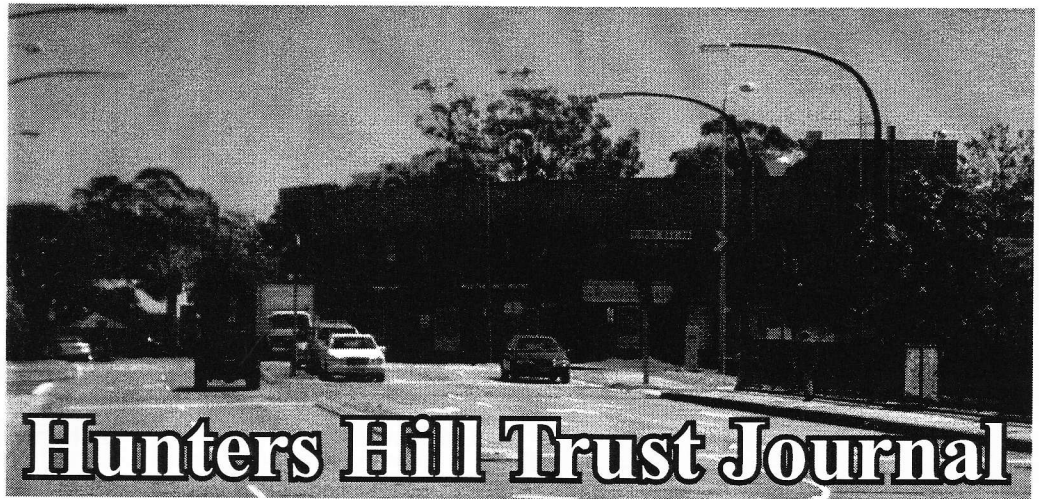




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From the President's Desk

I found myself immersed in a new book "Now: Inside the Lifestyles of the Rich & Tasteful" recently, an examination by writer Andrew West of our affluent society and its competing and absorbing tensions. No sooner was I relating its thesis about "Materialist" and "Culturalist" tendencies to our own community than I came upon a fascinating section on Hunters Hill. In the chapter called Lifestyle and Play, our very own "Mayor Emeritus", Sheila Swain, conducts the author on a tour of the area, complete with wonderfully direct commentary on the attitudes and aspirations of those who live here. Matthew Baird, former resident, Councillor and Trust member, also has a say. You might take the whole thing seriously or not, but the underlying notion of the war between the "Culturalists", with their sense of history, heritage and cultural attainment, and the "Materialists" (no prizes for guessing their interests) is clearly as relevant now as it was at the time the battle for Kelly's Bush was won and that for Pulpit Point lost.

On the broadest front, as you'll see from Tony Coote's piece inside on the Productivity Commission's Report on the Conservation of Australia's Heritage Places, the fight for Heritage values is heating up, unless the Report, as Tony suggests, is consigned to the Minister's bottom drawer. As in the Commission's Draft report, three things stand out as threats: the assumption of sovereign rights of the individual property owner over community interest, the need for cost/benefit analysis to justify heritage listings, and the assertion that heritage listing has a negative impact on property values. It's hard to imagine a more sure-fire way to sell out our future generations.

On the local scene we find ourselves confronted with another Daft Plan & DCP for Hunters Hill Village. As some exasperated locals exclaimed at September's Council Information meeting, it seems amazing that after 10 years and countless plans, committees and working parties, we still seem to be looking at fatally flawed proposals, where several steps forward in amenity and respect for heritage in planning (setback buildings, wider footpaths, and deep plant screenings), are overwhelmed by traffic issues (Ryde Rd, the Bus Stop bottleneck and a likely huge increase in through traffic as a result of the Lane Cove tunnel opening), and the dominant issue of the Hunters Hill Hotel. This property has recently changed hands, and the potential for the owners to apply for an extension to the thoroughly unwanted DA is very real. Trust members should make themselves aware of both the Draft Village Plan, and the current Hotel DA, which lapses on October 20th 2006. It is very important that we ensure Council does not allow the "existing rights" provisions over the Hotel car park (which allowed the Developer huge increase in the Floor Space ratio for building purposes) to be reactivated.

