



Tasmanian Government

Submission to the

Productivity Commission

**Inquiry into the policy framework and
incentives for the conservation of Australia's
historic built heritage places**

July 2005

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A. Introduction

Historic heritage is a critical element of Tasmania's identity. Its extensive built heritage and places of historic heritage significance, as well as its significant Aboriginal heritage and natural heritage dating back to Gondwana land, make Tasmania unique.

Tasmania is home to a significant proportion of the nation's pre-1840s built heritage and the most complete convict heritage, both physical and cultural, in the country. Tasmania's unique historic heritage attracts significant community interest and support, and is a key part of Tasmania's brand. This, in turn, makes it of core interest to Tasmania's tourists, and as a key component of a tourism industry which contributes \$1.7 billion annually to the Tasmanian economy, it is a strong economic driver for the State.

Research undertaken into the Tasmanian brand in April 2005 indicates the key associations with Tasmania include¹:

- Pristine, green, natural, clean
- Step back in time, different

The research, conducted by ANOP Research Services Pty Ltd, demonstrated that the State's unique heritage is an important part of the brand and a core segment of the State's tourism market, with "the environmental experience" and "history" cited by all focus groups researched as a significant and consistent tourism driver².

The importance of pristine to the Tasmanian brand is shown to go beyond wilderness or environmental issues and encompass tourism and products, including national parks, waterways, rivers, coasts, gardens and small towns³, i.e. the unique cultural landscape of the State. Yet cultural landscapes are potentially one of the most difficult heritage assets to define and protect. The concept of heritage place and heritage value needs to include landscapes, streetscapes, and precincts, and also recognise the importance of archaeology.

One of the key policy drivers in Tasmania is the Tasmania *Together* 20 year social, environmental and economic plan for the State, devised by the community and linked to local government, industry, State Government and community stakeholders. The Tasmania *Together* process identified the protection of the State's heritage as one of 24 goals and 212 benchmarks in the State's future planning:

- Goal 21: Value, protect and conserve our natural and cultural heritage⁴

¹ ANOP Research Services Pty Ltd April 2005, The Tasmanian Brand, Detailed Report on Key findings from Qualitative Research, p6

² ANOP Research Services Pty Ltd April 2005, p22

³ ANOP Research Services Pty Ltd April 2005, p8

⁴ Tasmania *Together* September 2001, Goal 21

The community established standards to achieve this goal, many of which are relevant to this inquiry. These include:

- to improve the planning system;
- to ensure adequate resources for the conservation of natural and cultural heritage;
- to foster innovative design of the built and landscaped environment;
- to increase the number of people visiting Tasmania's cultural heritage sites; and
- to identify, conserve and present significant representations of the built and moveable heritage and cultural landscapes⁵.

It was within this framework that the State Government, in 2002, established the Department of Tourism, Parks, Heritage and the Arts (DTPHA), in a strategic policy to unite these crucial elements of Tasmania's brand, lifestyle, and potential for economic and social capital investment and development. It brings into one organisation all of the State's responsibilities for managing, protecting and promoting our heritage assets.

DTPHA encompasses Heritage Tasmania as well as the Aboriginal Heritage Office, Tourism Tasmania, the Port Arthur Historic Site Management Authority, Arts Tasmania, the Parks and Wildlife Service, the Tasmanian Museum and Art Gallery and the Royal Tasmanian Botanical Gardens. The aim is to better integrate community, private and public sector activity and foster an integrated heritage sector.

Heritage Tasmania also has responsibility for coordinating the community partnership approach being developed by DTPHA to support Tasmania's heritage sector. The State Government has a strong record of developing partnership agreements with Local Government and other stakeholders and this is a significant issue in ensuring better protection and conservation of Tasmania's heritage at the local and state level.

Heritage Tasmania also provides expert heritage advice to property owners, visitors and the community, local government, the private sector, State Government agencies and the Government on heritage matters, within the policy guidelines laid out by the Tasmanian Heritage Council.

The Tasmanian Heritage Council was established in 1997, following the proclamation of the *Historic Cultural Heritage Act 1995* (the Act). The Council comprises 15 representatives from the community and experts from the heritage sector, and is a statutory body separate to government. It is responsible for the administration of the Act and the establishment of the Tasmanian Heritage Register. Its primary task is as a resource management and planning body, focused on heritage conservation issues.

In 2003 the State Government initiated a review of the Act and is planning to introduce revised legislation to the State Parliament in this term of Government. A key focus of the review will be the integration of the Act with State and Local Government planning schemes; as well as greater consistency between local, state and national government heritage lists and legislation.

⁵ Tasmania *Together* September 2001, Goal 21, standards 1-3,4, 6

B. Historic Heritage in Tasmania

Historic Heritage Impressions

Historic heritage is critical to Tasmania's identity, as an archipelago of many islands, the second oldest European settlement in Australia and an increasingly popular visitor destination. Our historic heritage is a key component of our past, present and future, our identity and economy, and transcends generational boundaries.

Historic heritage is also a tremendously important social and community good that cannot readily be quantified. This does not diminish its importance, but rather highlights the fact that our heritage is a unique component of our people, communities and humanity which cannot be easily quantified.

In Tasmania, connection to our historic heritage is immediate and apparent. To live in or visit Tasmania is to be immersed in heritage that is a part of our State, whether it is constant or evolving as homes, work places, commercial enterprises and industrial sites, suburbs, towns and regional areas or cultural heritage attractions. Our historic heritage provides a context and identity that grounds our people and connects us to family, place and community. In times of social change our heritage is a lynchpin that anchors our communities. It is inclusive of places, archaeology, precincts, town and landscapes.

There is strong community support and interest in historic heritage and it is also a key economic driver. The investment in social capital, environmental sustainability, and economic good transcends current generations, as we act as custodians for the future. Both the value and costs associated with the conservation of heritage are therefore cross-generational considerations.

Historic Heritage Sector

The Tasmanian historic heritage sector comprises a relatively diverse collection of individuals, groups, organisations, bodies, tradesmen, professionals and the three tiers of government. It also includes heritage property owners, heritage and tourism operators, local historical societies, history rooms and museums, cultural heritage practitioners, the National Trust (Tasmania) and the Tasmanian Heritage Council.

Strategic effort in forming Heritage Tasmania in 2004, reviewing the *Historic Cultural Heritage Act 1995*, placing the National Trust into administration to reshape it as a contemporary and sustainable organisation and work to develop a Tasmanian Historic Heritage Strategy is aimed at facilitating a range of processes that will over time form a collaborative approach and integrated sector.

