Keeping it Outstanding
Some Observations on Conservation Controls and Incentives

PETER PHILLIPS*

ABSTRACT: This paper looks at the principles that underlie heritage conservation in urban areas, using the City of Sydney as an example, and comparing it to aspects of the conservation controls in the Historic Centre of Macao. Effective heritage conservation includes both controls and incentives, and is based on a comprehensive understanding of the significance of the place and its components (including both individual items and conservation areas), accurate mapping of both the place and its setting including significant views, and integration with other planning and environmental controls. Fundamental to the process is a step-by-step approach that assesses values independently of other considerations, and in the case of development a thorough assessment of the heritage impact of all proposed works within the place.

KEYWORDS: Heritage; conservation; planning

INTRODUCTION

It is a great honour to be inscribed on the World Heritage List. It takes a lot of work by a great many people to put together the nomination dossier and then to go through the process of having it assessed, and finally inscribed. However, that is just the start of the journey. And there is a lot more work in preserving and protecting the outstanding universal value for which the place has been inscribed - in keeping it outstanding. Considering the outstanding universal value for which the place is inscribed, how do we make sure that this value endures into the future?

This paper is based on some limited research into the heritage conservation of Macao, and the considerably greater experience of the author over some 30 years of dealing with the day-to-day problems of managing and protecting heritage values in the City of Sydney, Australia. The paper deals with *implementing* the protection; in other words, after all the management plans have been prepared and the place has been inscribed, what is the day-to-day work of making sure that the protection actually happens?

*Principal of Orwell & Peter Phillips, an architectural practice active in building conservation since the 1950s, Peter has worked as a heritage adviser on some of Australia's most significant sites, including The Rocks and Millers Point, the oldest areas of European settlement in Australia. He lectures on conservation and heritage to post-graduate students at the University of Technology, Sydney (UTS) and has served as a heritage adviser to government at local, State and Commonwealth levels. In 2014 he was elected as a Vice-President of ICOMOS.

Diretor da Orwell & Peter Phillips, um gabinete de arquitectura activo na prática de conservação desde a década de 1950. Trabalhou como consultor de património em alguns dos locais mais significativos da Austrália, incluindo o The Rocks e o Millers Point, as áreas do mais antigo assentamento europeu no país. Profere palestras sobre conservação e património para estudantes de pós-graduação na Universidade de Tecnologia de Sydney (UTS) e actua como consultor de património para o governo local, estadual e da Commonwealth. Em 2014 foi eleito vice-presidente do ICOMOS.

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PRINCIPLES

Some 30 years ago, Australia-ICOMOS (the National Committee of ICOMOS in Australia) looked into the principles that should form the basis of a good heritage protection system, at a time when Australia as a whole and its various states were implementing their own heritage legislation.

The first of these principles is comprehensive listing, which is essentially about knowing what the heritage resource consists of. The second is making sure that any heritage protection system is well integrated into all the other systems that look after what is important: mainly the planning system, but there are also other factors affecting the heritage environment: for example, building regulations, which can drastically impact on a heritage item if they are not carefully thought about. And the last principle is making sure that the system is as fair as it can be to everybody; that is to say, the owners of heritage sites and the general population who wish to keep their heritage (and some of whom, of course, who do not); and also to see that the costs of the protection and the benefits that arise from it are as much as possible equally spread across the community.

So, comprehensive listing is the first of my points. Of the key components of a comprehensive list, the first one (even though it is not always the one at the top of the listing) is what's known in Australia as the *statement of significance*: that is to say, a concise summary of why the place is important. And the second thing, in a place like Macao which is an assembly of important items, is *how does each of the places on the list contribute* to the Outstanding Universal Value (O.U.V) of the historic centre of Macao as a whole? Each of those places has a part to play, and we need to know what are the values that each place represents that contribute to the O.U.V as a whole. The third one is *mapping*: in other words, where are all these different elements, and what do they consist of; how big are they, and what is their relationship, one to another? And the fourth one is: what do we think is the best way to *manage* each of these little places so that the overall site is managed in the way that we would want?