We'd also like to announce a splendid initiative, "Our House" to be held in conjunction with the National Trust. We'd love your support with this, as this is the first time that these "workshops" for homeowners have been presented in the wider community, after successful sessions for "tradies" and professionals. They should be informative and fun, with expert panelists, a relaxed atmosphere, and a chance to catch up with friends. (See P8 for details). Also see our invitation to the Trust's Christmas Party. We need you to be there to make them work, so please book soon.

David Gaunt

The Trust and the Conservation Advisory Panel (CAP)

The Hunters Hill Trust was formed in 1968 response to leaked details of a draft local environment plan (LEP) for the Municipality, which proposed extensive rezoning for unit development. Shortly after it was formed, the Trust made a submission on the draft LEP in which it introduced a new concept in Australian town planning – historic districts.

At the time there was resistance to this idea from people who thought that it would reduce their property values. Some things never change – this is exactly the fear perpetuated by the Productivity Commission's report on into the Conservation of Australia's Historic Heritage Places (see elsewhere in this journal)

The Trust's submission also called for a Foreshore Protection Zone and the establishment of a **Conservation Advisory Panel** to assist Council in assessing DA s, both planning innovations for the time.

What eventually became The Green Book also formed part of the Trust's original submission, which was, in effect, its own draft LEP. The Green Book documented the heritage items in the Hunters Hill Municipality and has subsequently become the basis for the heritage listing (Schedule 6) in Council's LEP. The book has had a life of its own and is now in its fourth edition. The draft LEP and the book were prepared entirely by volunteers, an extraordinary achievement without parallel in the heritage conservation movement.

Much of what the Trust had set out in its draft plan was finally included in the LEP No 1, which was gazetted in 1982 after a very long and often bitter 14 year struggle.

The Conservation Advisory Panel (CAP) was formally established in 1972 and was reconstituted in 1989 under the Environmental Planning and Assessment Act. The Panel provides advice to Council to assist it in the consideration of heritage matters. An important role of the panel is also to provide heritage conservation advice to property owners, applicants and architects contemplating development. Other councils are now setting up similar design review panels.

The appointment of members is voluntary and the Panel has no decision-making power. It consists of the following members:

- An elected Councillor who is the chair;
- Council's Conservation Planner
- A representative of the RAI A appointed by the Institute.
- A representative of the National Trust of Australia appointed by the Trust
- A person nominated by the Hunters Hill Trust with knowledge of the local area.
- Two citizens representatives with appropriate professional qualifications appointed by Council.

At present there are 5 architects and one architecture student on the committee. The Panel meets monthly and deals with 8 to 10 items. Its views are incorporated in the Conservation Planner's reports to Council.

Any architect, builder, owner or developer who is contemplating doing work within Hunters Hill Municipality's conservation areas, to its listed heritage or contributory buildings or any building nominated by the planners or Councillors, will come into contact with CAP.

Dina Temple

Diana Marmion Temple A>M> 1925 – 2006

A number of people reading this journal will have attended the funeral of Diana Temple on Wednesday 13th September. Her daughter Helen gave a rich and evocative eulogy, making Diana's life so vivid to those present.

Diana was born in Kalgoorlie and remained committed to her place of origin throughout her life, maintaining a strong connection with her Marmion family and close friends, and in later life through researching her family tree.

After studying at the University of Western Australia, Diana came to Sydney University in 1947. From here she traveled to England, working as a research chemist in Teddington and Harwell. At Harwell she met Richard Temple, and they were married in 1952. Together they traveled to Washington DC, where Richard took a post at the British Consulate. Helen was born overseas, and she recounted the exotic travels undertaken as a family throughout America and Europe in a Morris Minor.

In 1957 Diana persuaded Richard to move to Sydney, and the Temples came to Hunters Hill and the house at 70 Alexandra Street. Following the completion of her PhD from Sydney University, Diana and Richard's second child Jonathan was born. While Richard played a pivotal role in the creation of the Hunters Hill Trust in the late 60s, Diana focused attention on her family and her work at Sydney University.

She spent many years working in medical science, specializing in respiratory illnesses. She was very active in ANZAAS and a founder of WISNET, supporting generations of women in science and medicine. In 1999 she was awarded an Order of Australia in recognition of this extraordinary contribution.

