



## LSJ Heritage Planning & Architecture

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### Standing Committee on Social Issues: Hearing on the *Heritage Act 1977*

#### Response to Questions on Notice

Issued: 17<sup>th</sup> September 2021

2. **The Hon. PETER PRIMROSE: ...list the objects and, if you would, include some very specific things that you would actually include and what you would exclude from the objects, and how you would redraft it.**

The objects of the *Heritage Act 1977* are as follows:

- (a) *to promote an understanding of the State's heritage,*
- (b) *to encourage the conservation of the State's heritage,*
- (c) *to provide for the identification and registration of items of State heritage significance,*
- (d) *to provide for the interim protection of items of State heritage significance,*
- (e) *to encourage the adaptive reuse of items of State heritage significance,*
- (f) *to constitute the Heritage Council of New South Wales and confer on it functions relating to the State's heritage,*
- (g) *to assist owners with the conservation of items of State heritage significance.*

If my understanding is correct, then the objects of the Act have only been in place since 2009 and in my opinion are appropriate and relevant to today. The wording of the objects of the Act is broad and can be interpreted and applied to the diversity of types of heritage items included on the State Heritage Register and supports the application of all process of conserving the heritage values of an item (as per the *Burra Charter*).

The only changes I would suggest are as follows:

- (b) *to encourage **and support** the conservation of the State's heritage,*
- (f) *to educate owners and the broader community about the heritage of NSW.*

3. **The Hon. SHAYNE MALLARD: I would like to hear from Ms Denny in particular but also from the other witnesses on their views on adaptive reuse of heritage-listed buildings. I would not mind hearing one or two good examples of that if you would like to fill us in on that area.**

Adaptive reuse is a useful tool for the conservation of heritage item. It supports the retention of an historic place or building, whilst allowing for its continued use in a way that meets current expectations and needs of the owners and the public. Obviously, as a society, our modes of living, working and playing change over time. Buildings (in particular) that are configured to accommodate what was "up to date" ways of being in the early 1900s may no longer be appropriate or practical for contemporary society. Adaptive reuse provides a means by which our current modes of living, working and playing can be accommodated in way that does not diminish our cultural heritage.

However, adaptive reuse does result in some aspects of significance being diminished or lost due to a change in use and resultant physical changes to accommodate any new use; and in decisions regarding adaptively reusing an historic place or property, a careful balance needs to be sought that minimises loss of significance. An example of this can be found in changing the use of what once was a vibrant, bustling, productive industrial site, with strong social connections amongst workers and the surrounding local community into a quiet, enclosed residential or commercial precinct. Although the general configuration and appearance of the industrial buildings may be retained, preserved and protected, those social connections and intangible associations with the way the place was historically used will be lost and thus the heritage values of the place are somewhat diminished.

Adaptive reuse should always be led by the significance of the place, guided by considered conservation policies and implemented sensitively, and preferably in a way that does not prevent future adaptation and/or restoration.

I also note that the term “adaptive reuse” places emphasis on the idea of “adaptation”, i.e., change, rather than focusing on conservation. The Burra Charter instead talks of compatible use, which means a use which respects the cultural significance of a place and involves no, or minimal, impact on cultural significance. In relation to heritage, compatible use is a more appropriate and useful term. In my opinion, it is the “use” part of the term “adaptive reuse” that should be adapted, rather than the heritage item. A suitable, appropriate and sensitive use should be found and adjusted to fit sympathetically with the form, configuration and fabric of the heritage item; acknowledging that some physical changes will be necessary and market forces most often drive proposals for reuse.

Some good examples of adaptive reuse are:

- The Sydney GPO, which continues to be an active, vibrant place of mixed uses and invites visitation due to its heritage values.
- The Woolloomooloo Finger Wharf, which contains an active and interested community of residents that strive to protect and preserve the heritage values inherent at the place.

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