

**A Submission to the Productivity Commission's
Inquiry into the Policy Framework and Incentives for
the Conservation of Australia's Historic Built
Heritage Places.**

Queensland Government

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A Submission from the Queensland Government to the Australian Government's Productivity Commission's *Inquiry into the Conservation of Australia's Historic Heritage Places 2005.*

1. INTRODUCTION

It is a Queensland Government priority to protect the environment for a sustainable future. This commitment includes protecting the State's natural and cultural heritage, and reflects the important role played by historic heritage in the State's economic and social development. The Government is committed to the conservation of historical heritage places and objects within the ambit of the State's planning policy and legislative framework, and has embarked on a review of the administration of historic heritage aimed at investigating ways in which heritage management can be improved.

The Commonwealth Government's Heritage Productivity Commission Inquiry has the potential to inform this Queensland review which was initiated in 2004 by the former Minister for Environment, the Honourable John Mickel MP, and is now overseen by the Honourable Desley Boyle MP, Minister for the Environment, Women, and Local Government.

In reviewing its current heritage protection mechanisms, Queensland's on-going objective is to ensure it continues to maintain a modern system for identifying and conserving the State's historic heritage places – a system that works well; where identification and development processes are transparent, and where Queenslanders can be certain that the places that help define our identity are going to be protected for the Queenslanders of tomorrow.

OVERVIEW

Australia's historic heritage is a vital component of the nation's physical and cultural environment, and of our society and community. Our cultural heritage reflects those aspects of our social, natural and built environments that have shaped where the Australian community has come from, and how we define ourselves.

Governments, the commercial sector and the broader community all have a role to play in the conservation and sustainable use of cultural heritage places – in the same way that we all share responsibility for managing environmental issues generated by our presence on the land, so is the management of cultural heritage values a shared responsibility.

“Cultural heritage” is an often broadly interpreted and complex concept that can describe a wide range of values important to the Australian community. It can include those values attributed to the natural environment, Indigenous heritage, museums, and the Arts. Cultural heritage management in Queensland currently includes:

1. Historical (non-indigenous) heritage places including buildings, built structures and their surrounds, precincts, cultural landscapes, cemeteries, monuments, aircraft wrecks, industrial ruins and archaeological sites.

2. Shipwrecks and underwater cultural heritage including significant relics, objects and artefacts in their underwater context.
3. Aboriginal or Torres Strait Islander (Indigenous) places including archaeological sites, rock art sites, story places, burial sites, and significant relics, objects and artefacts.

The focus of this submission is limited to an explanation of the way in which historic heritage places are currently managed in Queensland, and to reflect the State's current review of the management of Queensland's historical cultural heritage places as prescribed by the *Queensland Heritage Act 1992*.

Indigenous heritage and natural heritage values are deliberately not addressed here consistent with the scope of the Productivity Commission's inquiry as outlined in its May 2005 Discussion Paper.

Attachments

Supporting documents attached to this submission are:

- Chapter 9 (Heritage) extract from *State of the Environment Report - Queensland 2003* (Natural and Cultural Heritage).
- *Discussion Paper - Review of the Queensland Heritage Act 1992*. March 2005.
- *Final Report - Queensland Cultural Heritage Ministerial Advisory Committee* 28 February 2005.
- *SEQ Regional Plan 2005-2026*

2. LEGISLATIVE BACKGROUND

Cultural heritage legislation for Queensland evolved from the introduction of the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987*, and the interim *Heritage Buildings Protection Act 1990*. These Acts were the outcome of a groundswell of community support for the protection of Queensland's historical cultural heritage following a number of "moonlight demolitions" in the 1980s. Those events contributed to the commencement in 1992 of the *Queensland Heritage Act*.

Amendments to the Act followed in 2003 and 2004 which streamlined some administrative processes, and incorporated the Act's development control provisions into the *Integrated Planning Act 1997 (IPA)*. The *Integrated Planning Act* is Queensland's primary planning legislation.

2.1 The Queensland Heritage Act 1992.

The intent of the *Queensland Heritage Act* is to provide for the 'conservation of Queensland's cultural heritage'. It brought Queensland into line with legislated heritage protection similar to that practiced in jurisdictions elsewhere in Australia.

The Act is intended to:

- provide for the establishment of the Queensland Heritage Council;
- provide for the maintenance of a register of places of significance to Queensland's cultural heritage;

- regulate development of registered places;
- provide for heritage agreements to encourage the conservation of registered places;
- provide for the protection and conservation of submerged objects of significance to Queensland's cultural heritage;
- regulate the excavation of sites that contain objects of significance to Queensland's cultural heritage; and
- provide appropriate powers of protection and enforcement.

Historic heritage falls within the portfolio of the Minister for Environment, Local Government Planning and Women, the Hon. Desley Boyle M.P. The *Queensland Heritage Act 1992* is administered by the Environmental Protection Agency (EPA).

2.2 Scope of responsibilities

By definition, heritage is something that is inherited or passed down because it is appreciated or cherished. Society's attachment to heritage places reflects its values, and influences the selection of places that are retained for the benefit of the whole of the Queensland community. Historic heritage can be very broad in its definition.

