

DRAFT SECOND READING SPEECH

HON. MATTHEW GROOM MP

National Trust Preservation Fund (Winding-Up) Amendment Bill 2016

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Madam Speaker,

I move that the Bill now be read a second time.

As Members would appreciate, at times, legislation needs to be updated. This Bill and the amendments it contains are a good example of this.

In this instance, I am seeking support to amend provisions contained in the *National Trust Preservation Fund (Winding Up) Act 1999*.

Under this Act, the Hobart City Council has funds available to facilitate the conservation of places of historic heritage significance. However, the legislative provisions that govern the allocation of these funds are outdated, and no longer reflect the provisions in the current planning scheme.

This has essentially frozen these funds, when there is a large number of properties that would benefit from having access to this funding.

This Bill will enable the Hobart City Council to apply these funds to places of local historic heritage significance listed in its planning scheme and places in Hobart on the Tasmanian Heritage Register.

The task before us is to consider some minor amendments to this Act to enable this funding to be released. However, the Bill also includes a provision to ensure flexibility, so that additional amendments will not be required if changes are made to the planning scheme in the future.

Before I go into further detail, let me provide some background on this legislation and the reasons for its introduction.

The *National Trust Preservation Fund (Winding-Up) Act 1999* had its genesis in 1966 when the Tasmanian Government, Hobart City Council, Launceston City Council and National Trust between them agreed to set aside funds to help to preserve and restore historic buildings.

Money was directed into this fund by the Tasmanian Government, the Hobart City Council and the Launceston City Council, and file records indicate that the northern fund was wound up and the funds were used to purchase Staffordshire House in central Launceston in 1968.

In the meantime, the southern fund continued to be added to by the Hobart City Council and the Tasmanian Government, and a Deed of Trust was introduced to govern the provision of these funds.

Uncertainty about the standing of the Deed and changes to the way in which the statutory management of heritage places has evolved led to a decision to have these funds governed by an Act of Parliament.

As a result, the *National Trust Preservation Fund (Winding Up) Bill* was introduced. By this time, I understand that the National Trust was no longer involved with this Fund, and nor is it now. The Trust, however, has been briefed on this Bill to avoid any confusion amongst its members – given that the organisation's name appears in the title.

The Act provided for the balance held in the Preservation Fund to be divided equally between a Heritage Account managed by the Hobart City Council and the Heritage Fund managed by the Tasmanian Heritage Council under the auspices of the *Historic Cultural Heritage Act 1995*.

The Act required that the funds provided to the Hobart City Council were to be used '*for the provision of financial or other assistance in relation to an entry in - a) the National Trust register kept by the National Trust of Australia (Tasmania); or b) the Tasmanian Heritage Register.*'

The Bill was given Royal Assent on 16 July 1999. This triggered the transfer of approximately \$1 million to the Hobart City Council.

Since then the adoption of the Council of Australian Governments Agreement on the Environment, in 1997, and the introduction of the National Heritage System in 2004, have created a tiered system of heritage recognition, protection, management and celebration.

This system recognises that places of heritage significance may be of local, State or Territory, National or World Heritage significance.

The reform of Tasmania's National Trust between 2004 and 2006 provided the State Government with the opportunity to centralise statutory responsibilities for historic heritage in the Heritage Council and reinforced the Trust's role as a community-focused organisation.

This included a decision to end the Trust's classification role, as it duplicated the role of planning authorities and the Heritage Council.

This decision, and efforts of the Hobart City Council to populate its own heritage schedule with places not previously recognised by the Trust, means that the provisions in the Act are outdated and no longer cover all the planning scheme's listings.

This is the background to the amendment we are considering today.

The amendments proposed will:

- Ensure the *National Trust Preservation Fund (Winding Up) Act 1999* remains current and fulfils its purpose;
- Remove reference to National Trust lists and focus the Act on places listed in the heritage provisions of the planning scheme;
- Remove reference to the National Trust from the Act as it is no longer an active party to this arrangement or legislation; and
- Preserve the capacity for places in Hobart on the Tasmanian Heritage Register to continue to be able to access these funds.

While the proposed amendments are relatively minor in nature, they have the capacity to make a real difference to heritage property owners in the City of Hobart who are keen to conserve their properties.

As indicated, this Bill will enable the Hobart City Council to apply these funds to places of heritage significance in Hobart, as the Act intended.

It has the support of the Hobart City Council, and I would like to thank Council and departmental officers for their help in progressing this matter.

Madam Speaker, the Government fully supports the introduction of this Bill.

I commend the Bill to the House.