

I would like this e mail log to be included as a comment on the draft report which I perused today - thanks for the access reference. As well, it could be noted that in the campaigns to save places I've been involved in, the action group always worked out a fully funded way to keep the place profitably operational. We always took the approach that if we were going to campaign for preservation, then that must be part of our activities. For instance, in the case of the Brisbane Regent Theatre, we considered bidding for the (expired) leases of the land/buildings ourselves, and facilitated an alternative bid for the leases from an established theatre operator staging live shows; together with commitments from theatrical agents for such performers and productions well into the future, and workable plans for the restoration, adaptation and start-up of the theatre.

In fighting heritage battles, one cannot help developing a jaded view of legislation, listing, heritage plans and so forth; and even of The National Trust (although it does its best work when it acquires a place), but there must be experts in the field to refer to. Heritage is such a variable topic. It is political, every case is different, and values change over time, so that is why I feel the approach outlined in my letter to *The Canberra Times* should be adopted. "Keep it real."

Here is a copy of my letter to *The Canberra Times* on the subject of heritage, with reference to your recent work on the subject. I have been involved in several long and sometimes bitter struggles to save heritage places, including as president of *Save the Regent* in Brisbane in the late 70's - a campaign that had 40,000 registered supporters! (Brisbane lost the superb Bellevue hotel about the same time). We lost, and now Brisbane is the only capital city in Australia without an example of the famous "picture palace" style of theatre, like say the *State* in Sydney which is magnificently restored and continues to operate successfully. The Commission needs to recognise the major input of community groups in heritage matters, because, as my letter explains, that's what it is all about.

"Community" in my terms includes people from the "grass-roots", or experts from outside the governing bodies involved, such as was the case as I understand it with Emeritus Professor John Mulvaney (a member of CCAA - see below) in his campaign to preserve the Reserche Bay area in Tasmania. Could you please e mail or post me the full text of your report on heritage.

Jack Kershaw FRAIA  
20/1/06

Dear Editor

Re the reaction of the ACT Heritage Council to the Productivity Commission's recent deliberations on heritage matters (CT, 12/1/06, and follow-up letters), history has shown that if any structure, site or precinct is worth conserving/restoring, then people will fight for it, expending vast amounts of their own time and money, often matching and/or bettering the investment and/or adaptive-re-use ideas of the place's owner or its developer. Therefore it is reasonable that the trigger for official conservation/restoration of a place be the lodgment of a substantial, reasoned objection/request to government, by a community-based, preferably place-specific,

objector/requester, when the physical nature, or, in some cases, the use of the place, is threatened, or if it is deteriorating.

Accordingly, totally transparent, timely and comprehensive prior public notification of the change must be given. If there is such an objection/request that government considers meets the criteria of say the Australian *Burra Charter* (based on the *International Charter for the Conservation and Restoration of Monuments and Sites - ICOMOS*), or other well recognised criteria, then the place should be physically conserved/restored (not just listed, even expertly), with a say ten-year review clause. If none, then the change may proceed.

Given that heritage is clearly a concept highly valued by the community, this process would be much more democratic, "productive" and "competitive" than the measures apparently suggested by the Productivity Commission, paternalistic, market-distorting "heritage-planning", or by reference to appointed residents' associations, community "juries", courts, the heritage establishment, or consultative councils.

Jack Kershaw, President, Canberra Community Action on Acton Inc. (CCAA)