Western Australia had fostered in her a love of the Australian bush. In younger life the story of her being "lost" in the Blue Mountains was reported in the press, although interpretation differs as to whether it was she who was lost or her fellow walkers. In later life the family went on annual walking expeditions in the Kosciusko National Park. Their holiday home on the south coast, the "brown hut", was built on a block of land she was determined (despite frugal means) to acquire for its natural beauty.

Perhaps the only omission from the reminiscences during her funeral was Diana's role with the Hunters Hill Trust. After years of supporting Richard's contribution, she herself joined the Trust committee, extending her energies and commitment from the natural to the built environment.

When I moved to Hunters Hill in 1989, we had the good fortune to move to a house opposite Richard and Diana. It was only a short time before Diana was urging that I join the Trust committee to support its heritage work. I remember sharing with Diana the short car journey down the street to Vienna Cottage for meetings, laden with the proverbial basket of food and wine to sustain the committee members for the evening.

Dian remained vital, concerned and active in all the activities on which she spent her seemingly endless energy. Her indefatigable nature endured, despite the disabilities of illness, right up to when she passed away. So many said to me "But she just emailed me the other day".

The Trust extends its condolences to Richard, Helen and Jonathan and the close and extraordinary family she nurtured. Her inspiring presence will be remembered and her friendship felt by so many people in so many spheres.

Robyn Christie



The Trust and the Conservation Advisory Panel (CAP)

Considering the very high cost of real estate in the Municipality, it is surprising that much of what comes before CAP is not designed by architects, but by builders, draftsmen or building designers (some of whom illegally refer to themselves as architects). This can be problematic because often there is no common vocabulary for talking about design with people who have no aesthetic training and often do not understand simple concepts. eg integrating the design by the use of similar window proportions.

Often architects, designers and their clients show an astonishing ignorance of the character of the Municipality. Many owners have only just moved into the area, and seem hellbent on destroying the very thing that made them want to move here.

There are also a few architects who cannot accept the idea of criticism of their designs and they can get quite belligerent and aggressive. Some capital A architects do not want to respond to the local streetscape or context but want to create their own unique impact.

As well, there are heritage consultants who are prepared to sell their souls to the highest bidder. There are a couple of names that are always associated with the dodgiest proposals. Even the most respected heritage consultants have been known to throw their principles out the window to support their client's wishes.

We had one example where CAP received a heritage report that recommended against the demolition of the building only to find that the owner and this same consultant turned up at the meeting with a quite contrary report. Asked to explain the difference, the consultant said the first report was only a draft, which had been prepared by a junior and had not been signed off by a partner in the firm.

Being a member of CAP can be quite demoralising and looking around at some of what gets built in the Municipality, you might question the efficacy of the Panel. It is really hard to turn a sow's ear of a house into a silk purse and it's an uphill battle if the owner and architect or designer just don't want to know. In the worst cases we can recommend refusal of the application. But this is a last resort as Council then has to decide if it can beat off a challenge in the Land & Environment Court or can afford the tens of thousands of dollars in legal fees to win, lose or draw. We rely on owners, architects and designers to love their heritage buildings and to have an understanding of what makes the character of the Hunters Hill Municipality. And when you get that, the results make it all worthwhile.

Tony Coote
Hunters Hill Trust CAP representative



INVITATION

you are invited to the
HUNTERS HILL TRUST

CHRISTMAS COCKTAIL PARTY



DATE: Wednesday, 29th November, 2006

TIME: 6.00 pm - 9.00 pm

PLACE: 10 Toocooya Road, Hunters Hill

COST: Tickets \$30 per person

Cheques to P.O. Box 85 Hunters Hill, 2111

Productivity Commission's Report Heritage Sell-Out

The Federal Government released the Productivity Commission Inquiry report into the Conservation of Australia's Historic Heritage Places on 21 July 2006. The government had commissioned the report to examine the pressures on the conservation of historic heritage places, the costs and benefits of their conservation, the roles of the various stakeholders, the impact of regulatory arrangements on conservation, the potential for new approaches to conservation and a possible program for managing conservation.

Where the pressure came from for the Government to commission the report is not stated. However it is clear that the development lobby's negative attitude towards heritage conservation has been a major driver of its recommendations.

