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

The Haberfield Association represents the interests of the Nationally significant suburb of Haberfield in inner-western Sydney.

Haberfield has long been recognised as a suburb of heritage significance to NSW, and Australia. Listed as an Urban Conservation Area by the National Trust of Australia in 1978, the whole suburb was recognised as a Conservation Area in 1986, It was entered onto the Register of the National Estate in 1990.

Haberfeld is Australia's first successful planned suburb embodying the *Garden Suburb* principles. Initially conceived and developed by Richard Stanton, the statutory conservation area also contains a number of other Estates following similar planning principles. The post code 2045, being today's Haberfield, is the same as the original land grant to Nicholas Bayly in 1803.

Haberfield has historic, social, technical and aesthetic significance at a national level_ Historic significance as the first successfully comprehensively planned and marketed Garden Suburb in Australia. Its subdivision layout and tree lined streets, its pattern of separate houses on individual lots (the antithesis of the unhealthy crowded inner city of the period), and its buildings and materials, clearly illustrate the Garden Suburb and town planning management principals.

Haberfield is significant in the history of Australian domestic architecture for its fine ensemble of modest Federation houses and their fences, and the shops, most with their decorative elements intact. The form, materials, scale and setbacks of the building and their landscaped gardens fronting tree lined streets together provide mature streetscapes of aesthetic appeal.

[adapted from Ashfield Municipal Council *Haberfeld Heritage Conservation Area Development Control Plan 19951*

Comments on the Draft Report

In the context of classification of properties (**Section 8.3 pp 182-183**), the categorisation off properties into these groups *is* limited by context and location, and by the different perceptions of people, especially owners. In Haberfield, most properties belong to the first group being full brick dwellings with tile or slate roofs, especially in comparison with properties closer to the centre of Sydney. However individual owners may perceive they may belong to the second group, especially when they want to expand their dwellings significantly beyond their original size. People who have recently arrived in the suburb, may see larger blocks but not understand the heritage significance of these relatively modest dwellings within the garden context. As *a* result, they may try to subvert the overall Heritage impact by inappropriate development applications.

Entering into conservation agreement with individual owners (**Chapter 9**) will not work in a Heritage Precinct because it could result in the Heritage Area losing its heritage values. For example, inappropriate development of a number of properties in a street would remove the heritage significance of the streetscape. It would be open to bribery by developers on adjacent properties, to remove the heritage significance of an area.

Voluntary listing of Heritage properties (**Overview p XXIV Box 1, and p XXV, second paragraph**) does not work, because owners will be frightened by the cost of and, thus the resale value, of implementing heritage conservation. Other owners in an area, in reality, are being treated differently.

A Heritage Item in an area should have the cost of abnormal maintenance funded by the level of Government which controls it i.e. Local Government and its ratepayers, State government and its residents. Abnormal costs include the maintenance and replacement of the fabric of a building which is significantly greater than that of a normal building of its type e.g. a house with a slate roof which is State heritage listed. The owner should be obliged to pay the cost of maintenance for a tile roof and subsidised for the additional cost of maintaining the slate roof. This would maintain the original fabric to a standard which preserves the property's heritage value.

Section 7.5. This Recommendation is unreasonably weak. There is only an obligation report on the cost of conserving and/or maintaining items. There is no requirement that statutory bodies actually be required to conserve and maintain such items. It must be strengthened to require that statutory bodies be obliged to make all reasonable efforts to conserve and maintain items, and not allow them to be demolished by neglect.

Draft Recommendation 9.6 deals with the processing of Development Applications and suggests that the submission of a Development Application could be used to trigger an assessment, of the necessity of the existing 'package' of restrictions and concessions.

Currently, Local Government has time limits imposed upon it, within which Development Applications must be assessed. If these time limits are exceeded, the Developer has the option to take their case to the State Planning Department for assessment. Negotiating an existing 'package' seems certain to increase the frequency that this option can be exercised. (In New South Wales, the State Planning Minister, announced on 24 February 2006, his intention to intervene in more cases where Councils have not been granting consent quickly enough.)

Negotiation of 'additional' levels of conservation (**Section 8.3, pp 185-186**) could, feasibly, be dealt with on a case-by-case basis. However dealing with each one 'from scratch' will only add to the cost of such negotiation. To be workable, this process must be streamlined. This could be simplified if Consent Authorities publish guidelines of their criteria for assessing levels of heritage conservation. This would allow Developers to submit applications which will be subject to less, costly negotiation.

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President