Types of historic heritage places and objects which are eligible for nomination under the criteria contained in the *Queensland Heritage Act 1992* include:

- Buildings of all types and the allotments on which they stand;
- Built structures of all types and their surrounds;
- Engineering and industrial sites;
- Gardens, trees and historical landscapes;
- Historical areas, precincts and streetscapes;
- Sites of historical events and commemoration sites;
- Cemeteries, monuments and ruins;
- Ship and aircraft wrecks in State waters;
- Places of shared historic significance to Indigenous and non-Indigenous people since European settlement;
- Contents of buildings; and
- Objects, relics and collections of objects.

2.3 The Queensland Heritage Council

The Queensland Heritage Council (QHC) is an independent statutory body that must seek the retention of the cultural heritage significance of the places to which the Act applies. It comprises 12 persons appointed by the Governor in Council, including seven persons with knowledge, expertise and interest in heritage conservation, and five persons from the following nominated Queensland entities:

- The National Trust of Queensland;
- The Local Government Association of Queensland;
- The Queensland Council of Unions;
- The interests of property owners and managers; and
- The interests of rural industries.

Heritage councillors are appointed for terms of not more than three years, and are remunerated at rates determined by the Governor in Council.

The Queensland Heritage Council does not represent the State, and is obliged by the Act to act independently, impartially and in the public interest.

2.4 QHC Functions

The Heritage Council advises the Minister on Queensland's cultural heritage matters, but is itself responsible for making decisions about the entry or removal of places in the Queensland Heritage Register.

It must cooperate and collaborate with state, federal and local authorities, and regulates development works proposed for places entered in the Register. Other than its function to enter a place in, or remove a place from, the Register, many key Heritage Council functions may be delegated.

The Queensland Heritage Council is obliged to encourage public interest and understanding of cultural heritage, and is required to meet at least ten times a year. The Council must undertake any functions assigned to it under the *Queensland Heritage Act*, or by the Minister.

2.5 The Queensland Heritage Register

The Act establishes the Queensland Heritage Register which records:

- registered places and heritage agreements relating to registered places;
- protected areas,
- orders or permits made or granted under this Act, and
- orders made or granted under the *Integrated Planning Act 1997* relating to registered places.

With the introduction of the interim *Heritage Buildings Protection Act* in 1990, the existing National Trust of Queensland's list of 970 heritage places was appended as a schedule to the interim Act, and formed the basis of the Queensland Heritage Register at the commencement of the *Queensland Heritage Act* in 1992.

Since 1992, 2033 places have been nominated for entry in the Register. At 30 June 2005, 1440 places were either permanently or provisionally entered on the Heritage Register. See *Figure 1* for details of permanent and provisional entries 1994-2005.

The number of places entered in the Heritage Register since its inception has increased at an average of 4.3 percent per year. The period 1998-2001 saw an increase of 7.6 percent due largely to work having been completed on a backlog of nominations between 1998-2000. The program of reassessing the interim entries, some Planning and Environment Court appeal decisions, and the effects of neglect have resulted in the removal from the Register of some registered places that no longer demonstrate heritage significance, or no longer exist.

3. ENTERING A PLACE IN THE QUEENSLAND HERITAGE REGISTER.

Step 1. The Heritage Council or a member of the public may nominate a place for entry in the Heritage Register. The owner is notified of the nomination, and invited to comment.

Step 2. Heritage officers from the Environmental Protection Agency (EPA) assess the nomination, and refer it with recommendations to the Heritage Council's Heritage Register Advisory Committee. This expert committee then advises the Council on the merits of the nomination, and recommends a response.

Step 3. If the Heritage Council agrees that the place is significant and satisfies at least one of the criteria for entry in the Register, it is provisionally entered, thus attracting the full protection of the Act. Development works that affect heritage significance may not then proceed without Heritage Council approval.

Step 4. The owner is advised and objection procedures are explained. The provisional entry is then publicly notified, and the community is also offered the opportunity to object to the provisional entry.

Objections may only be made on grounds that the place is not of cultural heritage significance, or does not satisfy any of the eight criteria. In summary, the criteria relate to the nominated place demonstrating:

- a) the evolution or pattern of Queensland's history;
- b) rare, uncommon or endangered aspects of Queensland's cultural heritage;
- c) the potential to yield information that will contribute to an understanding of Queensland's history;
- d) the principal characteristics of a particular class of cultural place;
- e) aesthetic significance;
- f) a high degree of creative or technical achievement at a particular period;
- g) strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- h) a special association with the life or work of a person, group or organisation important in Queensland's history.

Step 6. If no objection is received, the Heritage Council may permanently enter the place in the Register, and must advise the owner and the local government authority of its decision which is also publicly notified.

Step 7. If a valid objection is received, the Heritage Council must appoint an independent assessor drawn from a panel appointed by the Minister. The assessor enquires into the objection, and reports to the Heritage Council within 40 business days, or longer as agreed by the Minister or her delegate.

The Heritage Council must consider the assessor's report, and, within 20 business days, decide whether or not to proceed with the entry. The Council is not obliged to follow the assessor's recommendation. Owners, the local government authority and the public are notified.

Step 8. Owners dissatisfied with the Heritage Council’s decision may appeal it in the Queensland Planning and Environment Court which can confirm, vary or overturn the Heritage Council’s decision. It has been the Court’s usual practice for parties to bear their own costs in these appeals. The vast majority of matters are resolved by the parties before being heard by the Court.