It is considered that a strategic, collaborative and integrated approach is the only way forward. While such effort in the historic heritage sector is relatively new, the dividends are already emerging, and this is likely to become more apparent with the current focus on review and reform.

Tasmanian Heritage Profile

Tasmania has a significant proportion of Australia's pre-1840 historic heritage, as it is the second oldest European settlement in Australia. It has also avoided the level of development pressure which eastern seaboard states have faced. The proportion of heritage cannot be readily judged, however, without comprehensive heritage surveys being completed across Tasmania and nationally.

The Tasmanian Heritage Register has over 5,325 places permanently listed as at 30 June 2005. An additional 1,389 places have been approved for listing, over 2,315 places are in the process of assessment and heritage surveys are currently being conducted in at least eight of the 29 local government areas of the State. Comprehensive heritage surveys are still required for the remaining local government areas.

The Tasmanian Heritage Register includes a mixture of places that are of local and state significance. This in part reflects the limited protection afforded by some local governments for local heritage places now and in the past. Efforts to address these issues, including the legislative review and the development of a proposed new approach with Local Government, are currently being pursued. The Tasmanian Government is supportive of the tiered approach of recognising the importance of local, state, national and world heritage listing and conservation.

One of the main drivers for listing, leading to protection and conservation has been a strong desire to provide certainty to heritage owners and developers. This remains important, but the focus is also increasingly moving away from a more exclusive focus on the built environment to encompass archaeology, gardens, trees, landscapes, items of movable cultural heritage and to a degree social and community values.

The Tasmanian legislation continues to emphasise the importance of place and significance judged by reference to place, but the importance of the values inherent are increasingly being recognised. The role of space, streetscapes, precincts and landscapes is also receiving increased attention, especially where values are threatened by infill.

C. Tourism and the Economy

(i) Value of tourism to the economy

Tourism is a key industry for Tasmania, contributing some \$1.7 billion in direct visitor and intrastate expenditure annually and 40,000 direct and indirect jobs to the State's economy.

Visitor spending in Tasmania increased by eight per cent to a total of \$1.08 billion dollars in the year ending December 2004⁶; the benefits of which have been felt throughout all regions of the State. In addition, there is close to \$900 million in tourism investment planned or under construction across Tasmania.

⁶ Tasmanian Visitor Survey

Visitor figures prove that Tasmania's reputation as a highly-desirable holiday destination is continuing to grow, with major benefits for the State's economy. In 2004, almost 800,000 people visited Tasmania⁷.

Tourism 21: 2004-2014, the blue-print for action to improve the performance, competitiveness and structural efficiency of the tourism industry in Tasmania, aims to deliver a \$2.5 billion industry directly and indirectly employing 54,000 Tasmanians, and is supported by sound environmental and community benchmarks and practice.

(ii) Cultural heritage as a core appeal

The Tasmanian Tourism Brand is built on the key attributes of nature, cultural heritage and wine and food. If the tourism industry is to achieve long term sustainability, the asset base in these areas must be protected and conserved, and experiences developed that connect visitors to both the people and the place.

Cultural heritage, including historic heritage, is one of Tasmania's core appeals alongside nature-based and wine and food tourism. Independently, cultural heritage, nature-based and food and wine experiences attract small proportions of our visitors. It is the combination of these appeals that give Tasmania its competitive edge in the marketplace. The majority of our visitors engage in activities in each of these areas while visiting Tasmania and the diversity of this experience is valued.

(iii) Importance to the visitor experience

Qualitative research conducted in February 2004 in Tasmania's key markets of Sydney and Melbourne by Quantum Market Research demonstrates that visitors' expectations of a Tasmanian holiday reinforce these three core appeals. Visitors expect to have history and heritage experiences based on convict and more recent history which provide an opportunity to learn and reflect on their own lives.

Tasmania's history and heritage is integral to the visitor experience.

Data from the Tasmanian Visitor Survey (exit survey conducted by Tourism Tasmania: http://www.tourismtasmania.com.au/research/tvs_intro.html) illustrates visitation levels to historic homes and historic sites in Tasmania. TVS data (as shown below) indicates growth over the period 2002/03 to 2003/04 of 21.5% and 15.8% respectively in visitation by holiday visitors to historic homes and historic sites respectively. This growth reflects overall growth in holiday visitors for the same period. Visitors to historic homes remain around 45% of total holiday visitors and visitors to historic sites/attractions are consistently around 69% of all holiday visitors for the same period.

No current data is available on expenditure related to history and heritage activities.

⁷ Tasmanian Visitor Survey

Table 1: Activities Undertaken in Tasmania: All Visitors

Activity	1999/00	2000/01	2001/02	2002/03	2003/04	02/03 to 03/04 % change
Visit historic houses	203,600	244,100	205,400	208,500	248,000	18.9
Visit historic sites/attractions	N/A	N/A	N/A	332,600	382,500	15.0
Total scheduled air and sea visitors	531,500	531,000	519,200	652,200	739,800	13.4

Table 2: Activities Undertaken in Tasmania: Holiday Visitors

Activity	1999/00	2000/01	2001/02	2002/03	2003/04	02/03 to 03/04 % change
Visit historic houses	159,700	174,000	158,300	160,400	194,900	21.5
Visit historic sites/attractions	N/A	N/A	N/A	250,900	290,600	15.8
Total scheduled air and sea visitors	299,200	272,000	277,300	361,900	419,000	15.8

(Data source: pp32-33 Tasmanian Visitor Survey 1999/00 – 2003/04)

(iv) Sustainable Historic Heritage Tourism Businesses

While historic heritage is critical to the Tasmanian visitor experience, many tourism operators conducting small businesses based on heritage assets operate at the margins of profitability. Visitor numbers to individual historic sites/attractions are often small. Operating sustainable micro and small to medium size enterprises based on low income streams with relatively high overheads is challenging for many; both public and private operators.

However, these operators are actively engaged in the important process of conserving these buildings and sites, which are usually listed on state or local heritage registers due to having been nominated by the owners or members of the public as being important evidence of our European history. Unlike the iconic sites such as the Port Arthur Historic Site, these operators receive little or no direct funding assistance for the conservation of these places.

