



Shire of York

Submission to the Productivity Commission

Conservation of Australia's Historic Heritage Places

Heritage Inquiry

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Background

York is the first inland town in Western Australia and it was established in 1831 following gazettal authority in September 1830.

The heritage & history of York is unique and important in the context of heritage conservation and it still acts as a stimulus for visitor attraction and conservation activity for the government & private sectors.

Current Status

Demolition by dereliction is the greatest threat to the long term retention of the built heritage as bureaucratic conditions are imposed for conservation, construction and maintenance costs escalate, artisans and trade skills diminish for restoration works, original materials become scarce & financial support is reduced or becomes inappropriate due to convoluted application and reporting processes.

Local Government Perspective

The built heritage is facing increasing challenges for priority in funding regimes in an era of cost shifting, changing demands and expectations, functional use, greater accountability, social services, ageing population, transport needs and other local, regional, state and commonwealth requirements.

Conservation orders, building management plans and other edicts imposed by governments on their agencies without due or any consultation and minimal, if any, shared or supportive funding arrangements are seen as another level of interference or imposition on an already overburdened entity.

Is it appropriate to place a cost burden on a local government for the restoration or preservation of a building / structure which has no functional use, which may be impeding development or which is replicated in an adjoining town? Should there be quantification of heritage & functionality values and associated costs?

Specific Issues

(a) Official Listing of Heritage Places

The criteria and assessment processes for listing of heritage places needs to be reviewed to provide clear demarcation and values between the various categories.

As an example the Town of York may qualify for registration / listing under the National or Commonwealth Lists to recognise the heritage value as Western Australia's first inland Town.

Individual structures / places / precincts may be listed under the Register of the National Estate or the State Heritage Register as being of very high historical significance.

Other structures would then devolve to the Local Government Register by default rather than a specific and costly identification and assessment process.

There is a need for a specific and comprehensive survey of historic places in Australia after a review of the current criteria and assessment processes.

The survey should be broken into categories to prevent duplication of effort and to reduce costs.

Commonwealth

World Heritage List

National Heritage List

Commonwealth heritage List

Register of the National Estate

This should be fully funded by the Commonwealth

Local Government

Local Register

This should be fully funded by Local Government

State

State Register

This should be fully funded by the States

Commonwealth

Historic Shipwrecks Register

This should be fully funded by the Commonwealth

The survey should include long-term sustainability principles to protect heritage structures into the future.

(b) Benefits & Costs

Current Grant Commission allocations and dispersal of government funding does not adequately or appropriately address the costs associated with a whole town or precinct associated with heritage.

For example:

York has two avenues to attract visitors:

- (a) Historic value as Western Australia's oldest inland Town
- (b) Location in the Avon Valley on the outskirts of Perth

The costs of public infrastructure and servicing does not appear to be addressed appropriately eg: York Town hall (1911) attracts 81,000 visitors internally each year coupled with double this number who do not enter the building.

These visitors require parking, litter and rubbish collection, seating, public toilets, signage, street cleaning, parks, information servicing, internet and other needs which are totally met by the local authority with only minimal recognition of special needs by the Grants Commission.

In addition to the foregoing there are maintenance and upgrading costs associated with the historic building themselves.

There are obviously benefits arising from high visitor numbers if the visitors purchase goods or services in the town. In the case of package tours this does not eventuate as passengers are only allowed 20 – 40 minutes in York to visit the toilets and to take photographs of heritage buildings.

While there should be a cost to benefits analysis it is difficult to see how such an equation could be formulated to cover all aspects.

(c) Public & Private Buildings

There does not appear to be sufficient distinction and differentiation between the status or value of buildings / structure in the context of the national heritage.

Should a hall and house be assessed similarly even though they had completely different purposes and uses?

Does a community value a public building higher than a private residence and how should this be measured?

In the case of York it is argued that the historic public buildings are valued more highly in and by the community than private residences.

There is a very strong case to be mounted for either the Commonwealth or the State to own and be responsible for specific public buildings in some town's to ensure their heritage integrity.

In the case of York this would be the Town Hall, Balladong Farm, The Residency, Original Hospital, Court House, Original River Crossings, Primary School & Railway Station at least.

Out of all of these only one (1) is vested with the National Trust, three (3) in private ownership and the rest are vested in or owned by the Shire of York.

There does not appear to be a common purpose in the treatment of private versus public buildings either in assessment, financial support or heritage advisory expertise.