At 30 June 2004 there were 23 appeals of the Heritage Council’s entry decisions lodged with the Planning and Environment Court. Since 1992 there have only ever been two matters progress to a full hearing – both being appeals of entry decisions.

Since linking heritage development processes to the *Integrated Planning Act 1997* (IPA), appeals of development assessment decisions are now also being filed.

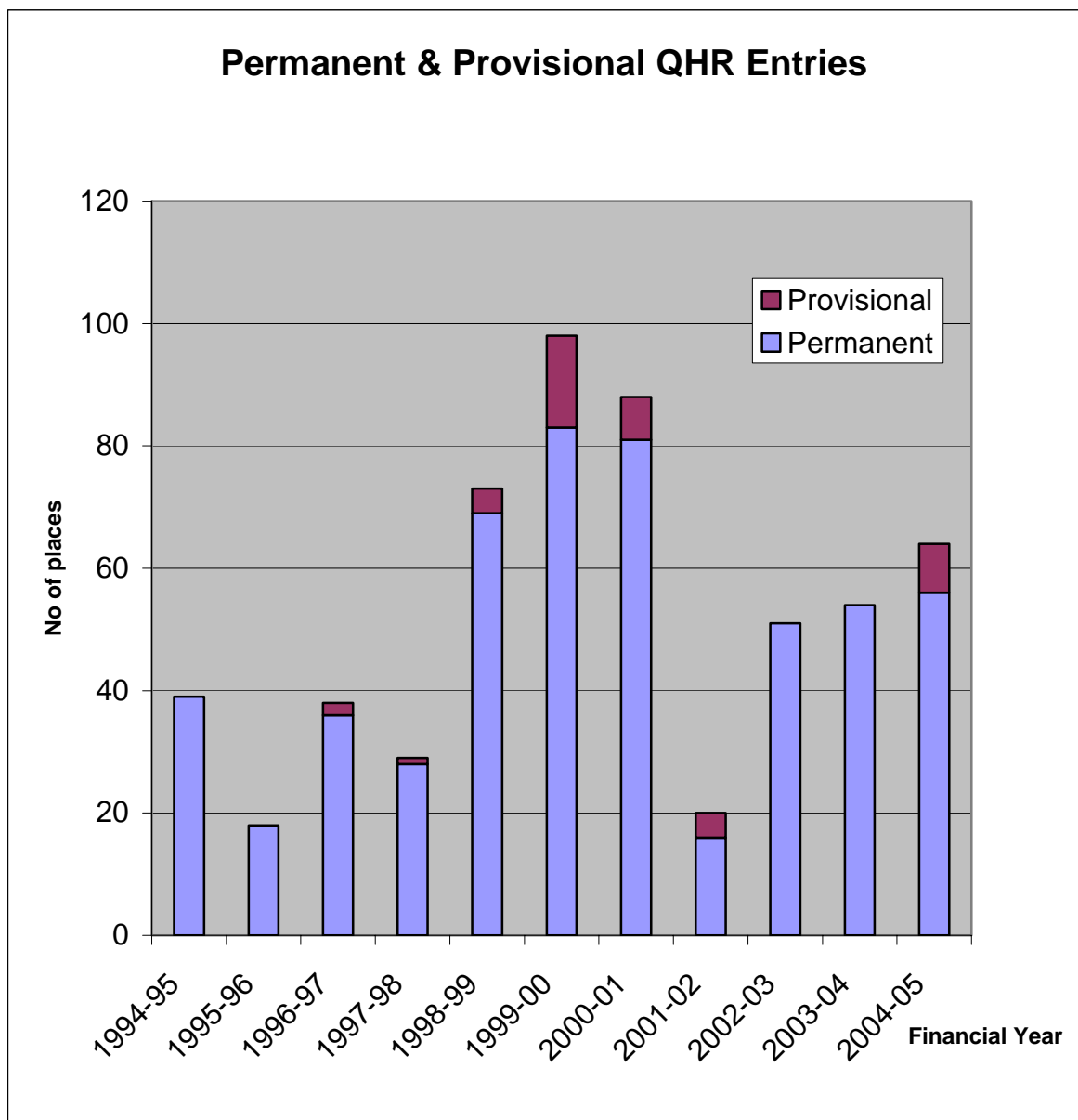


Figure 1. Number of places permanently or provisionally entered in the Queensland Heritage Register, 1994 – 2005