In cases of iconic sites such as the Port Arthur Historic Site, there is substantiated evidence that in broad terms the investment of public monies for their “best practice” conservation and interpretation for tourism provides a net economic benefit to the government. The Site has since mid 2000 been provided with recurrent direct funding for conservation works of \$2 million per annum from the Tasmanian Government

During this period, the number of day visitors to Port Arthur has increased from 203,684 in 2000-2001 to 253,362 in 2004-5. Ghost Tour Patrons have increased from 46,824 to 56,542. Notwithstanding that this period has seen a substantial development in both the quality and number of tourism attractions in Tasmania, and a tendency towards shorter stays, the increased number of visitors to Port Arthur is evidence at least in part of adequate investment by government in conserving an iconic site and recognition of this by visitors.

An important 2004 report by Symetrics Business Intelligence (based at the School of Economics at the University of Tasmania), *Contribution of the Port Arthur Site to Welfare of Tasmania*, demonstrates that the value of the Port Arthur Historic Site is a combination of its contribution to the Tasmanian economy and its future 'bequest' value.

The report concludes that in 2003 the Port Arthur Historic Site contributed \$25.1 million to the gross product of Tasmania, \$8.8 million of wage income and 286 jobs. This 'multiplier' effect is measured across a series of business sectors, and reflects the pivotal role of Port Arthur as the major destination for cultural heritage tourism in Tasmania.

The report also concludes that Tasmanian Government grant allocations to Port Arthur have been successful, using a simple regression model, which illustrates that a 1% increase in grant allocation engenders a 0.14% growth in visitor numbers to the site. In addition to these assessments, which are clearly focussed on the site's function as a commercial enterprise, the report also addresses the value of Port Arthur, based on assessment of visitor 'willingness to pay' and 'bequest' values. The report notes that the total worth of the site (more than \$46 million dollars) outweighs its commercial turnover by a multiple of almost 5.

(v) Cultural landscapes

Historic heritage experiences in Tasmania are embedded in the landscape and are part of everyday life. Many visitors interact with historic heritage through visiting historic towns and precincts and exploring rural Tasmania. The conservation of cultural landscapes is therefore significant to the Tasmanian tourism industry. Historic heritage is often integrated with natural heritage and the separate treatment of natural and historic heritage is often artificial. Consideration of the conservation of historic heritage must recognise the integration in to the landscape and the non-commercial nature of many visitor experiences.

(vi) Integration of tourism and heritage professions

Visitor experiences can be enhanced by high quality interpretation that draws content from our historic heritage. Thematic interpretation provides a framework for bringing together the historic heritage sector and the tourism industry. However, the knowledge and skill sets of these two groups are diverse and priorities can be divergent.

There is much to be gained in terms of visitor experience and conservation outcomes by pursuing projects that provide opportunities to bring together historic heritage and tourism professionals. These linkages exist in larger historic sites/attractions with the organisational structures to support them, but connections are more difficult where operations are small and often remote.

D. Comments on each Term of Reference

The following feedback is provided in respect to each of the nominated Terms of Reference for the inquiry on behalf of the Tasmanian Government. Please note that Tasmania has also contributed to a separate joint submission from the Heritage Chairs and Officials Australian and New Zealand (HCOANZ).

(i) The main pressures on the conservation of historic heritage places

As articulated in the overview of this submission, Tasmania has an extensive number of significant historic heritage places, as well as unique cultural landscapes and valuable movable heritage. Tasmania has, until recently, escaped the pressures of extensive development experienced in other states; so much more of Tasmania's built heritage in particular remains intact, compared with other jurisdictions. Tasmania is also a state with a small population and limited personal income and state and local government resources, as well as limited corporate sector funding opportunities.

This means funding, both generally and for specific conservation works, is a relatively high pressure on the sector in Tasmania as compared with other states. The State Government has responded by creating DTPHA to better integrate the sector, develop strategic alliances and maximise partnerships and funding, as well as sponsorship opportunities. The State Government's significant investment in the Port Arthur Historic Site over the past two terms of government, including a commitment of \$10 million over the next five years for conservation works, is just one further example of the Tasmanian Government's commitment to protecting its significant historic heritage sites.

There is a need for bi-lateral funding and resource provisions in the sector, including providing better incentives and services to heritage owners and delivery of targeted funding programs across all three tiers of government. It is important to note that funding pressure on the sector in Tasmania will not be resolved simply by an increase in budget allocations across the three tiers of government; rather, there is a need for funding to be targeted to the specific needs and priorities. The current situation seems to be that funding is reactive, rather than proactive or strategic. Government involvement is particularly critical given the limited corporate and philanthropic opportunities available in Tasmania and low mean incomes.

Within Tasmania, there is a limit to how much funding can be raised from the corporate domain, and the heritage sector is in competition with the arts, sports and charities for the same corporate dollar. Tasmania, like the rest of Australia, does not have a great culture of philanthropic donations as compared with, for example, the United States of America; and in any event, Tasmania's private donations are further limited by the fact that Tasmania has a much lower degree of personal net wealth than most other states. Therefore, government funding, support and services across all levels, is vital to ensuring the conservation of historic heritage places.

The subjectivity and complexity of the heritage listing system across the States and Territories creates confusion and is a disincentive for owners to either purchase and conserve heritage listed sites or buildings; or move to have them listed. There is a perception that heritage listing is an impost on owners and a limiting factor for developers, even when this is not necessarily the case. This is why the focus of funding needs to address education and service delivery, not just grant allocation; owners, developers, communities, governments need to be better informed about listings, the ramifications of listings, their rights and obligations under a range of legislation.

There is a need for a much more integrated approach to heritage funding and planning systems, across the three tiers of government. The current situation in Tasmania for example, where the *Historic Cultural Heritage Act 1995* and the *Land Use Planning and Approvals Act 1993* do not easily integrate results in delays of works approvals, conservation works, and inhibits proper conservation and maintenance planning. The State Government is currently reviewing the *Historic Cultural Heritage Act 1995* and will address this concern as part of that review.

A streamlined, integrated approach to listing and a clearer understanding of what falls within federal, state and local government areas of responsibility is crucial to improving the sustainability of the heritage sector. It would also improve government efficiency and targeting of government funds, as it would assist in avoiding duplication of government effort. A philosophical shift in approach is also perceived as being needed, one that better responds to the expectations and needs of owners and communities where active engagement and support is apparent. Regulatory measures are considered important, if not essential, but a balanced approach that recognises the importance of taking a more proactive, education and development stance is also essential.