Figure 1. Heritage items in Ultimo.
In: Sydney Local Environmental Plan 2012

Figure 2. Conservation areas in Ultimo.
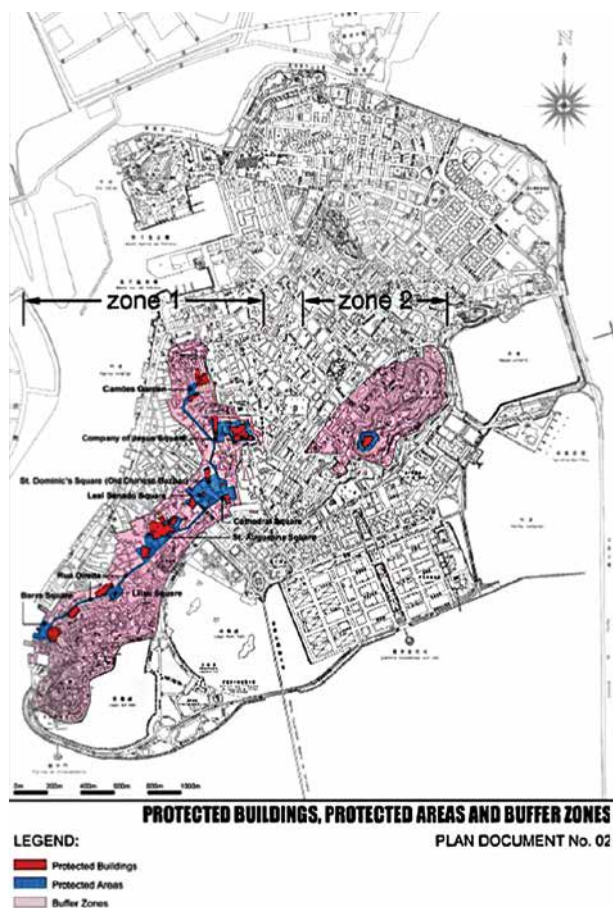In: City of Sydney Building Contribution Maps

Figure 3. Map of Macao Historic Centre. In: UNESCO World Heritage Centre

This is an extract from the listing information available on the Macao Heritage net for one of the properties on the list. It is mostly a descriptive listing, and is comparatively short, and I wanted to compare that with a typical listing which is part of the Millers Point conservation area in Sydney. Millers Point is the earliest suburb in Australia, dating from the first years of the 19th century. The listing is several pages long, and again the most important part of those pages is the statement of significance. So you can see there that we have described in precise terms the values that the place represents, and its contribution to the significance of Millers Point as a whole.

Now, it is interesting that many of the early properties on the World Heritage List did not, when they were inscribed, have anything like a statement