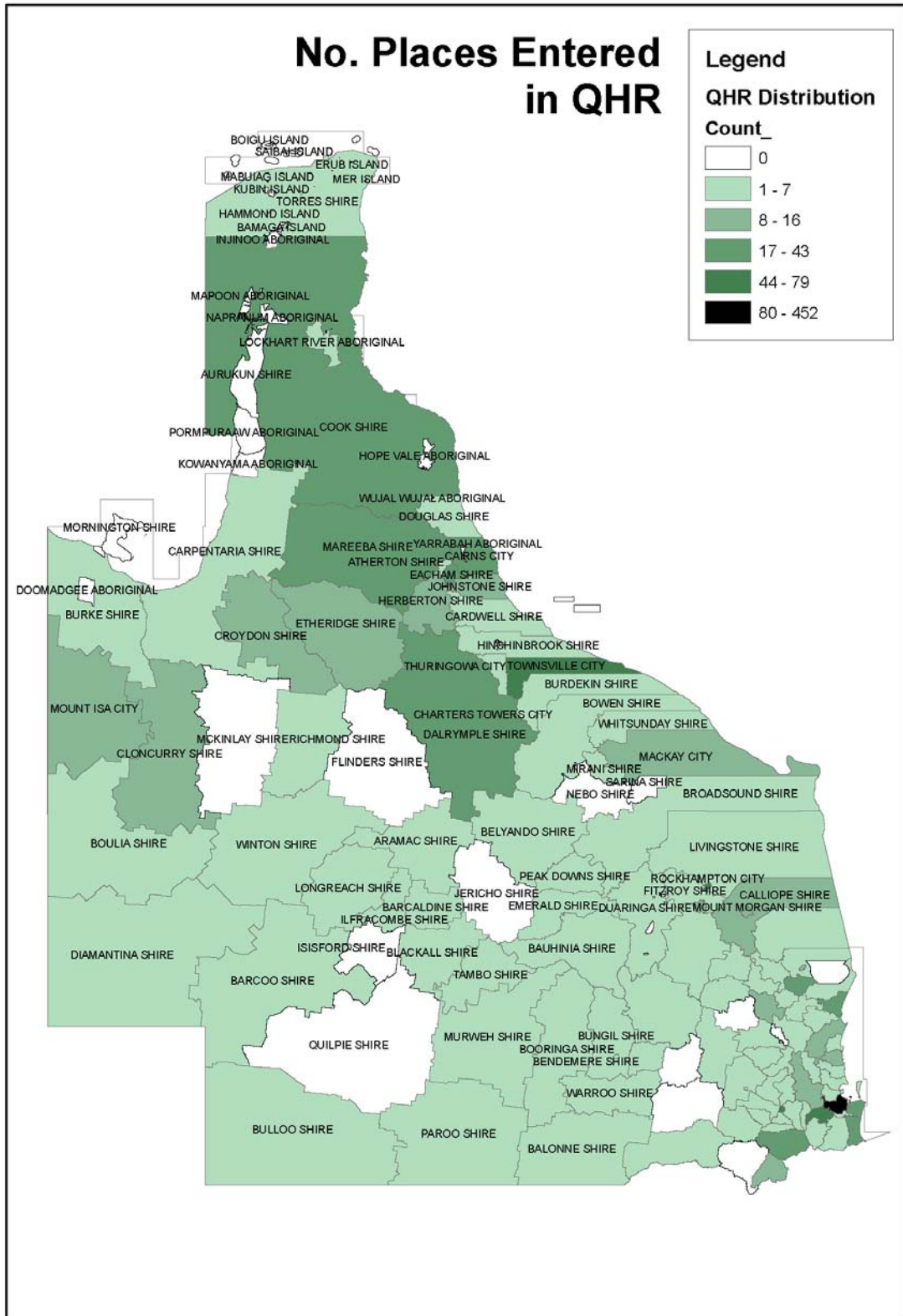


Figure 2: Numbers and distribution of places entered on the Queensland Heritage Register by local government area, June 2005

