

The Secretary  
 Legislative Council Sessional Committee Government Administration B  
 Heritage Tourism Sub-Committee  
 Parliament of Tasmania

27 February 2015

### **Submission: Built Heritage Tourism in Tasmania**

This is a joint submission to the inquiry made by:

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We are two past senior employees of the Heritage Council who were intimately involved with the introduction of the Historic Cultural Heritage Act (part of the resource management and planning system suite of legislation introduced in the mid-1990s) and the establishment of the Tasmanian Heritage Council. We were instrumental in creating the Tasmanian Heritage Register and together and individually have presided over many hundreds of works applications for heritage places. Relevant to this submission, Dr Tucker was then and still is a qualified town planner and CPA accountant, while Mr Corney was then and still is a registered architect. Mr Corney continues a private practise as a heritage architect.

We would be pleased to appear in person before the Committee if required and have no objection to this submission being publicly released, including being published on the Committee's website.

### **Terms of Reference**

#### *1. The current and future potential contribution that built heritage makes to tourism in Tasmania*

A perusal of state heritage registers reveals that Tasmania has more European built heritage sites and places than the rest of the country put together. (And there are still many thousands of places of heritage significance in Tasmania that are yet to be registered on either state or local registers.) These riches reflect Tasmania's early European settlement, its beginnings as a penal colony and the relative lack of development pressure during the 20<sup>th</sup> century which saw many 19<sup>th</sup> century places lost in the more populous states, particularly NSW.

The popular, simplistic perception of Tasmania by non-Tasmanians is that the state is a cross between a museum and a national park. Although we who live here know Tasmania is much more, these twin factors – built heritage and natural heritage – drive Tasmania's appeal for visitors and should be exploited to the maximum while protecting the asset base.

Therefore, in our minds there is no question that Tasmania's built heritage is a major, if not *the* major, tourism drawcard for the state. It is Tasmania's key competitive advantage. The Tasmanian Visitor Surveys consistently show that attractions based around built heritage, such as galleries, historic homes, historic sites and museums draw more visitors than bush walking, camping and other

outdoor pursuits. This is not to play down the importance of the natural environment in attracting tourists; rather to point out that the built environment plays at least an equal role but receives only a fraction of the political interest and funding. Compare the amount of money built heritage receives in Tasmania (practically none) to the millions of dollars committed by the state and federal governments to national parks, WHAs, conservation organisations and projects, and so on.

In fact we are concerned that built heritage is often seen as an impediment to development, something to be fought against or side-stepped. Our experience has convinced us that the economic benefits of built heritage - particularly to tourism - are grossly undervalued, underfunded and underestimated by our politicians, bureaucrats, investors in the tourism industry, the media and many in the general public.

## *2. The role of Government*

The government has two main opportunities to maximise the tourism potential of the built heritage assets : one is to streamline and reform the way the heritage conservation is administered in the state; the other is in the way it funds heritage conservation.

*Administration.* The two main administrators in the heritage conservation arena are the state government's authority, Heritage Tasmania which administers the Historic Cultural Heritage Act and provides secretarial support to the Heritage Council (THC), and local government. Our view is that there is an opportunity for some significant changes in the way these bodies operate and cooperate that would streamline heritage conservation and make it more "user friendly" for owners, including tourism operators. In this way government, broadly, can "value add" to tourism operators' ventures rather than be seen to be a barrier.

A recent improvement has been to allow just one application form to be lodged with local government, merging the THC's heritage works application with the council's development application for a planning permit. However, there are opportunities for further streamlining and simplification. Minor works, although given exemptions by Heritage Tasmania, still require DAs by many planning schemes. The Local Government Act needs to change so DAs are not required for developments where Heritage Tasmania has given an exemption.

Another opportunity for efficiencies presents itself with the rationalisation of the Tasmanian Heritage Register. We understand the THC is currently considering removing about 30% of the places from the Tasmanian Heritage Register because they are of "local" significance rather than "state" significance. We believe this figure should be more like 60%: this is in our view a more realistic approximation of places that do not meet the state threshold.

However, this reclassification of places from "state" to "local" significance should only happen if those places to be removed from the Tasmanian Heritage Register are then added to local council heritage schedules. Councils, quite reasonably, have resisted accepting this process unless they are resourced to do so. Solution: Heritage Tasmania staff should do assessments for local councils (particularly the small local councils that do not carry heritage officers) and at the same time train planning officers in those local councils to eventually be able to do the assessments themselves. This is the broad process most mainland states adopt. It may be that an extra heritage adviser needs to be added to Heritage Tasmania staff.