The changing economic environment and market expectations also have an impact on the conservation of historic heritage places. As mentioned above, Tasmania has not suffered from extended development, which has allowed many places and buildings of historic heritage significance to survive intact. However, the recent improvement in the State economy has seen a trend towards increased development and increased infrastructure, particularly to support tourism and residential development. This has the potential to impact negatively not only on conservation of the built environment, but also on the State's cultural landscapes. The issue of "in-fill" needs careful consideration in local planning schemes, particularly in the context not only of building conservation, but in terms of street scapes, heritage precincts and cultural landscapes, as well as adjacent developments.

The main pressures impacting on the sector are:

- The disproportionately large number of historic heritage places of significance in Tasmania, relative to its small population and resources.
- The lack of an integrated planning and listing approach, which causes confusion and duplication of efforts across the three tiers of government.
- Changing economic environment, increased development and market pressures, and competition for resources with major government portfolios.

(ii) The economic, social and environmental benefits and costs of the conservation of historic heritage places in Australia***Benefits***

The comments made against this Term of Reference should be read in conjunction with those included under the 'Tourism and the Economy' section of this submission.

Historic heritage has extensive community value, particularly in a state like Tasmania, where there are so many extant historic heritage places and where such a high percentage of the population has a personal or familial link to those places. In the strategic community vision for the State to 2020, *Tasmania Together*, Tasmanians expressed their desire for:

- adequate resources for the conservation of natural and cultural heritage;
- an improved planning system to value the environment;
- innovative design of the built and landscaped environment;
- an increase in the number of people visiting Tasmania's cultural heritage sites; and
- to capture Tasmania's stories and make them available to all⁸.

These goals indicate a community that values and engages with its historic heritage, deriving a strong sense of identity, sense of belonging, place and community pride from its historic heritage places, streetscapes, precincts, landscapes and whole regions.

The value of a strong community sense of pride and belonging has been measured in terms of community capacity building and social capital. This is an important benefit of conserving historic heritage places, in building identity and a sense of social cohesiveness; and also in a practical market sense, of building brand.

The overview section has already noted the significance of the conservation of historic heritage to Tasmania's brand, and historic and cultural heritage have been demonstrated as having core market appeal in the tourism sector. In these areas, conservation of historic heritage acts as a key economic driver.

⁸ *Tasmania Together*, September 2001, p25

In addition to the brand and tourism benefits, there is a flow-on effect of job creation in the building industry; skills development and attraction in specialist trades to the State; and the potential to develop Tasmania as an academic and practical centre of excellence in heritage conservation skills, knowledge, and disciplines for the training and employment of cultural heritage practitioners.

Conservation of historic heritage can also be demonstrated to have a positive benefit to a “triple bottom line” approach to economic, environmental and social sustainability. The labour-intensive nature of conservation encourages skills development and employment. The conservation of historic heritage encourages sustainable tourism and the development of new markets. These are all tangible, measurable benefits of the conservation of historic heritage.

Certainly there are other benefits from the conservation of historic heritage that are more difficult to measure, such as the aesthetic quality of the visual environment and the positive impact this can have on the social fabric and mental and physical health of the community. The benefits are also long term and cross-generational, which increases a community’s sense of pride, connection and identity over time.

Costs

Clearly there are some costs to the community as well as to governments and individual heritage owners in ensuring the conservation of historic heritage. These include material costs, such as the fact that “catch up” conservation can be very labour intensive and very costly. They also include the costs of time spent on planning processes, imposts on owners’ time in securing specialist advice, permits, planning permissions, and insurance. Often conservation works are quite labour intensive and the added cost of ensuring that such efforts use traditional building methods and will last the test of time introduces additional and often unexpected costs. There is also a community cost incurred, in that conservation costs, as are conservation benefits, are cross-generational.

Our heritage today is a reflection of the fact that previous generations have valued it enough to ensure it is maintained. This legacy and examples of more contemporary heritage add to the mixture of heritage places, and places an onus to in turn protect it for future generations. This introduces a notion of cross-generational benefits and costs that also needs to be recognised. Community and government priorities may also change over generations, resulting in different emphases on the kind of conservation, the priorities in heritage and the amount of funds allocated to support such conservation. Infrastructure and administration costs are not necessarily small and have an impact on individual owners and local government in particular.

The Tasmania *Together* process enabled the Tasmanian community and government to identify some indicators and targets to measure the tangible and intangible benefits of conserving our unique historic heritage. This is an important way of benchmarking the benefits of sustainable conservation of historic sites and sustainable development around the State’s cultural landscapes.

The Tasmania *Together* Progress Board assesses the State's progress against all the goals and benchmarks identified and thus is an important tool in the conservation and measurement thereof, of the State's historic heritage and provides some testing of the measure of cost effectiveness in the sector.

The primary benefits are:

- A strong sense of community identity, pride and belonging, encompassing investment in social capital, cohesion and connectedness.
- Value-adding, triple bottom line effect of environmental, social and economic benefits, including job creation and skill development.

The primary costs are:

- Potential constraints on development, introducing unwelcome imposts on private owners which limit or restrict the generation of good heritage outcomes.

(iii) The current relative roles and contributions to the conservation of historic heritage places of governments, heritage owners (private, corporate and government), community groups and any other relevant stakeholders

A Perspective of Owners

It is important to affirm up front that the owners and managers of heritage properties are clearly not a homogeneous group. They are known to reflect many walks of life and socio-economic backgrounds, and include private, commercial and government owners or managers.

In Tasmania, historic heritage is a key facet of the State's brand. This factor and the central location of a significant proportion of heritage places in key commercial areas means that pride, siting and potential for adaptive reuse remains quite high.

Experience suggests that the greater the opportunity to work alongside, engage with, inform, educate and guide heritage owners, the greater the outcomes are for historic heritage. This reflects a practical reality and an increasing necessity.

Unfortunately, it seems that existing systems that have been created to ensure the protection and conservation of heritage are not user friendly, accessible or as sufficiently customer or client focused as they could or should be, and further refinement is needed.

Tasmania is keen to embark on work to establish feedback from owners via focus groups. This will help to guide future service and program developments.

It is clear that a shift in approach is needed. There needs to be a better balance between the essential statutory and regulatory approaches and more active engagement with the public and owners in particular to inform, educate and support them in a practical sense.