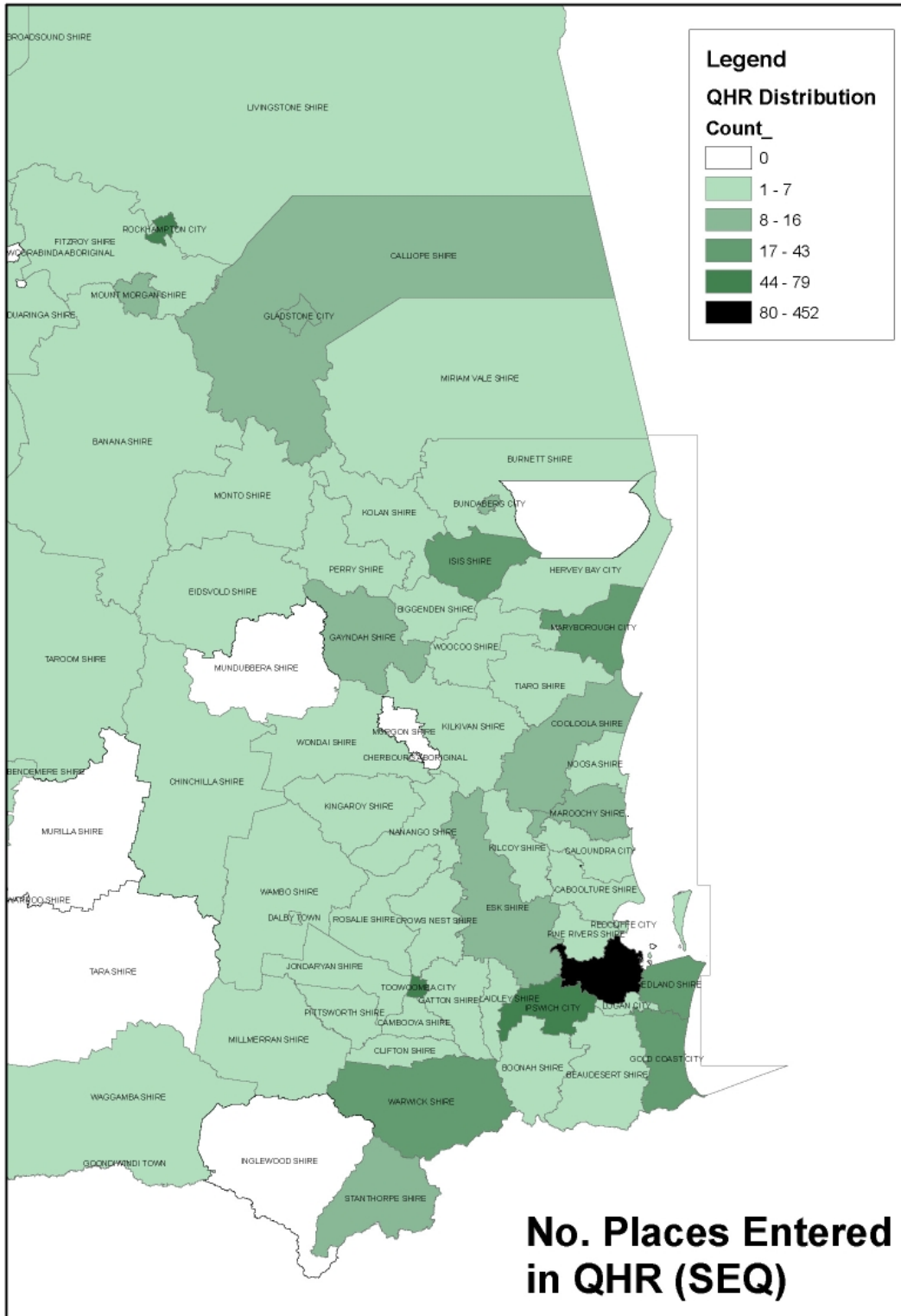


Figure 3. Number and distribution of places entered on the Queensland Heritage Register in Southeast Queensland by local government area, June 2005

4. DEVELOPMENT OF REGISTERED PLACES.

4.1 The *Integrated Planning Act 1997* (IPA).

The introduction of IPA in 1997 was important for heritage protection in Queensland because for the first time cultural heritage was given legislative recognition as part of a mainstream local government planning process.

IPA requires that ‘valuable features’, including areas and places of cultural heritage significance, be addressed as core matters that must be coordinated and integrated with all other matters addressed by a planning scheme. IPA has the capacity to provide increased recognition and protection for the many heritage places that are important primarily at a local, rather than State, level of significance. As evidenced by Ipswich City Council’s recognition of over 7,000 local heritage places, there will potentially be many more local places recognised than places that meet the criteria and threshold for entry in the State Register.

In order to assist local governments to identify heritage places, the EPA provided, through the Queensland Cultural Heritage Incentive Grant Program 1998-2001, over \$600,000 in direct funding to local governments. This funding was granted so that the baseline identification of cultural heritage places could be undertaken, and mechanisms for their protection and management incorporated into planning schemes.

This approach produced mixed results with some local government planning schemes continuing to identify only those places already on the Queensland Heritage Register. The *Queensland State of Environment Report 2003* identified that of the state’s 125 local government authorities, 31 confirmed that they maintain their own list of historic places, while 38 authorities listed only those places of state heritage significance already on the Queensland Heritage Register.

In 2001 a comprehensive manual *Guidelines for Cultural Heritage Management* was prepared by the Environmental Protection Agency for local government. This manual was conceived as a major capacity building tool to help local government manage heritage places. It included information on identification and assessment of heritage places; levels of heritage significance and how to incorporate heritage protection into planning schemes. A copy of the manual was provided to every local government in Queensland. Figure 4 below illustrates how local authorities are represented in the Queensland Heritage Register.

LGA	Permanent	Provisional	Total	% QHR
Brisbane City Council	466	3	469	32.6
Townsville City Council	77	1	78	5.4
Ipswich City Council	74	1	75	5.2
Toowoomba City Council	62		62	4.3
Rockhampton City Council	59	1	60	4.2
Warwick Shire Council	45		45	3.1
Maryborough City Council	33		33	2.3
Cairns City Council	29		29	2.0
Totals	845	6	851	59.1

Figure 4. Local government areas with 2% or more of total entries in the Queensland Heritage Register, June 2005.

4.2 Private development. Owners of places permanently or provisionally entered in the Heritage Register may need to apply to the Heritage Council through their local government authority for approval to carry out work that has an impact on the cultural heritage significance of a registered place. Section 2(b) of the Act requires the Queensland Heritage Council to aspire to:

“...the greatest sustainable benefit to the community from those places and objects consistent with the conservation of their cultural heritage.”

If the proposed activity includes development assessable under the Integrated Development Assessment System (IDAS) created by the *Integrated Planning Act 1997* (IPA), an approval will be required and a development application must be made under IPA. Since IPA's introduction, the development approval powers in the *Heritage Act* have been incorporated into IDAS.

If the Heritage Council is the referral agency it may reject an application if the proposal would reduce the heritage significance of the place. If the Heritage Council is the concurrence agency for the application it may ask the assessment manager to refuse the application for the same reason.

Since the commencement of the *Queensland Heritage Act* in 1992, 2007 Development Applications have been received at June 2005.

When assessing development applications to registered places, the Queensland Heritage Council has indicated that it welcomes innovative proposals that conserve the cultural heritage significance of registered places and encourage the continued use of historic buildings. Sensitive adaptive re-use of heritage buildings is an effective approach that enables retention of the place's heritage values, while giving new life to redundant buildings that are still capable of meeting the requirements of contemporary society.