of outstanding universal value (or what I describe as a statement of significance), and the World Heritage Centre, and ICOMOS and IUCN, are having to go back over the documentation for these properties and develop retrospective statements of outstanding universal value. It is really important to know what the values are in the place.
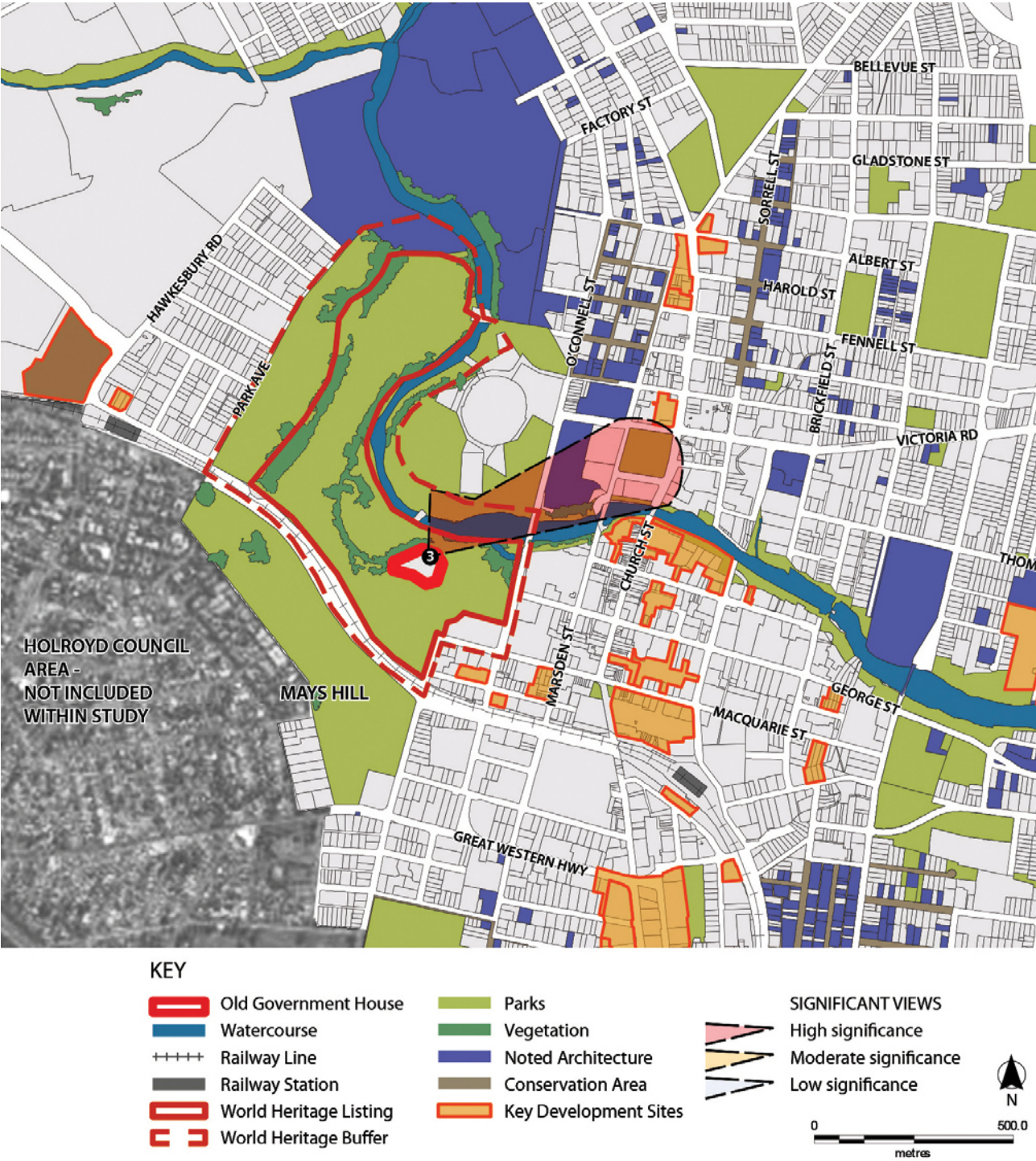
Next we turn to mapping. The maps that I have seen so far of Macao are very good in the identification of the individual significant items. For comparison, this is a typical map of part of a suburb in Sydney called Ultimo, which is actually where the University of Technology is situated (Figure 1). It shows the individual heritage items that are listed in that area, and you can also see on the map some zones which are hatched in red, and they are conservation areas. But the City of Sydney has gone further in looking at the conservation areas, and has actually identified, within each of those conservation areas, the contribution that every single property makes, or does not make, to the conservation area as a whole (Figure 2). This is the kind of map that I think would be very useful in a place like Macao, where you have individual items separated by places that are not necessarily inscribed but which can have a positive or a negative effect on the places that are part of the inscription.

And then, of course, we go beyond the site itself into the buffer zone and beyond it. This map of the Historic Centre of Macao, of course, is one that you are very familiar with (Figure 3), but it does not include things like the tower behind the site, which you see in the picture (Page 6). This tower very much impinges on the environment of what you see about you in the Historic Centre It is very notable that most plans that control heritage places find it very difficult to deal with developments that are way beyond the site but which can still have an effect. However, there are ways of doing this.

And here is an example from Sydney. The large green area is Parramatta Park, the site of Old Government House, which is one of the sites included in a serial listing of the World Heritage area known as the Australian Convict Sites. It is a large green space in the middle of a very vibrant satellite city called Parramatta. And what the people who prepared the plan from which this map is taken have been trying to do is to map the critical views of each of the individual

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KEY

					SIGNIFICANT VIEWS
	Old Government House		Parks		
	Watercourse		Vegetation		High significance
+++++	Railway Line		Noted Architecture		Moderate significance
	Railway Station		Conservation Area		Low significance
	World Heritage Listing		Key Development Sites		
	World Heritage Buffer				

