

Typed copy of handwritten
submission

Mr Demetrios Frankos
Mrs Baskia Frankos
Miss Mary P Frankos

17 February 2006

To the Federal Government
Productivity Commission
Heritage Inquiry
PO Box 80
Belconnen ACT 2616

Re: Our submission for the Heritage listing of our property at
71-73 Semaphore Road from the Port Adelaide Enfield
Council without our knowledge and consent

Dear Sir/Madam

As soon as we read the City Adelaide Messenger of 26th January 2006 on 16 February 2006, regarding under the Title: Heritage Under Threat, the suggestion for a move towards a voluntary Heritage Listing as practised by the Adelaide City Council, we rushed to inform you our very serious and unique case of a blackmail heritage listing of our property while we were away, and while the Port Adelaide Council knew very well that we removed it from the South Australian government because we were very much against the heritage listing.

We are over 40 years landlords and a Veteran Family and we never expected for the Port Adelaide Enfield Council to cause us a very large catastrophe by forcing us till up-to-date, to hold the list against our will and because they need it for their own self-interest, and it was also behind the false Warrant of Sale of our property. This council is by itself, as most of the other councils in Adelaide co-operate with the Owners (enclosed are papers for this reason). The Process of the Heritage Listing was done in a very secretive way in 1996.

The following are the most important reasons for you to understand our critical situation:

1. That in 1992 we removed our above property from the SA Government Heritage List, where the Port Adelaide Council gave strong advice to them to list it, and since then we were very confident that no-one would annoy us in the future for our property.
2. That we spent a lot of money to renovate our property, including water pipes and new toilet systems in two of the shops, and the painting of the property.
3. That we transferred the property in 1993 to our daughter's name, with an agreement that she will have no trouble with the property.
4. That in 1993, the Tenant Hooking was evicted from the 71 and 71A shops and flats upstairs of the property who was sent by the council as she admitted this to us, and who caused us extensive damages, debts and problems.
5. That late in 1995 we took my father, for his health treatment (special Waters) overseas, and we notified the Council concerning the rates.
6. That in March 1996 a false Warrant of Sale from the above Tenant (after three years she was evicted) was put against our property, and also in a couple of weeks time a blackmail Heritage Process began from the Port Adelaide Enfield Council, using our

absence without any notification from both of the cases and this proved later that behind the Warrant of Sale was the council. We noticed the above cases only in 2000 and 2001.

7. That late in December 1999 we came back from overseas, delayed from an accident of my father, and we discovered a Warrant of Sale against the property was executed after three years hearings without our presence for \$30,000.00 where the above Tenant claimed slanderously in falling in our property, (after three years when she was evicted).
8. That also in the beginning of 2000 we received a letter from the Director of Planning 'Davos', stating the property was in the Local Heritage List.
9. That immediately after the letter, we visited the Council, we complained very distressfully to Davos the Director, to Chanti and to the reception area why and when they had started the process, while we had removed it from the State Government, and Davos answered he had just put it down in the year 2000, and that he will speak to the Advisory committee where we have to be present with our submissions on the 30 March 2002, for the Property to be removed and behind our backs Davos and Chanti co-operated with the Advisory committee not to remove it, as we never did any submissions in 1999 (we were overseas at that time), (see Advisory Committee Decision).
10. That at the end of that meeting the President of the A.C. promised us he will de-list our property, but we never received any decision or not even answers to our phone calls for what happened.
11. That in the year 2001 and after the courts refused to see our strong evidence and photographs of the secure stairway with its handle all along (which the Tenant described reversible), they decided to put our Property in Auction and we forced ourselves to pay these false debts to save our property.
12. That after we paid the debts which we borrowed, we received a letter from the Council that the property is still on the List, and immediately we contacted Gloria (the Secretary of the Advisory Committee) and we received the decision which we got shocked over it, as it sided with the Port Adelaide Council.
13. That after we wrote to all the members of the Council complaining for the situation, we received a letter from Mr Croci, who did a special inquiry to the Council for us, which gave him Briefing Noted (included in his letter) stating that the Process of the Listing started in 1996.
14. That from that time, we were very distressed, we lost our peace in our home and we started sending dozens of letters to the Council, including Mayor and members and also to several Governmental Bodies, including Ministers and Senators (Weatherall, Evans, Hill, Bolkus, Xenifor, Rosemary, Wright and etc, also visiting few of them, including several visits to the Council as the governmental Bodies suggested to us. Not only did the council demand the same position, but since 2001, they caused damages to our building, they stopped us from renting the shops and they threatened us A) because we fight and we demand often that it is impossible for us to live under a Heritage Listing Property. (see Doctor's letter) and B) because our Property doesn't have no Heritage Value, but the said Council used the Heritage to cover their own interests on it.
15. That on the evening of 2 February 2003, my father had a phone call with our Councillor about the de-listing of our property, who informed him that the council is

not ready to do this process, my father was very distressed and had a serious accident, which caused him to remain in 3 different hospitals more than 6 weeks.

16. That the most serious threats and damages happened first on 3 January 2004 at 2.30am, while a neighbour to who we sent a Restraining Order after the damage (and while my father was in the hospital), was knocking the steel cornice of the shop, while the same time we heard from upstairs somebody in the shop knocking the ceiling and breaking it, the same time all night till the morning, there was a Council worker outside guarding him and early in the morning we called the Police. The whole property as a result of this incident received many cracks. Secondly, while we fixed the damages and rented the shop in the first week of May, 7 and 9 2004, we heard at 2.30am the first time and 9.00am the second time, terrorists acts of loud noises that shook the building, and hearing the floor of the shop breaking, and immediately the same morning we went to the shop and verified the damage, and we notified our lawyer who sent a letter to the tenant concerning the above.
17. That the actions of the Council shows clearly that they put it on the list not because our commercial property is Heritage, but because they need it for themselves as people told us and we can prove this. Another person running for the last Mayor election, promised us that he will remove the property from the List if he was elected, but lost to the present Mayor.

Please for the above reasons we need your great attention and understanding to help us to remove our property from the Heritage List of the said Council, in any way it can be used from the Productivity Commission, as we sacrificed a lot and we are rate payers for over 40 years, and we feel it is necessary that your attention will have the required results, as our catastrophe is a Historical one.

We are enclosing 1. two members letters, Croci and Ward, 2. The Prime Minister and Cabinet letter concerning only the Warrant of Sale, 3. Dr Foenander letter report, 4. The A.C. Decision, 5. three newspaper clippings.

Thankyou

Yours faithfully

Demetrios Frankos

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Mary D Franks