During the 2004-05 financial year, the EPA received 108 development applications for proposed works to places in the Queensland Heritage Register. Of these, 67 were located in the Brisbane City Council area. Of the 108 development applications, 89 applications were approved – an approval rate of over 82%. At 30 June 2005 the Queensland Planning and Environment Court had five appeals of development decisions pending.

A range of development works having no impact on heritage significance can be undertaken without further reference to the Heritage Council under an automatic exemption applicable to every place in the Register. This General Exemption was introduced in December 2004, and covers activities such as building maintenance, landscape maintenance, painting and minor repairs.

Other place-specific exemptions can be issued on application to the EPA. In the 2004-05 financial year, 202 of these exemption certificates were issued by the Queensland Heritage Council, or by the EPA through the Heritage Council's delegation. Exemptions are underpinned by technical guidelines which set out the

best work methods. The exemptions are issued for work carried out consistent with these guidelines.

Year	No. Development Application's	No. Exemptions
2000-01	151	n/a
2001-02	201	n/a
2002-03	100	n/a
2003-04	40	75*
2004-05	108	202

* This figure represents a seven-month period only as exemption certificates were introduced in December 2003.

Figure 5. Number of Development Application's and Exemptions Issued 2000-2005

4.3 Development by the State

Unlike private development, development by the State occurs outside the IDAS provisions of the *Integrated Planning Act 1997*.

If a State Government Department proposes to carry out development in a registered place, the Chief Executive of the department must provide a report to the Queensland Heritage Council setting out the proposed activity and its effect on the heritage significance of the place. After considering the report, the Heritage Council can recommend whether or not, or under what recommended conditions, the development should occur. It is then up to the Minister proposing the development to decide whether to accept or reject the Heritage Council's recommendation. If the potential impact of the proposal was sufficient to warrant public notification, then the Minister's decision must also be publicly notified prior to the works commencing.

At 30 June 2005, 31 percent (or 445 out of 1440) of places entered in the Queensland Heritage Register were owned by State and Local Government agencies or Government-owned corporations. There have been significant advances in self-regulated development assessment and management of Government-owned heritage properties, chiefly through the 'best practice' procedures adopted by Public Works Department, and a series of heritage delegations currently being negotiated by the Environmental Protection Agency, Queensland Heritage Council and Queensland Rail.

5. HERITAGE MANAGEMENT TOOLS

The Act was framed with several statutory measures to manage heritage values. For example, the concepts of heritage agreements and certificates of immunity were provided as tools to help negotiate outcomes that would protect registered places' heritage values, yet ensure their continued viability through sympathetic alteration and adaptive reuse.

5.1 Heritage Agreements

The Minister, on advice from the Heritage Council, may enter into voluntary Heritage Agreements with the owners of registered places. Local government may also be party to a heritage agreement. In 1992 Heritage Agreements were seen as a

significant feature of the *Heritage Act* that would promote the conservation of heritage places for long-term community benefit, however at June 2005 only 6 have been completed. This may suggest that the standard development assessment process, used only as required, is preferred by owners as a more convenient and effective option.

Heritage Agreements can define the use of a place, and may require specific work to be carried out. They can also provide for public access, and some define agreed technical or other professional advice or assistance between the parties. They can also exempt specified development from further consideration by the Queensland Heritage Council.

Although the recent introduction of Exemption Certificates is expected to supersede Heritage Agreements as a means of exempting certain agreed work, they remain an option in certain circumstances, particularly where the management issues involved are complex.

5.2 Certificates of Immunity

The Act provides for a certificate of immunity that quarantines a place from entry in the Register for five years. The applicant is required to provide detailed information as to why the place does not meet the criteria for entry in the Heritage Register.

While the original intention was to provide a mechanism to provide certainty for owners, it carries an element of risk for the owner in that such an application brings the place to the attention of the Heritage Council. An unintended consequence may be that the Heritage Council does not grant a Certificate of Immunity because it believes that the place is of cultural heritage significance and satisfies entry criteria.

Despite this, 9 of the 12 Certificates of Immunity issued in Queensland to date were initiated by owners prior to nomination. Only 3 were sought by owners following the Heritage Council's decision not to proceed to permanent entry.

5.3 Regulatory Compliance

The Act provide for penalties for work carried out without approval, and also for the granting of Stop Orders by the Environment Minister. These are usually sought when a place not on the Register is deemed to be at imminent risk. A Stop Order provides time to enable the heritage significance of a place to be assessed.

The Stop Order is a substantial regulatory intervention, and for this reason may be issued by the Minister following the advice of the Queensland Heritage Council Chair. They can remain in force for up to 40 business days, and may be re-issued. The maximum penalty for carrying out development in a Heritage Registered place without Heritage Council approval is set at 17 000 penalty points (currently a maximum of \$1.275million). With the incorporation of the development approval powers into the IDAS this penalty has been transferred to the IPA.

5.4 Exemptions - See 4.2

5.5 Incentive Grants

Following the conclusion of the three year Queensland Community Cultural Heritage Incentive Program (QCCHIP) in June 2003, the Environmental Protection Agency (EPA) discontinued its formal heritage incentive grants funding program. There is currently no dedicated grants program for heritage places in Queensland other than the EPA's recurrent annual grants to the National Trust of Queensland and to the Board of Trustees of Newstead House.

