

CULTURAL HERITAGE PRACTITIONERS TASMANIA

PO Box 123, New Town, Tas 7008. Email chptas@yahoo.com.au

Website: <http://www.chptas.org.au>

5th December 2023

Tasmanian Planning Commission

GPO Box 1691

Hobart TAS 7001

By email: tpc@planning.tas.gov.au

TASMANIAN PLANNING POLICIES – COMMENT (CULTURAL HERITAGE) ON MARCH 2023 DRAFT

Dear John Ramsay, Claire Hynes, Tony Ferrier and Max Kitchell,

Cultural Heritage Practitioners Tasmania wishes to provide the following comment on the *Draft Tasmanian Planning Policies* (March 2023) in relation to cultural heritage (Section 6). We have not provided comment previously, and although we had intended to make a written submission in the late October – early November 2023 round of hearings, we were not able to meet the deadline. Although we realise this is very late comment, we hope the Tasmanian Planning Commission are able to consider it.

Cultural Heritage Practitioners Tasmania is a non-profit group comprising locally based heritage practitioners from a range of disciplines. Formed in 1995, Cultural Heritage Practitioners Tasmania has an expert and long-term perspective on historic heritage management in Tasmania, and an interest in the long-term protection of significant cultural heritage in Tasmania.

Cultural Heritage Practitioners Tasmania (CHPT) has a strong interest in the protection of heritage through legislation and planning. We have previously made submissions on planning related matters, including a major submission in 2016 on the Draft State Planning Provisions, and a major submission in 2022 on the May 2022 *Tasmanian State Planning Provisions Review Scoping Paper*.

Having reviewed the March 2023 *Draft Tasmanian Planning Policies*, CHPT would like to commend the Tasmanian Planning Commission on a generally inclusive and comprehensive treatment of cultural heritage. We are, in particular, pleased to see Aboriginal cultural heritage included at the same level as historic heritage, and recognition that different treatments are required for each. It is also very pleasing to see that the policy promotes early and proactive consideration of cultural heritage, and that the historic heritage policy includes proactive identification of heritage.

There are however, in CHPT's view, some improvements that are desirable. These are as follow (and we particularly draw your attention to point 10):

1. For consistency, including in interpretation, we recommend that to the extent possible, the same words and phrases, with the same meanings, as in the Australia ICOMOS (2013) *Burra Charter* be used when discussing cultural heritage.
2. Policy Context: the third paragraph (p52) is not correct, and to address this and for consistency with the Australia ICOMOS (2013) *Burra Charter* approach, we suggest

the following re-wording: *Much historic cultural heritage is visible, known, accepted and valued, and easily identifiable for protection. However much Aboriginal cultural heritage and some historic heritage, primarily archaeological heritage and heritage with social value, is not formally identified until rediscovered, commonly in the course of development preparation. While the significance of visible tangible assets tends to be recognised and valued, lesser known archaeological values, social values and intangible values associated with cultural heritage also need to be recognised, protected and managed.*

3. Policy Context: the second paragraph (p53) fails to mention what is perhaps the key importance of historic heritage (also Aboriginal heritage). This is that, not only do local historic cultural heritage places and precincts, and we would add landscapes, play an important role in helping to define the identity and character of local communities and regional areas, but their preservation is of fundamental importance in promoting community well-being because of the social value they hold (and conversely community well-being is likely to be impacted where this heritage is destroyed). This can be the case anywhere, but is particularly the case where historic heritage values and character are recognised and are what attract people to live in an area. We recommend that the importance of community well-being be added here.
4. Policy Context: the second paragraph (p53) also fails to mention the sustainability advantages of historic heritage, primarily built heritage, due to factors such as embodied energy. At a time where policy on sustainability is starting to guide much development, in particular in urban areas, not appreciating the sustainability advantages of historic heritage can have a major, but unnecessary, negative impact on historic heritage. We recommend therefore that the sustainability advantages of historic heritage be added here, and consideration be given to noting these in the Sustainability Policy.
5. Climate Change: third paragraph (p53) – as sea level rise and associated erosion is especially likely in Tasmania, with its coastal focussed cultural heritage, to impact heritage such as Aboriginal middens as well as some historic buildings, structures and archaeological sites (e.g., jetties, whaling station sites), more explicit mention of the impacts of sea-level rise should be included in this paragraph. Sea level rise is likely to damage a large amount of cultural heritage, not only result in the ‘permanent loss of some sites’.
6. Aboriginal Cultural Heritage: S 6.1.2 – Objective: The critical importance of Country in the preservation of Aboriginal cultural heritage means that Aboriginal cultural heritage often cannot be limited to ‘places’- generally considered small areas, and frequently cadastral land parcel or properties – and there is a need to allow for ‘areas’ and ‘cultural landscapes’ to be identified and protected. We therefore recommend rewording the Objective to: *Support the protection and Aboriginal custodianship of Aboriginal cultural heritage values including places, objects, areas, landscapes and practices.*
7. Historic Cultural Heritage, S 6.2.2 – Objective: Given the frequent significance of archaeological remains and remnant structures (not just ‘infrastructure’), which may be all the heritage that remains in some cases (often the older and more historically significant places), we recommend rewording the Objective to: *To support the identification and conservation of significant local historic cultural heritage buildings, part of buildings, structures, places/features, historic archaeological remains, precincts and landscapes and promote sympathetic design solutions and*

responses that preserve or complement those cultural heritage values, and facilitate appropriate adaptive reuse.

8. Historic Cultural Heritage, S 6.2.3 – Strategies: In the light of point 4, above, add a new strategy that supports the retention of historic heritage where significant local historic heritage contributes to sustainability.
9. Historic Cultural Heritage, S 6.2.3 – Strategies: Modify terminology to reflect point 7, above. This applies to most strategies other than no. 1.
10. Historic Cultural Heritage, S 6.2.3 – Strategies: CHPT is extremely concerned that at present there is no obligation for a Local Provisions Schedule (LPS) to include all types of significant local historic heritage recognised in the State Planning Provisions (i.e., place or precinct of archaeological potential, local heritage place, local heritage precinct, local historic landscape precinct), and that many Local Government Councils are choosing not to include some historic heritage types, primarily landscapes and areas of archaeological potential, in their LPS. If types of significant local historic heritage cannot be recognised in LPS, then there is no ability to protect them through planning, which in effect negates the Tasmanian Planning Policy for historic cultural heritage. CHPT therefore strongly recommends that a new strategy be added to the effect that LPS include all local historic heritage recognised by the State Planning Provisions.

In addition, we note that according to the *Draft Tasmanian Planning Policies* (March 2023), the purpose of these Policies is to provide “a consistent planning policy setting that will guide planning outcomes delivered through the strategic and regulatory elements of the planning system, more specifically the Regional Land Use Strategies (RLUSs) and the Tasmanian Planning Scheme (TPS)”. It therefore seems very much like putting the cart before the horse to develop the Tasmanian Planning Scheme before the Policies. CHPT therefore believes, the General Application section (pp3-5) notwithstanding, that, for the Policies to serve their purpose and to provide clarity for land users and the community, the Tasmanian Planning Scheme in its entirety requires review once the *Tasmanian Planning Policies* are finalised to ensure they fully reflect these Policies, something that in CHPT’s view is not currently the case (see above and previous CHPT submissions on the Tasmanian planning system).

CHPT is happy to further discuss our comment if desired.

Yours sincerely,



Anne McConnell

**Coordinator
Cultural Heritage Practitioners Tasmania (CHPT)**