



Speech by

Glen Elmes

MEMBER FOR NOOSA

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QUEENSLAND HERITAGE AND OTHER LEGISLATION AMENDMENT BILL

Mr ELMES (Noosa—Lib) (11.59 am): I congratulate the member for Gympie on his previous remarks. I rise to speak to the Queensland Heritage and Other Legislation Amendment Bill 2007. This bill highlights and identifies a number of welcome provisions, which include the release of the Queensland Heritage Council from the bureaucratic burdens of the day-to-day management of the Heritage Register. The bill also allows it to focus on strategic management for the protection of Queensland's heritage sites. The bill will also remove complications from what was a terribly convoluted and confusing process. I welcome these kinds of changes, which reverse the state Labor government's trend towards increased bureaucracy and inefficiencies. I cannot help but welcome another reversal of Labor policy and that is to recognise and empower local government. Rather than to disengage and bureaucratise local councils, this bill will allow local councils to decide what sites are important to their ratepayers and empower them to protect and care for them.

Heritage sites, whether they are homes, the local town hall or the shire office, come in various designs and from different eras, but they hold special significance for individual communities. A structure that is an important heritage site in one town or city may not hold the same importance in another. That is why community input is vital at a grassroots level to ensure that not only are sites and structures preserved because the state thinks that they are essential but also for sometimes differing reasons a local community holds them of great value owing to social and historic reasons.

On 10 October in this place we heard the member for Townsville speak about the historic Townsville Showgrounds. On that occasion the member tabled a petition signed by 10,572 locals who want that part of their city's heritage protected. Hopefully, this bill will foster more local community and local council engagement in the decision to list sites on the Heritage Register.

So for those three reasons—the reduction of Labor's bureaucratic red tape, new processes that simplify dealings with the government and the recognition and empowerment of local government—I support the intent of the bill. But I have a concern and I would like the minister and also the Treasurer to consider this concern in depth. It is possible under the existing framework—which may be worsened by these amendments—for a property owner to have their property listed as a protected site which they may not be able to afford to maintain to the appropriate standard that the heritage listing warrants.

Under this bill, people who have lived at properties for a long time and who may have seen the value of those properties increase but have not had the corresponding increase in incomes, such as pensioners or retirees, may be slugged with an obligation to maintain their properties but may well be unable to afford such an ongoing liability. Equally, community organisations using community buildings may find themselves in a situation where they are unable to raise the funds required to meet maintenance bills. There is more involved in the maintenance of a heritage site than simply throwing money at it. The day-to-day loving care of heritage listed buildings by responsible owners is also an absolute necessity. Those carers should be encouraged and supported financially as and when the situation demands.

The Scrutiny of Legislation Committee also realised this effect of the bill and raised it with the then minister. The then minister's response is found on pages 42 and 43 of the committee's *Alert Digest No. 10*, which was tabled in this place on 9 October. I do not think that the response was satisfactory, because the then minister attempted to emphasise that only minor works would be ordered of property owners. If a building is in grave danger, then it would be appropriate for the government to act. But it would be preferable for the government to provide the funding rather than to shift the cost to the property owner. I hope the new minister takes my comments on board.

Simply put, Labor is not doing enough to support people in a situation where they have a property that is subsequently heritage listed but they are unable to maintain the property satisfactorily for one reason or another. If a property is special enough to warrant inclusion on the register then it is special enough to be preserved. In that case, if the property owner is unable due to financial constraints to preserve the property properly then the government should contribute or perform the works on the owner's behalf. If that is not the case then one could only assume that the property is not of sufficient heritage value and that it should be removed completely from the Heritage Register.

For instance, last year on 30 November the then minister announced financial assistance for the owners of heritage listed properties under the Living Buildings heritage conservation fund. The sum total of the assistance promised for the years 2006-07 and 2007-08 was \$5 million, or just \$2.5 million for each of those years. I have been advised that following that announcement about 800 applications for funding were received by the Queensland Heritage Council. According to the data provided on the EPA's web site, of those 800 applications only 57 applications for works funding were successful and 50 were successful for funding to create management plans. What happened to the other 693 buildings or structures for which funding was applied? Are they worthy of preservation? Where are they? What will the effect of nonfunding have on the preservation of the structure of those buildings? Clearly, there is a critical imbalance between what Labor says and what Labor delivers. Nothing is new in this Labor government's approach to saying anything and delivering the least amount possible. Plenty of opportunities were presented to this government to support heritage locations yet it chose to support only a small percentage of them.

But what I find even more frustrating is that Labor is now going to spend \$2.7 million to identify even more heritage sites when it has not provided sufficient cash to support and maintain the ones that have already been identified. Nor has the government outlined where the money will come from to maintain and enhance what could be hundreds of additional heritage sites across Queensland.

I agree totally with maintaining the heritage of Queensland. It is our history, it is what we are, but we must ensure that any building or structure that goes on the heritage list is matched with the financial capacity to maintain it. I do not want to see the heritage places in Queensland treated in the same way as the national park estate, where this government has created new national parks without providing adequate resources, particularly in terms of manpower, to maintain them. As I said before, that is \$2.5 million in funding over each of the last two years. To me, a real concern is what amount of money is going to be put aside in the years to come to adequately maintain and preserve the hundreds of heritage sites that we have already and the likelihood of hundreds more that will come about because of this new research that the government is about to undertake?

I agree with the significant fines that will be imposed on anyone who destroys or damages a heritage listed building, but I must make the point to the minister that if the owner of a heritage listed building is unable to comply with a work direction or to undertake the necessary repairs or modification, what is the sense of fining that person or a corporation up to a figure of \$1.275 million? My question to the minister is: why should ordinary Queenslanders have to pay for what the Labor government will not?

I support the aims of this bill, but the government should ensure that when it drafts bills that have an enormous impact on the ordinary citizens of this state it proves without doubt that it is prepared to back its own legislation with cold, hard cash to achieve what it promises. To me, this spasmodic funding, which leaves critical gaps in support for some property owners, highlights the tragic record of financial management of Labor in this state. It also sends a clear message to all Australians as to how dangerous a federal Labor government would be, given that it has been to the same school of financial irresponsibility. It just goes to show that you cannot trust what Labor says; you have to look at what Labor does.