Grant Type	2000-01	2001-02	2002-03	2003-04	2004-05
Community Cultural Heritage Incentive Grants	500,000	345,000	250,000	115,000	-
Newstead House	85,000	85,000	85,000	85,000	85,000
National Trust of Queensland	50,000	50,000	50,000	50,000	50,000
TOTALS	635,000	480,000	385,000	250,000	135,000

Figure 6. Heritage grants issued 2000-05.

The issue of dedicated heritage grant funding and the effectiveness of this and other incentives is currently being considered as part of the Queensland Government's heritage review project. Queensland, through its membership of the national Environmental Protection and Heritage Council (EPHC) has noted the extensive range of heritage incentives described by the publication "*Making Heritage Happen*" report released by the EPHC in 2004. A three-year \$1.5 million *Community Memorials Restoration Program* managed by the Qld Department of Public Works was initiated in July 2004.

5.6 Heritage Guidelines

The Environmental Protection Agency has produced several guidelines to assist the public, owners of registered places and heritage professionals with the identification and management of heritage places.

These publications include:

- *Nominating a place to the Queensland Heritage Register*
- *Researching the history of a place*
- *Entering Houses in the Queensland Heritage Register*
- *Religious Places in Queensland - An Historical Context Study.*
- *Using the Criteria – a methodology*

6. HISTORICAL ARCHAEOLOGY

Historical archaeological objects, and areas containing historical archaeological object of cultural heritage significance can be protected under Part 7 of the Act. Part 7 also applies to maritime heritage places located within Queensland's territorial waters (measured 3 nautical miles from the coast), and also to shipwrecks if they are located within the inland waters of the State, or located in waters along the Queensland coastline where the Commonwealth *Historic Shipwrecks Act 1976* does not apply.

Archaeological objects, and areas containing archaeological objects or a place of cultural heritage significance may, by regulation, be protected under the provisions of Part 7 of the Act. Only historical archaeological areas and historical archaeological objects declared under the Act by regulation are protected under the provisions of the Act. It is an offence to enter, interfere or destroy a protected area without the appropriate approvals provided under the Act, and an offence to interfere, damage or destroy a protected object.

To date only one protected area has been declared. This occurred prior to the 2003-04 amendments to this section of the Act.

Anyone intending to undertake a study to identify objects and areas of potential cultural heritage significance in a particular area must lodge an application for approval to undertake an historical archaeological study.

If the proposed study is undertaken on a place of cultural heritage significance entered on the Queensland Heritage Register, additional approvals do apply. Should the proposed study be deemed to have no or minimal impact on the heritage significance of the place, an Exemption Certificate for the work may also be issued.

If it is considered that the proposed study may impact on the heritage significance of the place it could be classed as ‘development’ under the Act and trigger a requirement for development approval under IPA.

7. EMERGING TRENDS

7.1 South East Queensland

South East Queensland (SEQ) is experiencing the fastest growth rate of any region in Australia averaging growth of 55,000 people per year over the last twenty years. By 2026 the population is expected to reach around 3.7 million people – an increase of more than one million from 2005.

The Queensland Government’s *South East Queensland Regional Plan* was released in June 2005, and aims to manage this growth in a sustainable way that protects the quality of life the region offers. The Plan identifies the need for significant heritage places to be identified, conserved and managed, and recognises the challenges that substantial growth in this area will pose for managing these values. It points to the value and character that sensitive redevelopment can contribute – values not always found in green-field development projects.

7.2 Coastal Development

Managing growth and associated change is also an emerging issue at all of Queensland’s main coastal centres extending from Coolangatta to Cairns. Seventeen percent (17%) of places entered in the Heritage Register are in or near the major regional centres along the eastern Queensland coast within the local government areas of Maryborough, Isis, Rockhampton, Mackay, Townsville and Cairns (see Figure 7 below). The distribution also suggests that many nominations of places for entry in the Register are made in response to development pressures.

LGA	Permanent	Provisional	Total	% QHR
Cairns City	29	0	29	2.0
Isis Shire	28	0	28	1.9
Mackay City	16	0	16	1.1
Maryborough City	33	0	33	2.3
Rockhampton City	59	1	60	4.2
Townsville City	77	1	78	5.4
Totals	242	2	244	16.9

Figure 7: Number of Register Entries in Major Regional Areas

7.3 Declining Rural Populations

In contrast to the burgeoning growth of South-east Queensland and Queensland's east coast centres, there is a continuing decline in population and economic activity among Queensland's more remote regional and rural communities. Jane Lennon's *Rural Heritage Places* discussion paper, prepared for the Queensland Heritage Council in 2003, examined rural property amalgamations, and the loss of family-operated properties that is resulting in redundant rural homestead complexes.

7.4 Development-driven nominations and appeals.

The Queensland Government's current heritage review process identified the perception that places are frequently nominated for entry in the Heritage Register as a reaction to a development proposal. With an active commercial property market in South East Queensland, entry decisions are now more likely to be appealed in Queensland's Planning and Environment Court.

