Educational programs to lift the profile of heritage. Since the anniversary of Galipoli young people have embraced our war heroes and many make the journey to see where it all happened. Little information is taught in schools about our pioneering heroes and no public awareness programs are in place. We embrace multiculturalism, yet ignore our home-grown heritage.

Measuring the cost of heritage should be more visionary with more emphasis on advantages, rather on costs - what sets one place apart from another and what will a visitor find interesting on an ongoing basis. Profile cultural tourism.

Recommended funding initiatives Whilst your report discussed funding to heritage properties, it was not included in your recommendations. Perhaps a Heritage Lottery (as successful in the UK).

More user friendly heritage planning should be adopted to use built heritage where possible instead of the frustrating "feast or famine" current policies. I know of a heritage hotel that was denied approval to build accommodation facilities because of its heritage listing.

No initiatives in addressing the media's conflict of interest with property developers versus heritage, Media is often quiet or low key when reporting objections on redevelopment, or what is happening.

No suggestions of measures of protection for citizens against litigation because of objections raised to protect their area / communities' heritage values from development seen as inappropriate. Some protection should be afforded to individuals acting with community spirit. My understanding is that threats (or perceived threats) from big business can be frightening - individuals risk losing their health and their homes with court costs and are therefore silenced. The Environmental Defenders Office that previously addressed heritage issues has discontinued handling built heritage issues.

Advisory council/authority should consist in part by private people who have an interest in preserving heritage. People in the property development industry who may be compromised in preserving heritage should not be included.

Government Intervention

The subject of Government intervention is an interesting one. Should a landmark building be allowed to decay through neglect? Ideally there would a good case for intervention for the public good.

However, in South Australia where the State Government has itself neglected heritage and is involved in property development with a conflict of interest to preserving heritage, this would be farcical.

Thank you

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