

An International Conference to explore approaches to the preservation of urban built heritage, with a focus on Melbourne

Melbourne Brain Centre | Kenneth Myer Building | University of Melbourne

<http://artinstitute.unimelb.edu.au> | aiah-info@unimelb.edu.au | +61 3 8344 8957

Ray Tonkin

Former Executive Director of Heritage Victoria

From Hobby to Bureaucracy

To demonstrate the growth of the heritage conservation movement in Victoria, I will use four key dates and focus on the myths, misinterpretations and expectations that surround the heritage legislative and administrative processes.

In the 1950s Melbourne was suffering something of an inferiority complex. It had emerged from World War II with a view that it was a backward Victorian city. This image of Melbourne was captured by John Brack in 1955 with his "Collins St, 5p.m.". Decision makers set about modernising Melbourne. It was in this environment that the local heritage conservation movement found its legs.

The National Trust in Victoria was established in 1956 by a group of well-educated professionals anxious about the loss of early Melbourne architecture.¹ Ironically, many of them were architects who also supported the modernisation of Melbourne. This list included people like John and Tom Freeman and Roy Simpson, the founders of the modernist architectural firm, Yuncken Freeman; Professor Brian Lewis of the University of Melbourne; and the famous Robin Boyd.

The Trust acquired property, listed places that it believed should be preserved and used its considerable influence and lobbying powers. Never a radical organisation, it quickly gained credibility with Victoria's educated middle classes and its membership surged. However, it was always an avocation or hobby for these people.

So the first myth was that the preservation of Victoria's heritage was an interest that suited the educated middle class and that it was not likely to be of much interest to the majority of the population.

The second and related myth was that a certain type of education was needed to be able to make decisions regarding importance, maintenance and preservation.

The Historic Buildings Act was passed in 1974. It established the Historic Buildings Preservation Council (HBPC).² This was the first legislation in Australia to control privately owned historic buildings. The passage of the HB Act was in no small way due to the efforts of the National Trust and its then chairman, Rodney Davidson. The proposed demolition of the CBA banking chamber was part of the inspiration, but equally there was a fortunate alignment of personalities in Rodney Davidson, the Premier Dick Hamer and the Minister for Planning Alan Hunt.

There was an expectation amongst many that this legislation would simply provide the Trust with statutory powers. Such a misunderstanding was not surprising as the structure of the Act was based on the administrative structure of the Trust and the first Register was a translation of the Trust's 'A Classifications'.

The government expected this piece of legislation and the operations of the HBPC to remain a minor aspect of government administration. This was a misunderstanding as the legislation was acclaimed by activist groups, local councils and individuals.

The property industry also expected the list to be kept small. It is reputed that one of the new members of the HBPC announced at the first meeting that he would never be voting to recommend anything be added to the Register. Others speculated on how much bigger the register would become (it was initially 370 buildings). Any suggestion that it would reach the 2500 of the current heritage register may have led to its immediate repeal.

¹ Mary Ryllis Clark; *In trust : the first forty years of the National Trust in Victoria 1956-1996*; National Trust of Australia Victoria; Melbourne, 1996

² Parliament of Victoria; Historic Buildings Act, 1974; accessed at http://www.austlii.edu.au/au/legis/vic/hist_act/hba1974202/

By 1976 the HBPC was commissioning heritage studies of the CBD in a measure to determine what was important and what was not. This exercise showed:

1. The National Trust's register was hopelessly inadequate as a statement of what the community saw as important; and
2. There was a paucity of professionals who could undertake this sort of survey work.

Work associated with the conservation of Victoria's heritage was becoming a full-time activity attracting a new cohort of young professionals (particularly architects). This work was being guided by government departments and inevitably decisions were being taken by public officials. However, for a long time many people believed that the heritage legislation was operated by the National Trust.

In 1987 the Planning and Environment Act was passed.³ This Act established all 210 municipalities in Victoria as planning authorities and required them to address the objectives of planning as laid out in the Act. This Act also established the framework that today determines the value of and conservation protocols for most of Victoria's cultural heritage. It is estimated that 160,000 properties are now covered by heritage overlays in all planning schemes in Victoria.

The third myth is that Victorians do not like heritage protection. There has evidently been a general enthusiasm for applying heritage overlays.

The fourth myth is that the Victorian community believes that only a select professional elite should decide on such matters or that heritage only concerns architectural monuments.

In 1995 the current Heritage Act was passed.⁴ This Act probably finalised the transformation of heritage protection and administration from a part-time interest to a professional arm of government administration. Amongst a number of things it:

- Established a Heritage Council of ten members, nine of who are appointed on the basis of expertise (the National Trust retains its representative position);
- Removed the role of the Minister in adding places to the Heritage Register and determining permit appeals. Registration is undertaken by the Heritage Council, as is the permit appeal process; and
- Brought together the management of historic buildings, heritage objects, historic archaeological sites and historic shipwrecks under the auspices of Heritage Victoria.

Once again the expectations of interest groups were not necessarily met. The property industry anticipated that as a minimum permit appeals would be determined at the Victorian Civil and Administrative Tribunal. A number of individuals and groups found it difficult to accept that a full-time public servant could satisfactorily make the primary decisions regarding registration and permits.

Over 58 years we have moved from heritage conservation and protection being a part-time and voluntary interest of a few to an extensive administrative process engaging state and local officials, part-time professional heritage advisors, local councillors and many individuals and groups expressing their views regarding what should be retained and how it should be treated.

Along the way, there have been unreasonable expectations, misunderstandings and many myths as to what it was all about. This is not unusual in any area of public policy. However, in the case of heritage conservation some of these expectations, myths and misunderstandings persist. Things change over time, but fast enough?

³ Parliament of Victoria; Planning and Environment Act, 1974; accessed at http://www.austlii.edu.au/au/legis/vic/consol_act/paea1987254/

⁴ Parliament of Victoria; Heritage Act, 1995; accessed at: [http://www.legislation.vic.gov.au/domino/web_notes/LDMS/LTObject_Store/LTObjSt2.nsf/d1a8d8a9bed958efca25761600042ef5/9eba9189708477dfca25776100217b7e/\\$FILE/95-93a042.pdf](http://www.legislation.vic.gov.au/domino/web_notes/LDMS/LTObject_Store/LTObjSt2.nsf/d1a8d8a9bed958efca25761600042ef5/9eba9189708477dfca25776100217b7e/$FILE/95-93a042.pdf)