Views on future approaches differ considerably and all need to be taken into account, but often listing procedures are too clouded in secrecy and this approach tends to focus excessively on the minority who do not support or want to protect heritage values.

There are currently limited incentives for owners to encourage them to seek, support or not challenge listing. Greater attention, therefore, needs to be given to creating opportunities for incentives and to the provision of support for owners.

Unless owners are well informed, educated and supported, through both practical and financial assistance, it is likely that the risk of damage to or loss of heritage will continue, as listing alone does very little to protect or conserve heritage.

A Perspective on Local Government

The Tasmanian Government would like to move to a position where places of local heritage value are protected and conserved locally. The main means of doing this is through local planning schemes.

Local government has in some areas played an early and leading role in the protection and conservation of historic heritage off their own bat, following community representation and the involvement of the National Trust since the 1960s.

There is not a clear picture of the nature and extent of heritage conservation provisions across the 29 local government areas, 43 planning schemes and associated resource management and planning bodies, such as the Sullivans Cove Waterfront Authority.

Heritage Tasmania intends to compile details of local heritage profiles contained in local planning schemes to assist in developing a Tasmanian Historic Heritage Profile by the end of 2006.

The *Land Use Planning and Approvals Act 1993* is currently under review. A recent submission from the Tasmanian Heritage Council included a call for a heritage planning directive and a requirement that every planning scheme has:

- Heritage provisions, including heritage schedules;
- Objectives to identify and protect local heritage;
- Recognition and protection of cultural landscapes;
- Provisions to protect heritage precincts and areas;
- Provisions that recognise infill issues and needs;
- Need to consider adjacent place developments;
- Set provisions for sub-division of rural places; and
- A tiered approach to local and state management.

Partnership agreements between Local and State Government are the primary mechanism used to advance collaborative planning, and effort is on developing a more integrated approach to heritage management at a local and state level.

The Tasmanian Government is funding municipal heritage surveys, under a three year Grants Program, which will help to ensure the comprehensive identification of places of local and state significance in 33% of the most populated urban and regional centres.

This aims to ensure there are comprehensive surveys undertaken across the whole State that will lead to local or state listing, and therefore give certainty to heritage property owners and developers about the heritage status of such places.

Local Government does not play a major role in the provision of incentives, rate rebates or conservation funding to heritage owners as rate payers, but is becoming more involved in economic and tourism development and support.

Local Government also seems to have increasingly assumed greater responsibility for promoting, managing and supporting the management of heritage places that are owned by them, leased from the Crown or sub-leased to local community groups.

The State is considering the development of a program to assist Local Government in delivering their heritage responsibilities, by providing them with relevant expertise.

The primary concerns facing Local Government appear to be:

- Generating public support for heritage;
- Securing funds to conduct municipal heritage surveys;
- Generating owner and community support for listing;
- Limited ability to offer incentives to listed places;
- A lack of capacity to help fund conservation works;
- The need to secure professional heritage expertise; and
- Limited funds for local community heritage projects.

The State Government Perspective

The protection of places of State heritage significance is something that the Tasmanian Government takes very seriously, particularly given the value and importance of historic heritage to our communities and also to our economy.

Tasmania was the last State or Territory to introduce its own historic cultural heritage legislation. It was passed in 1995 and enacted in 1997. Since then considerable emphasis has been placed on developing the State's heritage management system.

Increased emphasis on the importance and value of heritage to current and future generations has been most notable in recent years and especially in the past 12 months. The adoption of a wider and more strategic view of heritage has also been evident.

The Tasmanian Heritage Council developed its first Strategic Plan in 2003, followed by the first Business Plan for Heritage Tasmania in 2004/05, and the development of communications and registration strategies to guide future strategic effort. As discussed in the introductory comments, a Tasmanian Historic Heritage Strategy is also being developed over the next three years.

The *Historic Cultural Heritage Act 1995* is also currently under review, with a view to ensuring it reflects contemporary needs and best practice approaches in heritage management.

Greater emphasis is now also being given to customer service, as it is felt that the needs and experience of heritage owners have not been as well attended to in the past, while also working to streamline systems and processes.

The Tasmanian Government sees itself as having a critical role to play as a major owner of heritage places and as a policy maker, regular and facilitator, who is able to work with and support the heritage sector and wider community to value its heritage.

The primary issues faced by State Government tend to be:

- the need for a clear, supportive and integrated system;
- the need for defined roles, responsibilities and streamlined processes;
- a better balance between proactive and reactive approaches;
- greater focus on valuing, understanding and educating heritage owners;
- appropriate and adequate resourcing of the system including funding for conservation and community initiatives;
- the ability to offer incentives for appropriate management of heritage listed places;
- assistance to enhance efforts to obtain sustainability;
- integration of community, private and public sector activity;
- better access to a professional and skilled workforce; and
- emphasis on thematic approaches and visitor experience.

A Perspective on the National System

The introduction of the National Heritage System is supported as a means of ensuring the appropriate recognition, protection and conservation of historic heritage, in a tiered structure of places and values at a local, state, national and world level.

Despite the development of a protocol between the Australian, State and Territory Governments there remains considerable concern and uncertainty which has led Tasmania to decide not to support any nominations to the National List at this time, other than the Port Arthur Historic Site.

Port Arthur is a foremost heritage place and it has recently been listed, with a view to it forming part of a serial listing of convict sites. However, the benefits of listing heritage provisions within the *Environment Protection and Biodiversity Conservation Act 1999* have not yet been fully explained to the State and there is concern about the implications of the very extensive provisions within the Act that could be invoked especially in regard to the approvals process.

Tasmania has serious concerns that the National Heritage System was introduced without a clear understanding of how it was to be implemented within the Department of the Environment and Heritage, resulting in considerable confusion among jurisdictions.

At the same time there are strong perceptions that the Australian Government is withdrawing from this sector, in terms of management, strategy and funding. If this is the case, it can be expected there will be a significant adverse impact on historic heritage.

Staged and continuing withdrawal of World Heritage Area (WHA) funding to Tasmania and the cutting of the National Estates Grants Program (NEGP) has been a major blow to local communities and the countless groups and organisations that benefited directly from these funds. It has also created a major pressure on State budgets with the State still required to deliver on the greater expectations for WHA management created by Commonwealth intervention.

Information on the Distinctively Australian Funding Program has been extremely limited and focused on telling stories and thematic studies, without clarity about how it is envisaged the program will be strategically managed and rolled out over time.

