

20 August 2005  
Heritage Inquiry  
Productivity Commission  
PO Box 80  
Belconnen ACT 2616

Dear Commissioners

The following letter was sent to the Sydney Morning Herald Editor on 19/2/06

Dear Editor

Barry O'Keefe (SMH 17/2/6 Angst over heritage changes) must have lost his sense of justice and fairness after retiring as a Judge. Saying the Productivity Commission's draft report on Heritage is "absolute dominance of private rights over community benefit" shows extreme bias and ignores common property rights. Barry, no government has the right to confiscate any rights - unless you live in Zimbabwe. If you or the community wants control of heritage houses then pay up. If you don't have the money don't steal.

A well reasoned article in the SMH by Michael Duffy (7/1/6, Safe as houses? Don't count on it.) referred to this as "state-sanctioned theft". He writes "strong property rights protected by law are one of the main bastions of liberty, because they shield the weak against the strong ... to ensure liberty and prosperity".

Council and State seized part ownership of my house without any compensation when they placed it on the Heritage list (1989) against my written protests.

New local rezoning and proposed development has affected my major asset after a lifetime in my home. I have seen a third of the value of my house taken from me without any compensation. Would anyone accept an unfair, arbitrary ruling by government which removed \$100,000 from the sale proceeds of their house? My house is a major part of my retirement assets.

Today, many other Heritage home owners face the prospect of overwhelming vertical high rise developments up against their boundaries without any reasonable protection. The developers place their most profitable units overlooking the big heritage rear gardens and yet the Heritage owners are prevented from doing their own developments

Heritage listing of private homes is a public disgrace randomly forced on some for the benefit of the few heritage activist who probably don't own a heritage house and certainly don't contribute to my additional expenses or reduction in value.

Yours faithfully

Noel McIntosh