

Conservation of Australia's Historic Heritage Places

Submission Paper

A Local Government Perspective

Introduction

Located on the edge of Perth's CBD the Town of Vincent has a rich and diverse heritage demonstrated within its built and natural environment. The Town employs two full-time Heritage Officers within the Section of Planning, Building and Heritage Services to provide an effective service in statutory and strategic heritage planning and to provide advice on the management of the Town's heritage assets. This submission seeks to address some of the central issues of the inquiry by drawing on case studies within The Town of Vincent jurisdiction.

1) What is the rationale for government involvement in historic heritage conservation and what principles should guide that involvement?

The Government certainly has a central role and expected responsibility in the conservation of the nation's heritage. The extent and type of involvement however varies with interpretation and should not be viewed in isolation or in competition with private responsibility. Such comparisons between government and private responsibility are counterproductive, doing little to improve attitudes and directing resources to historic heritage conservation. Throughout the paper local government heritage management is given scant attention and is viewed largely in isolation from state and national heritage management. This is considered disconcerting given that the overwhelming majority of heritage places are listed at the local government level. Managing the nation's heritage assets demands the co-operation of government and private sector involvement and equal consideration of local, state and national perspectives.

Under the Western Australian Heritage Act 1990 every local government is to establish and maintain a Municipal Heritage Inventory. This inventory is inclusive of places that are considered to be of cultural significance to the local community. The inventory is utilised at the discretion of the local government authority. The Town of Vincent's Municipal Heritage Inventory is linked to the Town Planning Scheme and is currently under review. Within the existing Municipal Heritage Inventory document, approximately 200 places are listed, in which half of these are private dwellings. These properties are managed both through the involvement of the local government and input from the state government, if the place is also on the State Register, and the private land owner.

The Town of Vincent's Town Planning Scheme and associated policies, heritage incentives programs, together with the readily available advice on heritage matters provided by the Town to the owner, clearly demonstrate the strong commitment that is made by local government in managing its heritage assets and the efforts to positively engage the private owner in the management of the properties. In order for

good conservation practices to be achieved both government and private involvement is required.

This private and public dual responsibility is easily transcribed to a state and federal level. Here again, the conservation of a heritage place should account for government and private involvement in various forms such as providing professional heritage advice on management options and financial and non-financial initiatives.

Within the discussion of local government the paper asserts that issues surrounding individual property rights and the potential for conflict between private owner's rights and historic heritage conservation objectives are heightened at a local government level. In some instances, this may well be the case, however again it should not be seen as just an issue for local government authorities and locally listed heritage properties. This issue concerning 'individual property rights' should be a priority in improving heritage management and needs to be addressed at all levels of government in order to improve the overall management of privately owned heritage listed properties.

At a local government level it is certainly not uncommon that people wish to have their places removed from 'heritage lists', viewing it as a breach of their individual property rights and perceiving that they can make no changes to 'their' property. The Town of Vincent is certainly very proactive in providing advice, generating community awareness as well as offering incentives for heritage property owners to alleviate such concerns. However for such attitudes to be overcome all three levels of governments need to be actively involved and seeking solutions.

Although the paper dismisses natural and Indigenous heritage as not part of the scope of this inquiry, examples can certainly be drawn from the management of the different types of heritage. For instance community attitudes to the conservation of natural heritage are much more in tune with the idea of long term conservation for 'future generations' than is the case for Australia's built heritage. Alleviating this short sighted and individualistic approach to 'property rights' concerning private dwellings could benefit from promoting a similar approach to the built environment and allocating greater resources to do so.

One further point made in the paper in relation to local government is that, *'heritage objectives may be confused with general planning issues. For example, heritage protection of a place may be invoked to protect aesthetic appeal or amenities of an area.'* Such a statement undermines good heritage management practice conducted at a local government level. Similar to state and federal heritage practice, local government also follows nationally recognised standard procedures in the assessment and management of heritage places.