The new system also places a huge onus on the states to resource the system without the provision of additional resources and there is considerable uncertainty about the consequences and resource implications of a place being listed nationally.

There is an urgent need to ensure that a bi-lateral agreement is developed to address some of these issues and reduce current confusion and uncertainties, but clearly the framework is there for an integrated system that is straight forward for the end user.

The primary issues regarding the National System include:

- the need for a clear, supportive and integrated system;
- the need for defined roles, responsibilities and streamlined processes;
- a better balance between proactive and reactive approaches;
- greater focus on valuing, understanding and educating heritage owners;
- appropriate and adequate resourcing of the system;
- the ability to offer incentives to heritage listed places;
- integration of community, private and public sector activity;
- access to a professional and skilled workforce;
- emphasis on thematic approaches and visitor experience; and
- a more open and transparent approach.

A Perspective on World Heritage

The Tasmanian Government supports the concept of world heritage listing and is particularly pleased to note the inclusion of the Exhibition Buildings and Carlton Gardens as the first Australian cultural heritage sites to be recognised in this fashion.

The value and importance of world heritage listing is reinforced by the Tasmanian Government's support for the existing listing of the Tasmanian Wilderness and Macquarie Island for their natural values, and the proposed listing of Port Arthur, Darlington (Maria Island), the Coal Mines and the Female Factory Sites (Hobart and Ross), as part of a serial listing on Australian convict sites.

The primary concern about world heritage status is the level of resourcing provided by the Australian Government to such places, especially in light of the withdrawal of up to \$2 million in funding from the Australian Government in the past five years.

Again, the notion of a tiered system of heritage recognition, protection, conservation, and management is supported, but there is also a concurrent need to ensure that an appropriate level of resourcing is provided at each of the levels in this model. Recognition, protection and resourcing of places of world heritage significance extends far beyond the capacity of the State Government to respond.

A Perspective on the Sector

The Tasmanian historic heritage sector is a relatively diverse and to a degree fragmented collection of individuals, groups, organisations, bodies, tradesmen and professionals, and is also inclusive of the three levels of government.

It is considered to include heritage property owners, heritage and tourism operators, local historical societies, history rooms and museums, cultural heritage practitioners, the National Trust (Tasmania), a number of government and quasi-government organisations responsible for the conservation and management of heritage sites (e.g. the Parks and Wildlife Service, the Port Arthur Historic Site Management Authority), and the Tasmanian Heritage Council.

The nature and extent of community involvement in historic heritage cannot be easily judged, although it needs to be better understood. What is apparent is the high proportion of volunteers and community members engaged in supporting the sector.

Strategic effort in forming Heritage Tasmania, within DTPHA, in 2004 included a desire to ensure that there was a key area of the State Government with primary responsibility for helping to facilitate and support the sector's development.

This effort has been well received and has focused initially on lobbying for, securing and promoting funding programs and opportunities, sharing and disseminating information, promoting networking and increasing partnership opportunities.

At a strategic level Heritage Tasmania has assumed the primary role of coordinating the State Government's relationship with the National Trust. The Trust has been placed into administration with an aim of reshaping it as a contemporary and viable body.

Part of this work will be focused on working with the Trust to build on its strengths and provide it with new roles that avoid the duplication and conflict with existing legislation, services and programs.

Greater engagement with local history rooms, historical societies and museums is also being encouraged as a means of ensuring a more collaborative and integrated approach to sharing information, developing resources and community linkages.

The *Historic Cultural Heritage Act 1995* is also under review. This aims to ensure it better reflects best practice and remains contemporary, and work to develop a Tasmanian Historic Heritage Strategy aims to help pull all this planning together.

It is considered that a broad based, strategic, collaborative and integrated approach is the only way forward. The Tasmanian Government has a strong commitment to partnerships and working with the communities to achieve good outcomes.

While such partnerships in the historic heritage sector are relatively new the dividends are already emerging, and this is likely to be more apparent with the current focus on review and reform. This approach is likely to guide our future strategic focus.

The historic heritage sector and wider community both fulfil a critical role in the need and desire to develop an integrated system. This inter-relationship will be further explored in the development of the Tasmanian Historic Heritage Strategy in 2005/06.

Summary

It is suggested that the framework upon which the national system is based and the tiered approach to heritage protection and conservation is strongly supported, but considerably more effort and resources are needed to refine its practical operation.

The system needs to be simple to access, use and understand; roles and responsibilities need to be better defined; with streamlined systems; and responsibility for resourcing an integrated system needs to be shared by all tiers of government proportionally.

Current role confusion and duplication of effort needs to be addressed. It is suggested that increased dialogue and a more strategic approach that aligns to the current review and reform process will also help achieve a more integrated approach.

(iv) The positive and/or negative impacts of regulatory, taxation and institutional arrangements on the conservation of historic heritage places and other impediments and incentives that affect outcomes

Arrangement Impacts

Generally speaking while the commencement of the modern system of heritage protection commenced in the mid-1970s it is still largely a system in its infancy. There are still many aspects of the system that are ill-defined.

As suggested earlier, there is an immediate imperative to better establish and also resource each level of the system, while at the same time ensure that the system is better integrated and that mechanisms and approaches are at least comparable.

The case of Port Arthur demonstrates the potential for some quite serious issues unless the management regimes are clear for places appearing on multiple lists. With WHA and National listing there is the potential for three levels of government to be involved in management of the site.

It is understood that various fiscal provisions have been introduced or tried in recent decades, but the current practical reality is that there are few tangible incentives directly available to heritage owners now or in the near future.

This status does little to reinforce with heritage property owners or the wider community that they should value, protect and commit their own money to conserving heritage when it seems apparent that it is not readily valued by governments.

Local planning and heritage decision making arrangements are not streamlined or integrated and this is needed to provide greater clarity, certainty and ease of use. This can be an issue for private and commercial owners, but is not limited to them.

The State heritage system is certainly in need of review and reform, especially in ensuring greater recognition and separation in the provisions for local and state identification, assessment, protection, conservation and management.

The new National Heritage System is for instance also likely to have a significant impact on the management of local, state and nationally owned heritage assets, as each of these levels of government are major holders of heritage rich assets and land.

The issue and concerns raised in relation to the National System are particularly apparent for these heritage owners, and continued uncertainty about the impact and impost of national listing is a matter of some considerable concern and question.