N

0   500.0
metres

LOCATION OF VIEW

Figure 5. View map of Parramatta Park
In: Ethos Urban Pty Ltd. Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage Listed Values, 2012.
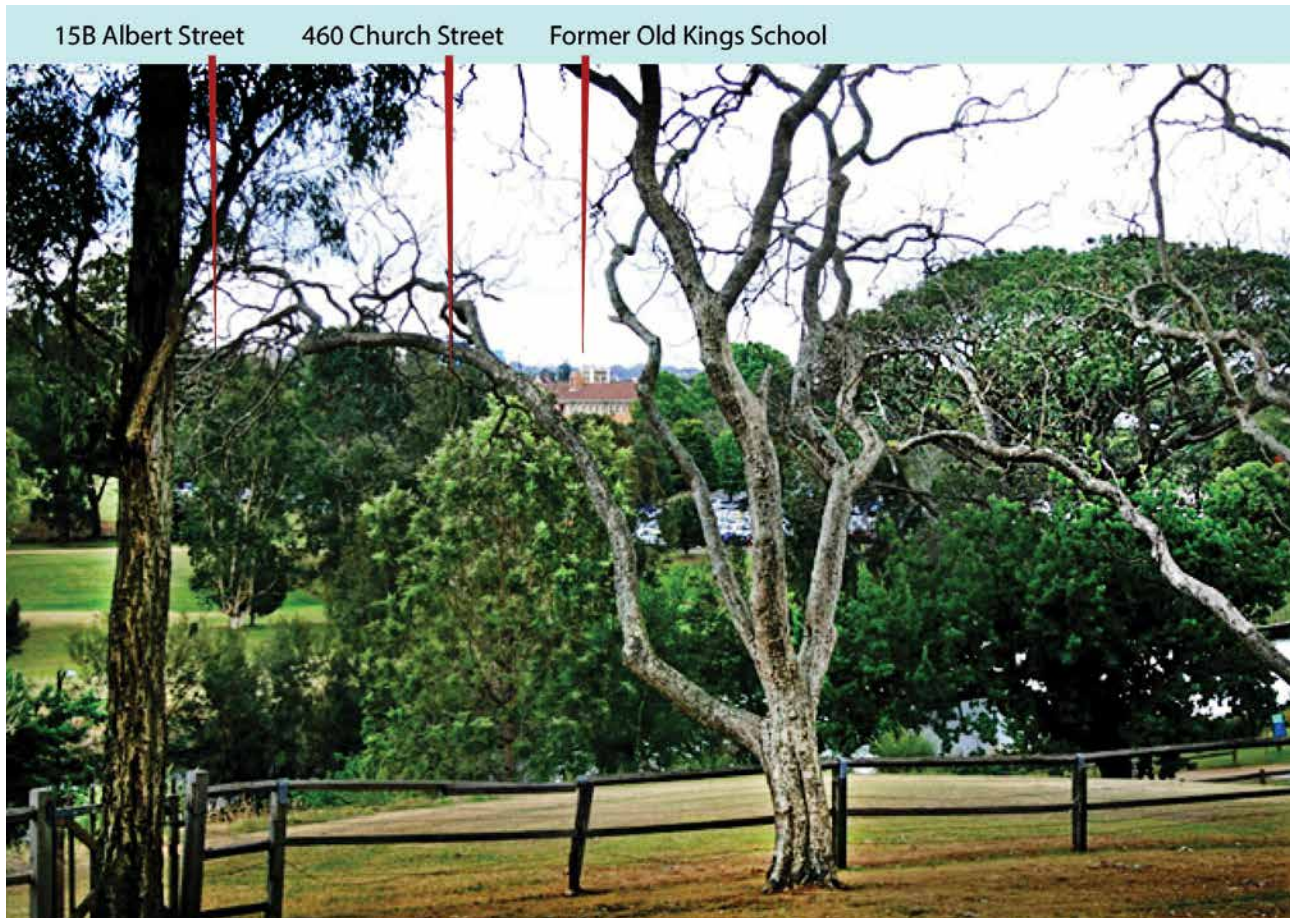
Figure 6. View from Old Government House
In: Ethos Urban Pty Ltd. Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage Listed Values, 2012.

properties and the links between them. This one of those view maps (Figure 5). As you can see, the actual view is mostly trees at the moment (Figure 6), but in historic times there were very clear and important views from one place to another.

Now, the interesting thing about mapping views like this is that (if you look at the view map) you can see that the protected view corridor affects not just sites which are inscribed or even the buffer zones around them, but also sites in between which do not have any kind of heritage listing at all but which nevertheless have the potential to have an impact on the sites that are listed. The challenge is how to involve the owners of those sites which have nothing to do with the listed heritage items - how we get them into the heritage system, by way of both encouragement and control.

Now let us turn to integration with planning. On the right hand side you can see the heritage map of Millers Point (Figure 9), and those brown areas are the individual listed items in Millers Point. But in addition to that, we have other planning maps of the same area. On the left (Figure 7) is the floor space ratio map for Millers Point, which shows the amount of floor space that you can put on to a building site, and in the centre (Figure 8) is the height map for the same area, which shows the maximum building height. The interesting thing about those is, if you take them together, the height map and the floor space ratio map would in theory entitle you to build a much bigger building on each of those listed sites in Millers Point

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Figure 7. Millers Pt FSR map
In: Sydney Local Environmental Plan 2012.