Local governments could in fact be considered advanced by incorporating heritage matters within Town Planning Schemes in order to create a more realistic and transparent approach to the management of heritage assets. The Town of Vincent actively incorporates heritage into its overall strategic plans and local planning strategies which certainly provide the opportunity to create appropriate guidelines and policies to assist in the protection of the Town's heritage assets. It also creates the opportunity to effectively balance infill development pressures with conservation

values in order to successfully achieve a sustainable approach to planning and development.

2) How does the policy framework for historic heritage conservation currently operate and what are its strengths and weaknesses?

It is evident that the policy framework for historic heritage conservation operates differently across the three tiers of government as well as between the different states and territories and various local government jurisdictions. Whilst the assessment criteria based on the principles of the Burra Charter is comparable, the application of this varies widely.

It is stated in the paper that *'the identification of historic heritage places can be subjective and that governments have sought to reduce the degree of subjectivity by formally recognising, through listing, those places considered to have particular historic worth'*. It could be strongly argued that the identification of heritage places is subjective and that formalising a place on a heritage list does not in itself objectify the assessment. Whilst assessment criteria for identifying places of cultural heritage significance are relatively standard across Australia the degrees of cultural significance and identifying thresholds needs to be better understood at all three levels of government. Furthermore as the paper suggests, greater efforts are required to further develop an overarching policy framework and that the roles and responsibilities of each level of government are to be clearer, appropriate and mutually supportive.

The Heritage Council of Western Australia has recently completed a series of workshops as a move towards creating 'common standards' and guidance documents, which would indeed assist in creating greater consistency across the different local government jurisdictions within Western Australia. Such an approach however will only succeed if consistency and active support is received from state and national heritage bodies respectively.

With the adoption of a new national heritage system in January 2004, including a more rigorous assessment of places of national significance, it has become apparent that this approach should be replicated at the state and local government levels respectively. Each level of government needs to be accountable for the assessment and heritage management procedures in which they choose to adopt.

The importance of accountability has recently been demonstrated at the Town of Vincent, whereby a place was entered permanently on the State Register in December 2001. Just four years later in the event of a development application to demolish the place and redevelop the site, the Town was advised by the Heritage Council of Western Australia that demolition should be approved. Whilst the Town of Vincent enjoys a good working relationship with the state heritage authority, disappointingly in this situation no specific reason was provided as to why demolition should be approved.

It is widely acknowledged that in order for a place to be removed from a heritage list, whether local, state or federal it needs to be demonstrated conclusively that the existing assessment of its cultural heritage significance was erroneous or that it has

subsequently lost this significance. Furthermore the condition of the place is not a factor that can be used to alter the statement of significance. Without confirmation to the loss of cultural heritage significance associated with the place, the local government authority is left in a difficult situation by being responsible to the state government, the owner and other interested parties within the community as well as meeting the Town of Vincent heritage policies and the statutory implications of the Town's Municipal Heritage Inventory.

As the place is currently listed on the Town of Vincent's Municipal Heritage Inventory it is linked to the Town Planning Scheme and considered worthy of retention and conservation. Adhering to these statutory requirements, demolition of the place would not be recommended by the Town's Officers. However, the fact that the state body has given the go ahead to demolish the place raises questions to the degree to which the Town should be acting in line with the higher authority.

Such an example reiterates the importance of establishing common and transparent policy frameworks for historic heritage conservation. It also highlights that the roles and responsibilities of each level of government in dealing with heritage issues should be clear, appropriate and mutually supportive and that thresholds for meeting entry into the heritage lists at each level of government needs to be carefully understood and communicated between the three levels of government.

Conclusion

In light of the above, it is clear that local government plays a key and very active role in the conservation of the nation's cultural heritage. The fact that the majority of heritage places are listed on local government registers further highlights the importance of directing greater resources towards heritage management at this level of government and recognising that heritage at a local government level is equally important and inherently connected to the assessment and management of heritage at the state and federal levels respectively.