At 338 pages with an additional 131 pages of Appendices, the report is not a quick read. As well, it is not an easy read, as the jargon of economic rationalism pervades the work. Here is an example from chapter 6, which is headed "Analytical framework":

"Without an ability to enter into a bargain, or trade over the positive externality (which may result from an inability to enforce private property rights over the externality or from high transactions costs which preclude negotiations between the relevant parties) there will be no mechanism to ensure that those benefiting from the externality are able to encourage a socially-optimal level of external benefit".

There are constant references to the need to establish a proper "cost benefit" analysis of heritage and the creeds of minimum-government-intervention and the protection-of-the-sacred-rights-of-the-individual-property-owner appear to be the philosophical foundations of the report.

Inevitably the report is critical of the current state of heritage conservation, the role of various governments in the process and the "undemocratic" influence on individual property rights of community groups such as the National Trust and, by inference, the Hunters Hill Trust

It extols the virtue of market forces as against government intervention. And in support of the role of the market, the report makes states that *"the overwhelming majority of historic heritage places existed prior to the explicit government involvement in historic heritage conservation and were therefore conserved through private initiative."* Who could possibly argue against such logic?

Prior to the release of the final report, a draft was circulated for comment and a number of individuals, Councils and community groups including Hunters Hill Council and the Australian Council of National Trusts (ACNT) made submissions.

The ACNT made the point that heritage conservation is not just for this generation, it is also for future generations. The economic rationalists on The Commission were forced to concede that *"markets fail to adequately consider the interests of future generations"* and that government intervention may be required to correct the market.

The draft report promoted the concept of voluntary heritage classification, whereby heritage listing could only proceed with the approval of the property owner. It also proposed the use of a cost/benefit equation to determine which places to list.

Productivity Commission's Report Heritage Sell-Out

The ACNT concluded that the draft report, "privileges the individual over the communal interest, and seems to base its judgments on securing the tangible short-term interests of individuals, rather than securing the less tangible, but equally important, long-term interests of the community."

The final report has stepped back a little from the concept of making heritage listing entirely voluntary, which clearly would have meant the death of heritage conservation, as we know it.

The report covers both government and privately-owned heritage and makes some sensible suggestions for streamlining the process of heritage classification and the methods by which government might better manage the large number of significant buildings in public ownership.

No one would disagree with its overall recommendation that *"all levels of government should put in place measures for collecting, maintaining and disseminating relevant data series on the conservation of Australia's historic heritage places"*.

The report concentrates on privately-owned heritage and has chapters devoted to

- planning controls at the local level,
- government involvement in the conservation of privately-owned heritage,
- getting the incentives right for privately-owned heritage places and
- implementing change for privately-owned heritage places.

The report is critical of the role played by community groups in determining what gets heritage listed. It ignores the reality that, without the voluntary efforts of such groups over the last 50 years, there would be very little heritage still standing. Taking aim at the National Trust, the report recommends: *"that State and Territory governments that have specific legislation governing the operations of the National Trust should repeal such legislation."*

Running through the report is a theme that heritage listing has a negative affect on private property owners. Examples are quoted from submissions made by individuals who claim to have been disadvantaged by heritage listing. The report states that current heritage listing mechanisms create perverse incentives to neglect heritage. It advocates the promotion "willing volunteers rather than conscripts".

In supporting these unwilling conscripts, it proposes grounds for appeal against heritage listing, which are based on "unreasonable costs" and include:

- Forgone development opportunities
- Substantial reduction in market value due to listing
- Maintenance costs that cause unjustifiable financial hardship

However, within the report, there are a number of contradictions to the model of the poor benighted property owner who has been saddled with an unwelcome heritage listing and is heading for the poor house as a result.

For example it concedes that, for many property owners, the costs of heritage listing are not unreasonable or unacceptable. And the only evidence that has formerly analysed the impact of heritage listing on property, *Effect of Heritage Listing: a hedonic study of two local government areas* (Kuringai and Parramatta) refutes the negative impact of heritage listing.

Productivity Commission's Report Heritage Sell-Out

This Macquarie University study concludes that "heritage listing does not have a significant effect (positive or negative) on the value of housing when structural and locational attributes are taken into account."