Cost Impacts

A cost benefit analysis of conserving heritage places needs to recognise the social and economic goods inherent, and concurrent costs of conservation. Often there can be a level of economic return given the location, age and prestige of heritage addresses.

High costs relating to building usage, including disability access, fire rating and compliance with building legislation and standards, and the overlay of modern standards on heritage buildings, such as for IT, temperature control, customer service areas and open plan spaces and toilet facilities, are all significant costs associated with heritage conservation.

At a wider level the conservation of heritage can also reduce the capacity for income and rental returns.

There is a need for fiscal responses to help counter such issues otherwise the temptation to ignore heritage values or places leading to their inevitable degradation or loss could be considered too high.

Impediments

As suggested under the response to term of reference number 3, Tasmania supports the principles of the current system, especially as it aligns to the three tiers of government.

It is felt that the main impediment to the current model is that the system is not clearly established, defined, and easy to access or navigate.

There are inadequate incentives and supports mechanisms available to heritage owners.

While enhanced statutory and regulatory mechanisms are important, limitations on approaches that are proactive, educational and supportive, act to reinforce that protection through self-regulation works and when it doesn't communities step in.

This suggests more needs to be done to pursue a philosophical shift that instead places greater emphasis on a contemporary community minded approach to heritage.

Incentives

Fiscal incentives are extremely limited at most levels. This is a weakness in the system. Provision of funding for rate rebates, land tax reductions, income tax concession and conservation works needs to be paramount.

Protection via listing may not by itself offer any incentive to protect or conserve heritage values and nor does it give due recognition to the fact that heritage conservation can be extremely costly and that these costs carry across generations.

It is expected that the provision of incentives would lead to greater interest and investment in and responsibility being taken for heritage. Financial incentives however should be widely applied and include mechanisms that recognise the contribution and role that the range of heritage owners fulfil, including urban and rural, self-funded retirees and those who do not pay tax.

Tasmania is in a unique situation, given the age, diversity, nature and extent of its historic heritage. This has the potential to present opportunities in the future for pursuing creative options in fostering engaging professional and visitor experiences.

This state is also incredibly well positioned to be able to engage activity in partnership with local government and with the heritage sector to plan and deliver meaningful heritage outcomes for owners and the community.

The other side of this issue is that the potential call on State and Local Government budgets, to provide concessions and other incentives, is high. Tasmania has a disproportionate share of the national heritage estate.

Summary

The current system offers a sound framework upon which to base an effective and integrated heritage management regime. However, it is felt that greater effort and attention is needed to better integrate the system.

The impacts and arrangements that exist are not insurmountable, but there is a need to ensure that a strategic, considered and effective approach is adopted that is contemporary, addresses need and also reflects the aspirations of the end users.

Increased attention and commitment to the provision of fiscal incentives is critical, to provide incentive to protect and conserve, but this cannot occur in a vacuum that does not recognise the need and value of other measures and support mechanisms.

(v) Emerging technological, economic, demographic, environmental and social trends that offer potential new approaches to the conservation of historic heritage places

Heritage places provide a window to the past and provide a link with the attitudes and values that have helped shape our environment. They also help to provide a sense of place and community identity. In recent years, both individuals and communities have become increasingly interested in historic heritage, recognising the need to conserve historic heritage places so that their heritage values can be passed on to future generations.

Another important factor in why baby boomers and the current generation are becoming more interested in heritage is in part due to a developing maturity in the Australian community as a whole. We are no longer so closely tied to the apron strings of the "mother country". For those children whose parents are part of the post war migratory boom, there are not real strong ties to any other place except Australia. For post war migrants, Australia presented a new hope and new prosperity. The ties these groups had to their home lands were very few. They were, in the vast majority, working class people who could not afford to return to their home countries. There are many baby boomers who know only Australia as their home; they may not have experienced in any great depth their parents' home country and certainly English traditions mean very little to them.

The Tasmanian community's connection to place is particularly strong. Our heritage is a vital part of what makes the Tasmanian lifestyle so special and it is an integral element of the Tasmania Brand. Our historic heritage is integral to the State's tourism industry both in terms of attracting visitors to Tasmania and enhancing visitor experience. Primary marketing campaigns conducted by Tourism Tasmania highlight the State's historic heritage in its many forms. The on-ground visitor experience is supported by touring routes, trails and individual businesses and attractions that have their foundations in historic heritage. Increasingly, visitors are seeking to engage and connect with people and place.

An increased focus on strategy and priority, as well as an increased mandate for accountability in terms of producing outcomes has also been apparent in recent times. Development pressures, the economic environment, the emerging trend of establishing thresholds for assessment and management of historic heritage across the three tiers of government all influence the conservation of historic heritage.

The heritage sector is largely reliant on volunteers, particularly those that are retired. Recent demographic trends in Tasmania have seen an increase in the number of people relocating to the State, particularly self-funded retirees and people from metropolitan cities looking for a sea change. The recent changes in demographics may therefore impact upon the level of participation in the heritage sector in the future, as well as the level of interest in the State's heritage.

There has also been an increasing focus on best practice in heritage conservation in recent times. The conservation practices that will last the test of time and provide benefits to future generations are however costly. New conservation practices and technological advances are costly, especially where conservation aims to address compromised structural integrity. Conservation works are also incredibly labour intensive and where expertise cannot be sourced locally, interstate expertise needs to be sourced which again is costly but highlights the limitations of who is available to provide such expertise and skills.

Given the significant proportion of heritage in Tasmania, the State is well positioned to play a significant role in historic heritage workforce development including skills development in specialist trades and professional development, and to provide an academic and practical centre of excellence in heritage conservation skills, knowledge, and disciplines for the training and employment of cultural heritage practitioners.

It is also important to note that the definition of heritage is expanding beyond the fabric to include cultural activities, with a range of cultural heritage activities now sitting alongside historic heritage.

Other pressures and emerging trends influencing the conservation of historic heritage include community dissatisfaction with planning system outcomes, placing increasing pressure on heritage processes to become the social tool that prevents environmental change/development.

There is also a community perception that owning a heritage property is in itself problematic due to the maintenance problems associated with 'old' places and the development restrictions placed on heritage properties, as well as the high costs of both works and approvals. In urban areas the value of land has increased to the extent that many heritage places are considered to fall short of achieving the investment return that a new development could achieve. Only with the recent real estate boom has this become a widespread problem in Tasmania. The real estate boom has seen an influx of mainland investors purchase heritage properties and commence alterations. This has placed demands on the building sector and the government's regulatory bodies (i.e. planners and heritage advisors) which could not be properly serviced by the existing private and public sectors. There is evidently a shortage of expertise in the area of building conservation. Similarly, at the local government level there is a need for a greater skill base for dealing with heritage issues in planning and in the works approval areas.

