

The Reynell Business & Tourism Association Inc

Subject: Heritage Inquiry Submission

Heritage Inquiry
Productivity Commission

February 23, 2006

Dear Sir/Madam

I wish to make the following points:

1. I would firstly commend the Commonwealth Government on attempting to tackle Heritage in Australia.
2. Heritage is a national consideration and therefore should be treated accordingly. Taxpayers should fund Built Form as well as Natural Heritage.
3. Australia's history is only very young compared with the rest of the world and we have generally done little to preserve, record or protect it.
4. I am totally opposed to the voluntary aspect of the proposed legislation. My experience is that developers are profit-driven and are not interested in heritage (therefore maintenance is not an issue)
5. Our local heritage is handled effectively by the Onkaparinga City Council. Funding is always needed so that we can do more for Built Heritage.
6. There appears to be an unfair bias towards Natural Heritage funding.
7. The one single problem with existing legislation is the heritage building which is situated on private land. I strongly believe that the Conservation Heritage Agreement, which is being proposed, will reduce the number of heritage buildings, as the administrating body (I presume local government) will not have the funds to acquire them (particularly as the Commission states that it won't or can't make a recommendation on funding). Also when properties are sold there seems to be an opportunity for the purchaser to review the criteria on which the heritage status was originally based. I propose this will be a field day for lawyers! I am worried by the 'retrospectivity' nature of the legislation.
8. If a property is acquired who will assess the acquisition price? And in the event of a dispute, who will be the arbitrator? I suspect another windfall for the legal fraternity! The cost of this proposal would be many millions of dollars.
9. I would rather favor legislation which assists property owners, whose properties have been identified as having heritage value, by either acquiring them at current market value (plus an amount in consideration of the inconvenience created) or assistance in maintaining them. I am sure the costs associated with this proposal would be greatly less than the proposal in the Draft Document. In the event of acquisition the Federal Government should bear the cost of maintenance.
10. At the hearing in Adelaide Commissioner Byron repeatedly emphasised, apparently in support of the Proposal, that the outcome from the scenario where a Voluntary Conservation Agreement was successfully negotiated and a heritage building was "saved" and maintained was extremely beneficial for heritage. I certainly concur in this instance but would respectfully

suggest that such a case would certainly be in the minority. Most developers would opt for it not being listed, de-listed or demolished!

11. The "Draft" certainly appears to favor developers.

12. While there are obviously more than 1.9% (in Victoria) and 4.3% (I think in South Australia) property owners who are not satisfied with current legislation (some are not prepared to express their dissatisfaction) still there are by far a majority of them who are satisfied. Are we once again in Australia trying to satisfy the vocal minority and overlooking the silent satisfied majority. Not very democratic in my opinion!

13. I am completely amazed at the Commissioners' insistence that funding was not part of the terms of reference! Why then is the Productivity Commission handling this issue. Surely Policy & Planning or another department should be conducting this hearing! Funding is critical for Built Heritage to survive in Australia. Local communities and National Trusts etc have done an excellent job to date but it is unfair for a particular community, because of its greater historical importance and therefore larger number of sites, to bear the costs of maintaining these buildings when I believe the costs should be shared by ALL Australians! If the Federal Government is serious about built form heritage it will need to provide significant funding from general revenue. Surely, without being able to establish the various state expenditures on built heritage, the Commission should be able to estimate the various costs on a needs basis and estimate a figure in its final report to the government. I believe funding was part of the terms of reference given by the Treasurer and that the commissioners are misleading with their comments that it is not their brief to recommend how governments spend their monies. The issue rather is how much will built heritage cost this country? I believe the Commission can determine a figure. The funding allocated to various governments should then be assessed by the Federal Government on a needs basis.

14. Our Association has recently been involved in restoring a SA State Heritage-listed building called The Former Reynella Changing Station. Over 3 years we have restored the first stage (a stable building) from a ruin to its original state of glory. The community 'in-kind' support has been about \$80,000.00. The buildings are on private land! We successfully negotiated with the developer-owner (who has no time for heritage), Heritage SA and the local Council to achieve the result and save this historic site. The owner in fact contributed \$5,000 (as did the Council and Heritage SA) to the restoration! I would suggest with the proposed voluntary legislation the building would have been demolished and lost for all time! The current legislation was sufficient.

15. We are also involved with another heritage site (the Moana Roundhouse - on the local heritage register). This was delisted by The State Minister without consultation with the local community or local Council! We are expecting the strong community objection will resolve the situation and the building will be reinstated on the register. Under the proposed legislation we believe the building would have been demolished by now! Potentially another loss.

16. Another developer is endeavouring to have another historic building (Quidhampton House)demolished in our area. This cottage was on the local heritage inventory before the then Noarlunga Council merged with the Happy Valley and Willunga Councils to become The Onkaparinga City Council. As a result of the merger and Council instituting a Local Heritage Advisory Committee (LHAC)the cottage was unfortunately 'missed' and did not appear on the new local heritage list. The Minister is currently considering an urgent PAR to have it placed back on the list. At this stage strong local community objection has discouraged the developer from lodging a development application to have it demolished. If a voluntary conservation agreement was offered to the developer it surely, once again, would have resulted in its demolition.

17. In each of the above 3 cases the developers have not been interested in retaining these buildings. Maintenance was not the issue.

I am the community representative on Council's LHAC. I am passionate about heritage in Australia. I believe 'if it aint broke, don't fix it". But I also believe heritage is a national responsibility and would support the combining of current legislations to produce one

Australian set of standards and regulations to be administered by the various local government bodies with funding provided, on a needs basis, from the Federal Government. I would address the issue of buildings on private land as I have outlined in (9.) above.

Yours faithfully

Robert M Moyse
Chairman
RBTA