

NEPEAN HISTORICAL SOCIETY INC.

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Heritage Inquiry,
Productivity Commission,
P.O. Box 80,
BELCONEN, ACT, 2616.

Dear Sir,

Conservation of Australia's Historic Places Productivity Commission Draft Report, December 2005.

Your report invites (p.206) comment on Chapter 9. The Nepean Historical Society was formed in 1965 and currently has over 300 financial members. The Society has worked with other groups in the area and the Mornington Peninsula Shire to conserve the heritage of this old township and the surrounding area.

Draft Report Conclusions.

The Society is not supportive of the main conclusions of the report that the *principle vehicle* for protecting privately owned heritage properties should be 'negotiated conservation agreements' (p.190).

The report notes (p.182-185) the majority of privately owned properties are not adversely affected by the existing listings in Planning Schemes and fall within the 'first group' (p.182) of residential properties. In the Mornington Peninsula Shire a report is prepared by a heritage specialist with individual statements of any property if included in the heritage report and a classification into national, state or local significance (p.165). Such properties are then listed for inclusion in the Planning Scheme Schedule that is then open for public display and comment before being approved by Council. It is then submitted to the Government for approval. Surely this is a transparent approach.

Owners who object to inclusion in the Schedule can appeal to the Council and to the Victorian Civil and Administrative Tribunal. Very few appeals have been made.

Where a property is included in the Heritage Victoria list, the Shire will forward any application for property modifications to the Heritage Council and the Shire defers to their decisions. This policy also applies to other authorities who may be affected such as Vic-Roads, be they heritage listed properties or otherwise. There is no confusion.

2.

As indicated (p. 182) local governments have limited staff resources and this proposal would have substantial resourcing implications (p. 194) and overwhelm their capabilities. There is a shortage of heritage professionals and such staff are not readily available. In effect, your recommendation 9.3 (or finding 8.1) could not be implemented in any acceptable time frame. No process is outlined in the Report and it may not be transparent as is with the existing planning system.

In addition, private owners will try to maximise any disadvantage perceived in the negotiations and, with the difficulties of government acquisition, dismiss such threats as suggested in recommendation 9.4. Most institutions financing properties are likely to recommend that no conservation agreement be entered.

Criticism

Most of the criticisms of the existing system come from people who are involved with properties in Groups 3 & 6 (p. 183 -185). They are vexed by the loss of foregone opportunities. This happens in any planning scheme where developers wish to extend outside the provisions of such planning schemes whether they be heritage issues or other planning controls. They are not entitled to any compensation for such a perceived opportunity loss if purchased when the heritage or other controls were in force or operating for years before. They may need some financial assistance to update their facilities.

Some categories do need special attention. Group 2 residential buildings (p. 183) can usually be accommodated by new facilities at the rear of the building without infringing heritage qualities and without incurring additional cost because of its heritage.

Group 4 buildings (p. 184) do require some financial assistance for maintenance and as an encouragement to lease to others. They could include churches with declining attendances where financial assistance with maintenance is desirable, as they are a valued part of the heritage of our cities and towns. They have also been used for restaurants, antique markets, community activities such as drama groups, and for residential housing.

Group 7 properties and redundant buildings (p.185) may well need to be purchased by the government as suggested in the report.

The properties in these categories may need conservation agreements or similar, but this does not require they be outside a Planning Scheme system. They are in a minority and such agreements should be seen as an addition to the existing structures.

Education

The Society supports the need for education in the community and professional assistance where problems arise.

Heritage Finance

What this Society would have expected in the Report is a discussion of the availability of finance to support heritage values. This appears to have been ignored except to indicate it is limited as such information is not readily available. It does not appear to have made any estimate. It does give a short review of '*incentive tools*' (p.193). Some 'tools' such as rate reductions are available in this Shire. The Shire may also support through its Heritage Officer applications for grants of heritage listed properties such as a limekiln at the Dunes Golf Course.

The Report postulates a socially-optimal provision of heritage places (p.112) and presents a stylised diagram (fig 6.2), but admits the cost benefits to the community are difficult to give a market value. It has not explored this difficulty, yet requires that cost-effective conservation be achieved (p.155). It sees that the cost implications for Shires of its proposed conservation agreements will provide the market value even though it dismisses public opinion as always supporting heritage values.

The Report sees the shortage of funds will '*maximise the heritage conservation outcomes*' (p. 196) with only places of importance to the wider community being funded (p.199). It sees the Shire lists will be reduced and sees iconic properties as the only properties needing protection.

Summary

The requirement for a conservation agreement for every heritage property would devastate the protection of heritage sites and overwhelm already overloaded municipal staffs. Whilst further financial assistance should be available to a minority of heritage listings, these arrangements should be part of the existing legislative structures with budget provision for open scrutiny. There is no need to replace the existing Planning Scheme requirements that have worked successfully with excellent transparency and have disadvantaged few private property owners.

Yours faithfully,

Honorary Secretary
Nepean Historical Society Inc.