

15 June 2012



**Australian Institute of Architects**

Australian Heritage Strategy Project Team  
Heritage Strategies  
Heritage and Wildlife Division  
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Dear Australian Heritage Strategy Project Team

**Australian Heritage Strategy Public Consultation Paper – April 2012**

The Institute is pleased to provide response to the Department on this important issue.

The Institute seeks to advance the professional development of the architectural profession and highlight the positive benefits of good design in addressing the concerns of the community in relation to sustainability, quality of life, heritage, and protection of the environment.

It represents the profession on numerous national and state industry and government bodies, advising on issues of interest to the architectural profession, other building professionals and the construction industry.

The Institute is an acknowledged recorder of noteworthy heritage places and accepts 'The Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance' as the guiding principle for architectural heritage preservation.

It maintains, at a National level as well as in each State or Territory Chapter, a Register of Significant 20th Century Architecture. These registers, although not statutory registers, are widely consulted.

We have responded to the issues raised in the Public Consultation Paper broadly, rather than respond directly to the questions posed. Our response is on the following pages.

Yours sincerely

David Parken  
CEO

## **Australian Institute of Architects response to Australian Heritage Strategy Public Consultation Paper.**

The Institute has responded broadly to the issues raised in the Public Consultation Paper, rather than directly to each of the questions posed.

### **1.0 Heritage is valuable**

1.1 Heritage is intrinsically valuable. Communities throughout the world have felt it important to preserve for 'posterity' what may be beyond immediate efficient economic use. The Institute considers there is no doubt that heritage places, including buildings, have value and are valued by the community and contribute significantly to a richer understanding of who we are and where we have come from.

1.2 The question will always be "at what cost?", because for the most part, heritage becomes at issue when a heritage place or part of it is under threat. The threat arises because the economic or community value is no longer at its past value, or there is a proposal to use the place for greater economic or social value.

### **2.0 Adaptive re-use and sustainability**

2.1 The Institute is in no doubt that what is termed "adaptive re-use" is the economically efficient means of preserving heritage places. Preserving a place as a museum is in fact an adaptive re-use. There are also numerous examples of economically successful adaptive re-use projects where the new use is unlike the original, yet the notable (valuable) features of the place or building are preserved.

2.2 Adaptive re-use is also of significance for sustainability when embodied energy in the materials and the construction of buildings is accounted for. It is increasingly being recognized that measuring energy efficiency should take account of the energy used in construction as a whole-of-life consideration. Adaptive re-use of valuable heritage therefore has significance in the built environment's contribution to energy saving. Other resources are also saved if the structure of a building can be retained rather than demolished, as it takes energy to demolish a structure and the materials are frequently wasted rather than recycled.

### **3.0 Lists or registers of heritage places subject to legislative control**

3.1 The purpose of registers or lists or inventories is to have identified in advance the heritage value of a particular place in anticipation of economic, or sometimes social pressures, which may threaten it. The Institute's register is aimed at identifying architectural merit and works that were intended to improve the quality of the built environment.

3.2 Lists that are most effective are obviously those that provide statutory or quasi-statutory protection. They include the National Heritage List, the Commonwealth Heritage List and the State and Territory Heritage Registers and individual Government Agency Heritage and Conservation Registers, but also lists, zones, overlays, or places incorporated by local authorities under planning schemes. Other lists maintained by independent bodies such as the Institute and the National Trust, are important but at best influential. In NSW, for example, the register of 20<sup>th</sup> Century architecture compiled by the Institute is regularly used as a basis for reviewing the schedules of items of environmental heritage in Local Environmental Plans.

- 3.3 Lists providing statutory and quasi-statutory protection can only be effective if they truly identify in advance a place's heritage value. Self-evidently, if a place is not (yet) on a protective list, it is not protected.
- 3.4 The major failing of the heritage system is not the structure of the system by which constraints protect heritage places, but where there is a backlog of places awaiting assessment for heritage lists or registers. This is a resourcing issue. The Institute's members report that this is of varying impact between the States and Territories, but is of significance, particularly where places such as buildings from the past 20 to 50 years have been determined to be significant. Our members suggest resourcing difficulty is most obvious at local government planning scheme level in updating local government planning instruments. The Institute agrees that Australia is at risk of having a "*multiplicity of uncoordinated lists that do not provide a coherent manifest of Australian heritage places*"<sup>1</sup>

#### **4.0 Nationally harmonized criteria listing**

- 4.1 As for any conservation of something that exists, there will be argument over what criteria apply, and this is inevitably, in the broad sense, political. However, effective heritage protection is less efficient where there are disparate measures of value and /or methodology of assessment at national, state and territory borders, and at a local level.
- 4.2 For the development industry who may be proposing removal of heritage places, and for those seeking to preserve them, consistency makes sense.
- 4.3 Discrepancies can and do arise in whether a particular quality is described at all pointing to the need for consistency in the criteria themselves. Then there is the problem of different terminology describing essentially the same quality. Argument over what the terminology means costs money on both sides of the question, whether in legal costs or other consultancy costs. Ultimately, the community as a whole pays the price of confusion.
- 4.4 Harmonization is not a new revelation in the heritage sphere, but is long overdue. While progress has been made, the Institute calls on the Commonwealth Government to take leadership in promoting equivalence across the states and territories, using the criteria and methodology of the Australian Heritage Council so that the task can be completed. The difference in terminology equivalence is illustrated by the example of the National Heritage List requiring a place to have 'outstanding' heritage value, and state/territory criteria being either 'outstanding' or 'significant'.

#### **5.0 Community participation**

- 5.1 Community participation in listing is important and needs to continue, to avoid the listing of places only of interest to groups focused on particular interests, such as buildings of a certain period, or engineering structures such as bridges, to the exclusion of other heritage places that are of community value. There is a balance to be achieved where participation in community based listing is too diverse to enable agreement, and greater acceptance of listing that may flow from broader participation in consultation.

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<sup>1</sup> Associate Professor Dr Don Garden at p11 of his commissioned essay for the Australian Heritage Strategy Public Discussion paper

- 5.2 Community participation and the acceptance of protection is essential because heritage preservation often must be paid for, and often by the community through the public purse. Contribution associated with development based change, or adaptive re-use, is not always applicable.
- 5.3 In these situations where there is private ownership, the Institute acknowledges that funding preservation of listed places with government assistance is an ongoing and vexed issue. We note that the 2006 Productivity Commission report on Heritage floated the option of taxation incentives for preservation as a funding method. The Institute suggests this be tried as an alternative to direct funding, acknowledging the critical importance of proper administration including stringent safeguards against abuse.

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June 2012