

ACT Heritage Council Submission – Proposed Australian Heritage Strategy

The ACT Heritage Council warmly welcomes this proposed strategy. It is an important and timely initiative.

In responding to the public consultation paper, the ACT Heritage Council has focused on a few targetted outcomes that would be appropriate for a national strategy but would also help the heritage of the ACT. These outcomes are provided below.

The Australian Heritage Strategy should:

- promote and facilitate national coordination and cooperation;
- promote an integrated, comprehensive and up to date listing of the ACT's heritage across all planning systems to provide the community and business sectors with a single, web-based reference point. The strategy should also promote a national database to enable cross-jurisdictional research and understanding;
- provide for a coordinated national program of research to respond to common heritage issues facing more than a single jurisdiction, including methodological and technical conservation issues, as well as issues regarding knowledge about heritage (eg. thematic studies);
- promote best practice heritage legislation and administration (eg. regarding development applications);
- provide effective national monitoring and reporting of identification, protection, conservation and interpretation activities, with clear feedback links to government heritage policies and programs;
- support heritage training based on a review of existing activities and needs, and such support should be guided by a national strategic framework;
- support heritage studies (eg. CMPs) including, where appropriate, shared support;
- support physical conservation works (including technical advice and funding support) through a package of targeted measures, based on a review of the private/public benefits, costs, need and capacity; and
- support the interpretation of Australia's heritage places, based on a review of current activities and desired outcomes, and based on a national strategic framework.

In the case of support for conservation works, a relevant extract from the 2010 review of the ACT Heritage Act is provided below. The recommendations made in that report are broadly relevant to a national strategy, including the respective roles of the Commonwealth and other jurisdictions.

Extract from the Review of the ACT Heritage Act

Support for private conservation efforts

One of the major unresolved issues in Australian heritage conservation is the nature and level of support provided by governments for the conservation of heritage places, especially those in private hands and the non-government sector.

The basis of the problem is the imbalance in the conservation burden between governments and the private and non-government sector. This problem was clearly articulated in 2004 by a taskforce which reported to the Environment Protection and Heritage Council, a ministerial council established by the Council of Australian Governments.

‘Heritage listing and heritage protection is ultimately a ‘public good’ driven by the broader community. As such there is a strong expectation in the community that all levels of government should accept a significant part of the responsibility to ensure that places of heritage value are conserved. That expectation extends not only to the regulatory side of listing and protection, but also to financial aid and assistance.

In an environment with limited resources, regulation may appear attractive because it appears relatively ‘cost free’. Governments can simply ‘require someone to do something’. That may be the reason that regulation has traditionally been the predominant conservation tool in some countries, including Australia.

However, an effective heritage system is founded on a balance of ‘sticks and carrots’. The lack of a meaningful level of ‘carrots’ undermines support from property owners for the system, makes regulation more difficult, and misses opportunities for garnering private investment.’ (National Incentives Taskforce for the Environment Protection and Heritage Council 2004, p. 3)

This view was supported in the submissions made to a major Productivity Commission inquiry into historic heritage,

‘In general, the submissions can be summarised as arguing that the key issue impacting on heritage conservation is lack of funding at all levels:

- failure of governments to consistently resource heritage conservation, education and promotion programs impacts particularly at local level;
- huge in-balance between monies for natural and cultural environments;
- heritage conservation relies too heavily on the ‘stick’ (regulation), and too little on the ‘carrot’ (incentives).’ (Wood 2007, p. 69)

Several submissions to the review supported the idea of greater assistance being provided to the owners of heritage places – financial and/or technical assistance (R Griffiths – HAS15, Godden Mackay Logan – HAS16, National Trust of Australia (ACT) – HAS17, and G & L Carter – HAS29).

The problem has been recognised and articulated, and possible measures to address it have been identified (see for example National Incentives Taskforce for the Environment Protection and Heritage Council 2004). Apart from a response by governments, what is potentially lacking is development of the:

- framework of financial ‘carrots’ appropriate for the different situations – for example commercial properties, private non-commercial properties and non-government properties may be best supported by different mechanisms such as loans, tax rebates and grants;
- relative levels of support that might be warranted, in recognition of the relative private and public benefits – commercial properties might attract a lower proportion of support compared to non-government properties such as those held by community organisations;

- the balance of financial and other support that might be offered – in some categories technical assistance may be more appropriate than financial help; and
- a rationale for the nature and level of support provided by the different levels of government (Commonwealth, State/Territory and local) – in recognition of the often shared responsibility for Australia's heritage.

While the ACT Government can perhaps not achieve all these elements on its own (eg. tax rebates), it may be able to press for timely progress and otherwise lend support.

Recommendation 23. The Heritage Council should develop a discussion paper with a framework of financial incentives and other support for the range of relevant situations with heritage places in the ACT. This should include:

- *consideration of the range of suitable mechanisms (eg. loans, rate reductions, tax rebates and grants);*
- *the relative levels of incentive or support that might be warranted in recognition of the differing private and public benefits; and*
- *the balance of financial and other support that might be offered (eg. technical assistance).*

Included in this paper should be consideration of the future role and funding level for the ACT Heritage Grants Program, including the full potential role of the program in supporting such things as research, studies and community activities.

Consideration should be given to releasing the discussion paper for public comment.

Recommendation 24. The Minister for the Arts & Heritage should consider using the Environment Protection and Heritage Council as the means to advance achievement of the framework of financial incentives and other support, especially for any elements requiring Commonwealth action. The Minister should also press for the development of a rationale for the nature and level of support provided by the different levels of government (Commonwealth, State/Territory and local) – in recognition of the often shared responsibility for Australia's heritage.

(Marshall 2010, pp. 38-39)