We strongly believe these two changes alone – exempting minor works altogether from Heritage Tasmania and local government approval; and transfer of development control decisions for the bulk of heritage places to a properly resourced local government – would go a long way to reduce confusion and “red tape” for all developers of heritage places, in particular tourism operators. After all, the tourism operator has a vested interest to protect the heritage values of the place he or she is using for their venture so should appreciate the “one stop shop” approach that we outline here.

There are also administrative benefits to be had in presenting a simpler heritage “face” to the public. The Tasmanian Heritage Council is serviced by Heritage Tasmania (in the same way local councillors are advised by planning officers). Using the two names “Tasmanian Heritage Council” and “Heritage Tasmania” causes unnecessary confusion to the public and is little more than government semantics. Simplify it by scrapping the Heritage Tasmania branding and simply call the government bureaucrats Tasmanian Heritage Council staff, which is exactly what they are. Too many names for heritage bodies crowds the space and causes confusion: there is still the National Trust and the Australian Heritage Commission, to add to the mix; enough to baffle the public without the state government joining the name confusion.

To further streamline administration, we believe there are some changes that should be adopted by planning schemes. For instance, the new suite of planning schemes currently being rolled out is much softer on the consideration of development adjacent to heritage places than was previously the case. The new schemes should deal with adjacent development in a clearer but considered way. Adjacent development should be required to be sensitive to heritage values because, as we see in many instances in Hobart, Burnie, Devonport and Launceston CBDs, the building that is built next door to a heritage place can drastically effect that place’s heritage values.

A related concept is the way heritage streetscapes and landscapes add to Tasmania’s heritage tourism potential. We recommend that planning schemes recognise heritage precincts, which are heritage streetscapes and landscapes that have intrinsic heritage value. This is an important and under-rated concept. After all, in the mind of most tourists (we conjecture) when they think of the built heritage of Tasmania, they think in terms of groups of buildings – Salamanca place, Stanley village, Oatlands main road – not individual places; yet our regime for controlling works is concentrated on single buildings. Insofar as tourism and heritage is concerned, the whole really is greater than the sum of the parts. Therefore we strongly recommend that planning schemes incorporate measures to recognise and protect heritage precincts. Some do it well now, but many fall far short.

*Funding.* Money for the conservation of heritage places is practically non-existent. In recent years both the state and federal governments have scrapped their grants programs. The commonwealth’s National Estate Grants Program folded in the mid 1990’s while the major state carrot to encourage heritage property owners, the Heritage Fund, has not operated for three or four years.

We believe some funding support/incentives are important to promote heritage ownership and management in a positive way, and this would be particularly welcome by the tourism industry.

One option we advise the state government to consider is allocating a percentage from state gambling revenue. We believe a previous government was in favour of creating a state heritage lottery but Federal Hotels canvassed to prevent it. Notwithstanding the politics of gambling, we

firmly believe it is time to look again at this or similar ideas. We note that Western Australia has a system which provides about \$2 million annually towards its state heritage (and WA has a much smaller heritage stock than Tasmania). Other options to consider are state and local government tax incentives, such as rate concessions, stamp duty relief and so on for owners of heritage places.

It is an absolute certainty that Tasmania's stock of heritage assets will continue to crumble and decline. This is a factor of their age – many colonial-built buildings are now 200 years old – so it is inevitable that the building fabric will deteriorate. This deterioration is exacerbated by a persistent lack of maintenance during the twentieth century as some heritage property owners have either lacked the funds or have been unwilling to invest in adequate property maintenance. The state government itself as an owner of many heritage buildings has been chiefly guilty of this and has, in many instances, a poor record of maintaining the heritage values of its buildings.

(We must note here, nonetheless, the significant contribution that many private landholders have made at their own considerable expense to the conservation of Tasmania's heritage. In particular we acknowledge the many rural homesteads of national heritage significance that have been maintained and preserved by their owners.)

There is an adage in heritage conservation that the best way to preserve a heritage place is to find a viable use for it. Tourism offers such an opportunity. We are not suggesting here that hundreds of millions of dollars of government money be put to heritage conservation (although that is probably what is needed to adequately conserve our current stock); rather that the state government has a responsibility to find ways to encourage private property owners including and particularly tourism operators to properly conserve their heritage assets. There needs to be a carrot *and* a stick, but both should be modest and measured.