Figure 8. Millers Pt height
In: Sydney Local Environmental Plan 2012.

than the building that is there at the moment. So, instantly, by putting these sorts of documents into your planning system, you are creating expectations of future development opportunity, and those expectations do not sit well with those in the heritage controls. So, in the same planning document, you are setting up conflicting expectations of what can be done with the site. The City of Sydney, I have to say, to its credit, has realized that this is not a very helpful idea, and it is now going through the process of revising its floor space and height maps for Millers Point, to limit the potential floor space and height to what is there now, so that will solve the problem.

It is very important to understand that, if the heritage controls are developed in isolation from the rest of the planning system, there will almost always be conflicts. Now, fortunately China has some very good basic documents already. All of you I think will be familiar with the China Principles, developed by ICOMOS China with some assistance from overseas colleagues, including some of mine. That is a very good document and I suggest that it is a good way to proceed. In particular I commend to you the flowchart that is included in the commentary section. It indicates that conservation planning is not a straightforward linear process, it is a cyclical process; and every time something happens at the place, you need to go back, review and see if it worked; if it did not work, think

how you could do it better next time.

When we are looking at the management of change, the key document in dealing with this is a Heritage Impact Assessment. ICOMOS has a good guideline on this topic and many people would now have worked with it. And there are three key questions that the heritage impact statement needs to answer. Question one is: what are we protecting, what are the values that we are looking to protect, and how do they contribute to the Outstanding Universal Value of the site as a whole? The second one is: what is the change that is proposed, and how will it impact on the values that we have described in answer to the first question? And the third question, of course, is how can these impacts be managed? Firstly, can they be avoided? - is there a different of doing things? If not, can they be reduced? Can we limit the height, or limit the size of the intervention? Thirdly, can the change be rehabilitated? - in other words, are we doing something that could be adjusted later on, or could be reversed? And fourthly, can we compensate for these impacts in some other way? In other words, if there is a heritage negative in what we are proposing, can we find a heritage positive somewhere else that will hopefully outweigh the negative? These are the key questions, and this is the kind of document that any effective piece of heritage legislation should have in its armoury.

The ultimate objective of a good system, one I did

Figure 9. Millers Pt heritage
In: Sydney Local Environmental Plan 2012.

not include earlier as a principle of heritage legislation, is that, ideally, rather than conserving by controlling, we should be conserving by agreement. In other words, rather than having one party impose its conservation views on another party, we should be getting the two parties together and having them say "we both agree that conservation is a good idea and we both agree how to go about it". And so every good heritage system should include incentives to encourage conservation by agreement. Some of these, I note, are already in your heritage law at the moment, and they include tax relief and a heritage award system, so that we can celebrate when people get it right.

There are a couple of other incentives that have proved useful in Australia. One of them is the relaxation of other planning controls. In other words, if you do the right thing by heritage, you may not have to comply with all the other sorts of planning controls. For example, there are usually controls on use: the use of a building or site is usually controlled by the planning rules, often by means of zoning. But if you have a heritage building in a certain zone and you wish to use it for a purpose which would not otherwise be approved for that zone, and if the proposed use contributes to the conservation of the place, the non-conforming use can be approved under the planning rules - so that is a useful tool. And the other one, is transferable development rights, and the big advantage of that is that

it brings in the owners of other properties that are not heritage listed; in other words, they can benefit from the heritage system, without being within the heritage system. Transferable development rights is the process of taking some of the development opportunity on a site which has a heritage building on it and transferring that development opportunity to another site where it will have less impact on Outstanding Universal Value. That concept has proved very useful in Sydney, even to the extent that (as I have described in a previous paper) the most recent change to the heritage floor space system in the City of Sydney resulted in people who had actively resisted having their buildings on the heritage list now actively trying to get them onto the list, because of the benefits that the heritage floor space system could give them.

Finally, here are a couple of references: the ICOMOS guideline on Heritage Impact Assessment, and a fairly recent ICOMOS/IUCN publication on Managing Cultural Heritage. But most of all, any heritage system that is going to be implemented well and properly needs to be simple, both to use and to operate, and simple to understand for all the parties that are involved. The golden rule is summed up very well by Australia's Burra Charter: as much as necessary, as little as possible. **RC**

NOTES

1   Australia ICOMOS. Submission to the Review of the NSW Heritage Act, 2007. Available at https://australia.icomos.org/wp-content/uploads/AI-submission_-NSW-Heritage-Act-review_2007.pdf
2   http://www.culturalheritage.mo/en/detail/hrtID66?pis=99,97&pvs=1%2c2
3   https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2423623
4   https://www.icomos.org/world_heritage/HIA_20110201.pdf
5   http://whc.unesco.org/en/managing-cultural-world-heritage