There are also anomalies in the private area. Some owners restore structures at their own cost for their own pleasure and satisfaction primarily and their contribution to the

National Estate is not valued except negatively when they are hit with Capital Gains Tax on sale and GST on materials purchased.

Private buildings developed for commercial benefits obtain tax benefits throughout the restoration, maintenance and operational phases.

It is acknowledged and accepted that there is no one size fits all for heritage / historical buildings but more definition of each particular class, value or type needs to be incorporated into the appropriate legislation.

(d) Heritage Responsibilities

The various levels of responsibility in the hierarchy for heritage conservation are poorly defined and unwieldy.

It would be easier for everyone if a simplistic system could be established to deal with the heritage estate.

In relation to rural towns and rural local government the following may be appropriate:

- Identification & Registration
- Assessment of Heritage Importance
- Sustainability Assessment
- Management Plan / Restoration Plan
- Monitoring & Enforcement
- Review Process
- Ownership & Operations

This would clearly define the roles between the three (3) tiers of government and associated agencies and organisations including core functions and fiscal commitments at each stage or level.

The above would also assist in establishing funding priorities to obtain the highest value outcomes on local, regional, state & federal needs and values.

(e) Legislation

There is a need to consolidate legislation within and between the three spheres of government rather than the duplication and multiplication, which currently exists.

At the lowest level why would a local government need to or want to control and manage heritage conservation through Local Laws, Town Planning Schemes and Planning Policies if the appropriate and supportive higher legislation was in place to achieve realistic and achievable outcomes?

In York a planning application at a cost of \$177.00 is required to put flyscreens on a building in a heritage precinct, to repaint the roof of a heritage building or to construct a carport or a pergola on land on which there is a heritage building.

These constraints and costs do nothing to preserve the national heritage estate or to promote the conservation of our built heritage.

(f) Historic Heritage Conservation

Greater definition and emphasis needs to be given to functionality as opposed to pure preservation or conservation.

Whether buildings are in public or private ownership there should be an automatic capacity for minor changes, particularly where these can be easily removed, provided the structure is not compromised.

This may include security systems, disabled access, cosmetic changes, replacement of doors and windows and other matters particularly where original materials can no longer be found.

The approval processes quite often require the same application and assessment processes for a minor work as for a major structural change. This reduces any incentive or interest in minor works with the consequent degradation of the building.

In the case of public buildings the question must be asked as to why the burden and onus falls to a local community rather than to the Commonwealth or the State.

(g) Administration & Processes

The current system of duplication and overlapping between legislation, planning schemes, policies, charters and other instruments is unwieldy and unworkable.

Why are individual local authorities placing heritage controls and processes in Town Planning Schemes if there is appropriate and relevant Federal and State Legislation?

This appears to be a cost shifting and responsibility shifting activity from the highest tiers of government to the lowest.

If this system continues it will be open to political manipulation each two (2) years, there will be no continuity or standards across municipal boundaries and differing resource allocations and commitments across Local Governments and across the States will apply.

(h) Historic Heritage Places

More definition needs to be applied to the administration of these places – should they be in categories of age, events or other options?

Could or should specific buildings or structures be classified as heritage places as soon as they are built eg: Sydney Opera House, New Parliament House Canberra?

The reality of dealing with heritage is that we largely deal with emotion or perception rather than objective matters eg: are buildings pre 1800, 1900, 1930 more important or valued than buildings from 1940 – 2005.

Specific Comment

- The preservation and conservation of historic heritage places is too important to devolve to the local level, as this is unsustainable.
- Definition and recognition needs to be provided for specific areas eg: York as Western Australia's first inland town. At present all this means in real terms is a sign on the town entry statement, tourism promotion and advertising, a convoluted planning and approval process and a cost burden for the maintenance of public and private buildings.
- Sustainability principles must be incorporated into the heritage legislation.
- Public buildings should be assessed and where of a specific heritage value they should be owned, managed and funded by the State or Commonwealth. Public buildings with a lesser heritage value may be held by the Local Government, however without funding support they will deteriorate and be lost in the long term.
- Incentives, either tax or grants should be available to private persons preserving a heritage building at a determined historic value if it is the national interest.
- Heritage law should be independent of the Town Planning Scheme process to ensure commonality across Australia.
- Audits and assessment of heritage places should be structured and be in specific timeframes and be the responsibility of the Commonwealth.
- The National Trust should be empowered and resourced to hold, manage and conserve much of the built heritage.
- On costs associated with heritage places need to be quantified and recognised eg: traffic, parking, cleaning etc either through the State Grant Commissions or another body.

Ray Hooper
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