### *3. The role of tourism organisations*

Comment on this criterion is really beyond our expertise but we do note that built heritage seems to have practically fallen off promotions by Tourism Tasmanian. We are not sure why, given its prominence in why visitors come to Tasmania.

### *4. The role of heritage organisations*

There are three key organisations in Tasmania concerned with the built heritage environment. We maintain each has a valuable role to play, although there needs to be some changes to administration and policy approach with each of them. We have canvassed some of these factors already in this report, and bring those and other observations here together in summary.

- The Tasmanian Heritage Council (THC)

The THC has an important role as heritage “policeman”. Without someone to ensure heritage values are protected, with legislation to back it up, then crude market forces would soon wipe out much of the state's heritage, as has been the experience in other states when development pressure becomes strong enough. However, we use the term “policeman” in its broadest sense, in its old fashioned sense. The THC is not just there to command and control built heritage protection, but also to advise, encourage, educate and cajole when necessary.

In going about its business we believe the THC is most effective when all within it – the councillors and the staff – adopt a problem solving ethos. By looking through this prism, for any given case, the THC should be able to determine not only what is important and what is not, but the best approach to take: the carrot or the stick?

With this focus we believe the THC would be widely seen if not the friend of tourism operators, then not their enemy.

When we refer to the Heritage Council in this submission, we are including Heritage Tasmania. Our experience tells us there is considerable confusion in the community over the roles and powers of the various built heritage organisations. This confusion is not helped by the state having two “brands” in the “market”: the Tasmanian Heritage Council and Heritage Tasmania. The reality is that they are two arms of the one organisations: the THC effectively being the “board” with the legislative authority and Heritage Tasmania being the “executive” or paid secretariat. There simply is no need for the dual branding and it would be much clearer for the public, and much easier for the government, if the Heritage Tasmania staff were simply known as Heritage Council staff or officers. Because that is what they are.

Finally, the THC also has an important role in evaluating and assessing places for further inclusion on the Tasmanian Heritage Register. One estimate is that there remains at least 5,000 places in the state that are worthy of inclusion on either the state or a local heritage register.

- Local councils

Local government has an unavoidable part to play in built heritage conservation because of its role in development control. For any tourism operator the local council will be the first port of call, so we believe the councils should be encouraged to adopt the most streamlined and least bureaucratic approach possible to heritage conservation.

Our view, previously canvassed above, is about 60% of places on the Tasmanian Heritage Register should be removed from THC oversight and transferred to local government registers. Any works to those places would then be considered by councils through their planning, building and plumbing permit process taking heritage values into account. We maintain councils must be properly resourced to do this work, and that THC staff, at least in the short term, should do the heritage assessments for local government. This should not require much more work than presently occurs, as the THC officers would have to do the reports in any event for the THC. At the same time, the THC staff can train local government planning officers in heritage conservation assessment. It may be that the THC needs to employ an additional heritage assessor to properly achieve these outcomes.

Other local government roles recommended by us are canvassed elsewhere and include minor works being exempt from the need for a DA, and the consideration adjacent places and heritage precincts in planning schemes.

- The National Trust

We are not completely familiar with the way the National Trust is conducting itself currently in Tasmania, or the way it manages itself. Historically, there have been occasions when either the

management of the Trust or its public activities have been questioned, sometimes reasonably and sometimes not.

In the past in Tasmania, the National Trust has been given some statutory roles through its list of heritage places being drawn into some planning schemes. Also, some planning schemes have required National Trust input into the development assessment process. With the passing of the Historic Cultural Heritage Act and the creation of the Heritage Council, statutory input by the National Trust has become unnecessary and confusing to the public. We hope that the planning scheme reforms currently underway will remove all requirements for reference or referral to the National Trust.

We believe the broad role of the National Trust should be exactly as stated on its website:

The National Trusts of Australia are community-based, non-government organisations, committed to promoting and conserving Australia's indigenous, natural and historic heritage through its advocacy work and its custodianship of heritage places and objects.

So we believe the Trust has an import role as community advocate for heritage conservation, and for managing the properties it owns. It should be active in promoting heritage conservation policy with government and with business, and in educating the community – including the tourism sector – in heritage conservation values, management and protection.

*5. Any relevant considerations in other jurisdictions*

We have not conducted a review of built heritage tourism in other jurisdictions but encourage the government to carefully examine European examples where built heritage and tourism are successfully integrated.

*6. Any other matters incidental thereto*

We are happy to explain or expand on any of the terms of reference to this inquiry.

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