In regard to environmental trends, adaptive re-use provides many environmental benefits that lessen the impact on the environment and limits the need to draw on new resources and building materials. This can help to reduce the cost of development, enhance heritage values and provide a direct benefit to the environment itself.

Summary

The main emerging trends which offer potential new approaches to heritage conservation are:

- Society increasingly interested in history;
- Historic heritage continues to be one of Tasmania's core visitor appeals;
- Heritage and environmental issues becoming increasingly intertwined;
- Heritage sector largely reliant on volunteers;

- Focus on best contemporary practice in heritage conservation, but this can be costly and resource intensive;
- Potential role of the State in historic heritage workforce development, academia, professional development and the trades; and
- Definition of heritage is expanding.

(vi) Possible policy and program approaches for managing the conservation of historic heritage places and competing objectives and interests

Australia still lacks a national policy that unites the Australian Government, State and Territory and Local Governments in an agreed heritage places management and protection regime. There are gaps in the existing protection framework and efforts are duplicated across the three tiers of government. This unnecessary duplication results in both difficulties and inefficiencies in terms of intergovernmental uncertainty over historic heritage jurisdiction.

The Tasmanian Government supports the use of a tiered heritage system as a means of ensuring the appropriate recognition, protection and conservation of historic heritage. To improve the way in which historic heritage places are managed and protected by all levels of government and the community at large, however, a strategic approach that has each level of government taking the lead in their area of expertise and engaging with the “community” at that level is required. To achieve this objective, there needs to be greater clarity and consistency in regard to the role the three tiers of government play in historic heritage conservation, and a clearer and better understanding of the match between responsibility for historic heritage and funding.

With the proclamation of the *Environmental Planning and Biodiversity Conservation Act*, the Commonwealth government has taken unto itself a measure of responsibility for decisions on activities or actions that would impact on National heritage values. Nevertheless under the Constitution the States are largely responsible for land use, land management and development control. The States (and local government) have the institutions and processes that give effect to their responsibilities for land use management and development control.

There is therefore a disconnection between the levels of government making the decisions and the level of government responsible for implementation. The EPBC Act has provisions for bilateral agreements to accredit use of State planning systems for assessment of major developments. This however only applies to the assessment and not the decision and only in respect of major assessments (level 1 or 2 assessments under the Tasmanian Resource Management and Planning System).

The constitutional responsibilities need to be recognised but in this context there needs to be better alignment between the decision making responsibility and resourcing of the planning and management functions.

A commitment to encouraging the taking of responsibility at the appropriate level for historic heritage and to addressing the duplication of effort across all tiers of government by, for example, separating out places of local significance from State Heritage Registers, is therefore needed. A consistent legislative and policy framework nationwide, particularly in

the area of assessment criteria, would also assist in providing an enhanced conservation regime for all places of heritage significance in Australia.

The issue of better integration of heritage issues within the land use planning framework also requires consideration. There is a need for better integration and a number of related improvements. There is a need for better integration between "listing" heritage properties and decision making when it comes to planning decisions by planning authorities (i.e. councils). A clear hierarchy of responsibility, with the Australian Government responsible for matters of national significance, the States responsible for matters of State significance and Local Government responsible for matters of local significance, might therefore be desirable. This hierarchy needs to take account of the constitutional and institutional realities. It will need to be implemented by accreditation of systems and plans, delegation of decision making authority and provision of resources to make the system work.

In considering possible policy and program approaches for managing historic heritage, opportunities to move beyond traditional regulatory approaches to community partnerships need to be explored. Communities need to become involved in decision-making at the local level as the heritage places we want to conserve and pass on to future generations are an expression of our values as a community.

Mechanisms that better recognise and consider the costs and benefits of "heritage protection" would also be beneficial. There is a public good benefit from "heritage protection" and the costs of this should be better spread across the community rather than falling primarily on the owner. It is important to recognise, however, that both the benefits and costs associated with the conservation of historic heritage transcend generations.

Improved mechanisms for establishing priorities for heritage significance are also desirable, particularly in Tasmania where there is so much built and other heritage.

There is also a need to move the emphasis in heritage protection away from simply 'old' houses so as to give much more emphasis to places and landscapes. Legislative protection from destruction or amendment alone is not sufficient, rather what is needed is more focus on and more funding for the preservation and interpretation of the best of our heritage. There is a need for more focus on "outcomes" and less on processes.

Opportunities for collaborative efforts, strategic alliances and partnerships in heritage conservation should also be further explored, including opportunities for increasing regional partnerships that encourage and support economic development, as part of an integrated approach to heritage conservation.

Summary

The tiered approach to heritage protection and conservation is strongly supported, however, whilst recognising the constitutional and institutional realities there is a need for greater clarity and consistency in the role each tier of government plays, and a commitment to providing resources.

E. Conclusion

Historic heritage is a critical and vital feature of Tasmania's identity, image and brand. It is a legacy of previous generations protected for current generations of local and visitors alike to enjoy, value, understand and then pass on to future generations.

The value, age, diversity and range of heritage places, streetscapes, precincts, townships, landscapes and regions are outstanding features and opportunities for our State, but they also represent some considerable costs and imposts that are not easily borne.

While the social benefits are not so easy to demonstrate they are apparent in the value and importance the community places on our heritage. This inquiry has clearly demonstrated the need for us to determine how we can better articulate these benefits in the future.

The economic benefits are more apparent and more readily measured in Tasmania than some places. Tourism provides some answers and solutions, but profitability remains an issue and the market cannot always respond effectively.

Increased focus is needed on the end user of our efforts, heritage owners and managers. Protection via listing is a useful mechanism, but unless owners feel engaged, valued and supported these efforts will be in vain. Greater incentives and support mechanisms are also needed.

The Tasmanian experience is one where heritage, tourism local government and the sector are making huge and leading strides forward in the ways we can work together in partnership to develop integrated and innovative solutions, systems and approaches.

A tiered and integrated system of heritage management is supported. The framework to support such a system is now in place, but there is much that needs to be done before the true benefits of such a fine effort will be able to be realised across this fine country.