Despite this, the report recommends that:

- Private owners should be able "to appeal the statutory listing of their property on the additional basis that it imposes 'unreasonable costs'. This appeal should be available for non-government owners of all newly listed properties. In addition, it should also be available for those owners of properties that were acquired before the property was statutorily listed.
- Governments should "mandate that statements of significance be prepared at the time that a statutory listing decision is being considered and that these statements should be prepared by the listing authority and should;
- require that listing authorities directly notify owners of any intention to add their place to the statutory list and should;
- require that listing authorities make available a preliminary statement of significance to the owner and the public prior to public consultation and should;
- require that listing authorities, when proceeding with a listing, provide a comprehensive final statement of significance to the owner of the property and make it publicly available and should;
- implement an additional appeal grounds in relation to listing, based on unreasonable costs.

These recommendations are extremely onerous. The requirement to prepare individual statements of significance, court costs arising from defending appeals and the provision of funds to aid in the maintenance of heritage listed items would impose tremendous additional costs on local government. The recommendations, if implemented would make heritage listing beyond the financial capabilities of local Councils. If this regime had existed in 1968, when the Hunters Hill Trust was formed, the Trust's listing of heritage of Hunters Hill would not have been possible and much of it would have been lost as a consequence.

I believe the report is based on the false premises that heritage listing creates financial hardship, prevents owners from improving their heritage listed properties and that it is more expensive to maintain a heritage listed property than one that isn't. In Hunters Hill, which has more heritage listings per hectare than any other local government area in Australia, heritage listing has been no barrier to property improvement and has created a suburb where land values are close to the highest in Sydney.

Finally, we shouldn't lose sight of the fact that the report is only a report, not legislation. It's been tabled in Federal Parliament and we are waiting on the Government's response to it but, even if the government accepts every one of the recommendations, it does not have the power to implement them. This power resides with the states and local councils.

My hope is that the report will have a similar history to so many other reports commissioned by the Federal Government reports and will spend the rest of its life mouldering quietly away in the bottom drawer of the Minister's desk.

In conjunction with Hunters Hill's Jacaranda Time, The Hunters Hill Trust and the National Trust present

Your House and how to Look After it: Two Afternoons of Expert Opinion and Advice

**Saturday November 4th from 1.30pm to 5.00pm, and
Sunday November 12th from 1.30pm to 5.00pm**

At the Hunters Hill RSL HALL, on the corner of Ady and Alexandra Streets

Learn how to deal with the problems of rising damp, termites, possums and cracking in masonry. Discover how to properly maintain and repair your old plaster ceiling, how to restore those rotted window frames, replace broken sash cords and how to remove paint from that tuck pointed brick wall that was painted over in the 70s.

- o *Bring your building questions to the experts*
- o *Discover tradesmen who know the difference between a tuck point and a power point*
- o *Add value to your house by knowing the proper procedures for repair and maintenance*

Cost of attendance: *HHT and NT members \$50* for both sessions (\$25 each session)*

Non HHT members \$100 includes HHT membership (\$50 each session)

**Those holding a family membership of the HHT can bring family members for free.*

Enquiries and Bookings 9816 4047

Program for Saturday November 4th at the RSL Club

- 1.30 to 2.00 **Introduction** from Jacqui Goddard (National Trust)
Overview with reference to principles of conservation etc
- 2.00 to 2.45 **Rising damp** with Alicia Long (NSW Heritage Office)
Possible causes and methods of repair
- 2.45 to 3.15 **Termites and Possums** with Mark Goodchild (National Trust)
Damage they cause and preventive measures
- 3.15 to 3.45 Afternoon tea
- 3.45 to 4.30 **Cracking and movement of masonry** with Tom Carson (stonemason)
Stonework, brickwork, paving - causes and methods of repair.
- 4.30 to 5.00 **Question and answer session** with the panel of speakers

Program for Sunday November 12th at the RSL Club

- 1.30 to 1.40 **Brief Introduction** from David Gaunt
- 1.40 to 2.25 **Plaster walls and ceilings** with Mark Goodchild (National Trust)
Solid plaster cracking, causes of failure and methods of repair
Fibrous plaster - method of production causes of failure and methods of repair
- 2.25 to 3.10 **Timber** with Jacqui Goddard (National Trust)
Damage they cause and preventive measures
- 3.30 to 4.15 **Paint** with Richard White (TAFE)
Methods of paint removal, colour selection, selection of paint
- 4.15 to 4.45 **Question and answer session** with the panel of speakers