

Scanned copy of original submission

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Heritage Inquiry,  
Productivity Commission,  
PO Box 80,  
Belconnen ACT 2616

Dear Madam,

### **Heritage Inquiry - Submission**

#### **1) Voluntary Listing**

The listing of properties (especially of residential properties) should be voluntary. Compulsory listing takes away the fundamental property right and freedom of the owner to decide how to decorate his/her property and how to renovate, repair and design any further extensions or developments to his /her property.

Compulsory listing takes away the fundamental right of ordinary homeowners to live his/her life without outside interference. Such compulsory listing causes resentment and antagonism to the system, often leading to neglect of the property, or to the "pre-emptive" modifications and demolition to avoid control.

Voluntary listing encourages owners to actively become involved in conservation and not to object to listing. This is a much more positive approach.

Voluntary negotiated agreements would bring more rigor to the listing system and would better align the consideration of conserving with considerations on how the conservation is to be managed and funded.

We are a democracy and surely property owners rights and freedom should be respected. Property owners should be persuaded to be voluntarily listed rather than be compulsorily listed.

#### **2) Criteria for listing**

Present criteria for listing are often vague and open ended (often times confusing community nostalgia for heritage value. Criteria for listing must be more stringent and specific and the threshold for listing must be much higher than they currently are. Buildings or properties must reflect an architectural genre or be iconic or if it has historical or social value it has to be well documented.

There needs to be critical review of the range and types of heritaged properties so that we do not have too many of the same types. When there is no cost incurred by listing bodies there is no incentive to accurately assess the merits of individual properties and

this results in the blanket listing of a large number of properties of questionable heritage merit. Anything that looks old seems to be good enough for listing.

There also needs to be transparency in the process of selection. The present system is too opaque.

There also should be an allowance for a difference of opinion even between so called experts - so that if there is a reasonable contrary expert opinion that the property is not of significance, the property should not be listed.

### **3) Financial loss**

Inappropriate listing imposes financial loss to the owners because of a denial of redevelopment opportunity, the increased costs in maintenance of the property and the fall in salability or marketability of the property. Potential buyers are often put off by the encumbrance of heritage listing.

### **4) Public to share in costs of management**

Costs are often not considered when the decision to heritage a property is made. Neither is cost given due consideration when bureaucrats prescribe methods of conservation or require certain building styles or methods to be implemented conditional to their approval. It is not fair for the public to require the individual property owner to bear the heavy costs of maintaining the property for the common good of the community without financial assistance from the community. There should be exemption from rates and taxes for heritage listed properties and also a sinking fund provided by the community or the government for funding the repairs to heritage properties.

### **5) Financial losses to be recompensed**

Owners of heritaged properties generally suffer a loss in the value of their properties because of the loss of future developmental potential and the increased cost of maintenance as well as the increased costs of complying with the heritage regime's regulations. This loss should be adequately compensated by the exemption of these properties from all rates and taxes as an incentive to voluntary listing.

### **6) Delays in planning & building approvals**

Once listed, heritage property owners are subjected to lengthy delays and bureaucratic red-tape when applying for planning and building approval. There should be a rigid time frame in which bodies which assess building and planning approvals should make a decision. They should give the applicant a decision within one month of the lodgement of the application and not take excessive time procrastinating and causing unnecessary delays. If they need more time in deciding over heritage listed properties then there should be avenues available that give heritage properties a fast track and priority over other ordinary properties.

Yours sincerely

Judy Leong