To address, in part, this notion of reactive heritage nominations, and to enhance levels of certainty for the community, local government and the development industry, the Queensland Government has funded a \$2.7 million 5-year statewide survey with the intention of improving base line information, and enabling the ready identification of places of heritage significance throughout the state. (*See 8.3*)

8. RECENT DEVELOPMENTS

8.1 Review of the Queensland Heritage Act 1992.

In mid-2004 the Queensland Government announced a review of historical cultural heritage administration in Queensland, and examined the thirteen year-old legislation on which it is based. The review is still underway, and is examining ways to improve the current system. The review is intended to:

- address both the conservation of cultural heritage assets and the assessment of development impacting on them;
- allow for transparent, consistent and timely decision-making;
- deliver good cultural heritage outcomes; and

- be efficient.

At the outset, it was agreed that any new model being considered for cultural heritage management must fit within the existing policies and procedures of the *Integrated Planning Act* (IPA) and the local government planning schemes that IPA provides for.

8.2 Heritage Review Discussion Paper

As a further component of the Government's heritage review a Discussion Paper, *Review of the Queensland Heritage Act 1992*, was released for public comment in March 2005. (See attached)

The Discussion Paper explores whether there is a need for reform in the roles and responsibilities of the Queensland Heritage Council, the Environmental Protection Agency and local government. To stimulate comment the Discussion Paper provided summaries of heritage administration models in other jurisdictions. Over 100 responses to the Discussion Paper were received, and are currently being assessed.

8.3 Statewide Historic Heritage Survey

As part of its response to these and other issues raised by the heritage review, the Queensland Government announced in March 2005 that \$2.7 million would be provided to the Environmental Protection Agency to support a 5-year program to identify historic heritage places across the state.

The survey program will make the Queensland Heritage Register a more comprehensive and representative repository of Queensland's heritage places, and provide increased certainty to developers, property owners and local councils.

Preparation of a survey methodology is underway, and the first of the regional audits is scheduled to commence late in 2005.

8.4 Renewal of the Queensland Heritage Register Database

Consistent with calls for a more transparent and readily identifiable process for identifying Queensland's heritage places, the Queensland Government has announced additional funding of almost \$1 million in the 2005-06 Budget to upgrade the database on which the Heritage Register is based.

The heritage database project will enable historic heritage to be part of the Government's Smart Service Queensland initiative, and will improve delivery of heritage information to the Queensland community. Queenslanders will be able to search the Queensland Heritage Register on line to obtain clear, accurate information about the State's historic places.

People proposing development works to places on the Heritage Register will be able to obtain the information they need in order to have the Queensland Heritage Council consider their applications, while community members interested in finding out more about their State's heritage will be able to access a much wider range of data quickly and conveniently on line.

As an important tool for environmental management, this new database will enable faster and more accurate reporting. The limitations of the current historic heritage

database were identified in Queensland's 2003 State of the Environment Report, and the Government has acted to improve its accessibility and reporting capacity. Details of entry types are provided at Figure 8.

Place Type	No. of Entries	% of Total Entries
Residential	250	17.4
Commercial	240	16.7
Religious	139	9.7
Memorial/Cemetery	121	8.4
Transport	106	7.4
Education	87	6.0
Pastoral	57	4.0
Law/Order	50	3.5
Health	46	3.2
Mining	44	3.1
Social	36	2.5
Governmental - Local	34	2.4
Industrial	34	2.4
Parks & Gardens	30	2.1
Recreation	29	2.0
Governmental - State	26	1.8
Communication	20	1.4
Defence	20	1.4
Farming	18	1.3
Settlement	9	0.6
Exploration/Survey	7	0.5
Political	5	0.3
Governmental - Commonwealth	3	0.2
Scientific	3	0.2

Figure 8. Number* of Heritage Register entries by Place-Type. * *Not all entries have been categorised by place-type.*

8.5 Building links between heritage and tourism.

Tourism plays a substantial part in Queensland's regional economies, and historical heritage make its own contribution to the list of attractions that draw visitors to the State. To expand this role the Queensland Government contributed \$45 million to establish, with the assistance of the Commonwealth, the Queensland Heritage Trail Network.

The Cultural Tourism Incentive Program (CTIP) was launched in 2000 as a Queensland Government initiative to provide grants between \$5,000 and \$100,000 for projects that advanced the aims of the Network in regard to conservation of heritage, regional community development, employment and cultural tourism opportunities. Applicants were required to partner with their local government to demonstrate the project's regional tourism and economic benefits.

Two grant rounds were held in 2001, with the third and final round offered in March 2002. A wide range of conservation and interpretation projects that had cultural tourism spin-offs were invited, and included:

- oral histories and historical research, minor building works for protection as well as access and interpretation;
- conservation and adaptive re-use of heritage places;
- collaborative marketing and regional promotion in a cultural context;
- development of travelling exhibitions;
- development of business and management systems, and;
- formation of partnerships to share resources.

Over 300 applications were received, and of those 68 projects were provided with funding totalling \$3,053,101.

9. CONCLUSION

Thirteen years after the commencement of the *Queensland Heritage Act 1992*, the Queensland Government is actively working to examine and renew the effectiveness of the legislative and administrative mechanisms employed to protect the State's important historic places.

The identification and conservation of heritage places will be most effective when it occurs within a predictable, systematic and transparent system that acknowledges the collective roles of owners, all levels of government, commercial interests and the community on whose behalf these places are protected and conserved.

As part of this review, the Queensland Government is examining the full range of policy and legislative responses available to it, and looks forward to considering the results of the Productivity Commission's inquiry.