

**Submission  
No 39**

**INQUIRY INTO STATE RECORDS ACT 1998 AND THE  
POLICY PAPER ON ITS REVIEW**

**Organisation:** Heritage Council of NSW

**Date Received:** 8 April 2020

---



Level 6, 10 Valentine Avenue  
Parramatta NSW 2150  
Locked Bag 5020  
Parramatta NSW 2124  
DX 8225 PARRAMATTA

Telephone: 61 2 9873 8500  
Facsimile: 61 2 9873 8599  
[heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)  
[www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)

File No: EF20/602  
Ref No:DOC20/280535-1

The Hon. Shane Mallard, MLC  
Chair, Standing Committee on Social Issues  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr Mallard

I write as Chair of the Heritage Council of New South Wales to make a submission to the Parliamentary Inquiry into the State Records Act 1998. This submission is on behalf of the full Heritage Council.

The Council has, among other matters, the specific function under section 21 of the *Heritage Act 1977* to make recommendations concerning environmental heritage set out below:

“(1) The functions of the Heritage Council are:

- (a) to make recommendations to the Minister for or with respect to the exercise by the Minister of any functions conferred or imposed on the Minister by or under this Act or the regulations;
- (b) to make recommendations to the Minister relating to the taking of measures for or with respect to:
  - (i) the conservation of,
  - (ii) the exhibition or display of,
  - (iii) the provision of access to, and
  - (iv) the publication of information concerning, items of the environmental heritage;
- (c) to carry out investigations, research and inquiries relating to the matters referred to in paragraph (b);
- (d) to arrange and co-ordinate consultations, discussions, seminars and conferences relating to the matters referred to in paragraph (b);
- (e) to maintain a database (to be called the State Heritage Inventory) listing items of State and local heritage significance, and
- (f) to conduct community education concerning the State’s environmental heritage”

We note that “environmental heritage” is defined as:

“those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance”.

In October 2019, the Heritage Council endorsed the History Councils’ of New South Wales, South Australia, Victoria and Western Australia: *Value of History Statement* which states inter alia “*History shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations*”, a statement directly relevant to this Inquiry.

The Heritage Council recognises the key roles of the State Archives and Records Authority (SARA) with its outstanding collections of the State’s history, records and archives; and Sydney Living Museums (SLM), a place-based agency, custodians and curators of significant items of the State’s environmental heritage, including gardens and associated collections.

In the Council’s view, it is critically important that the proposed reforms maintain these key roles as custodians, interpreters and curators of the State’s environmental heritage and history and improve the ability of any new agency to conserve, exhibit, and pro-actively engage the community with that environmental heritage.

In particular, the Council endorses the first of the four Policy Outcomes set out in the Policy Paper which aims to ensure that: “*stories that shape the social, historical and cultural identity of New South Wales are widely shared and understood*”, an objective shared with many of the State’s cultural institutions including the Heritage Council.

The Council notes that the proposed creation of a single entity is intended to foster and enable collaboration beyond the existing SARA/SLM partnership, within a larger Executive Agency. While the roles of the two existing organisations do overlap, and there is the potential for shared services, the Council notes that in many ways they are significantly different. The Council therefore supports the proposal for two specialist committees or advisory boards under the proposed single governing body which have the function of supervising these two distinctive roles.

The Council strongly supports the continued and greater use of original and digital material from SARA that directly relates to SLM properties to enhance the communication of their stories to the wider community and vice versa. It also notes the importance of curating and managing the SLM properties as artefacts in themselves, providing the people of NSW with living access to the stories of NSW through curatorial activity, public events and excellence in conservation practice, as well as via exhibitions.

The Council notes the broader context in which these proposals are made, namely, the museums and galleries sector of NSW, the State Library, civil society and the responsibilities of the many government agencies that manage extensive state heritage assets (some of which are listed on Heritage Registers maintained under S170 of the Heritage Act) all of which have significant roles to play.

The Heritage Council also supports the need for enhanced, open digital access to the State's records and archives and encourages specific initiatives for the timely identification and conservation of the State's native digital assets and transmission methods as storage formats evolve.

Given the significance of the roles of both organisations in safeguarding these key collections, Council also strongly supports the proposal that if a new organisation is created through the merger of SARA and SLM, it be given Executive Agency status in line with the State's other major cultural organisations.

Yours sincerely

Frank Howarth  
**Chair of the Heritage Council of NSW**

7 April 2020