

**Submission  
No 9**

## **INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977**

**Organisation:** Lane Cove Council

**Date Received:** 16 June 2021

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# Lane Cove Council

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Date: 16 June 2021  
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Anthony Hanna  
Principal Council Officer  
NSW Standing Committee on social Issues  
Parliament of New South Wales

Dear Mr. Hanna,

**Re: A Review of the NSW Heritage Act 1977 - Lane Cove Council response**

Council welcomes the opportunity to make comment on the proposed review of the Heritage Act. Council supports in principle best practice measures for recognising, conserving, re-using and celebrating the important heritage of NSW. Many of the suggested measures in the Discussion Paper are reasonable and timely, in particular those measures which may assist in adaptive re-use of State Heritage Register (SHR) items.

However, while supporting the principle of activating heritage places for tourism, legislation needs to recognise that some uses, while excellent for attracting tourists, may be incompatible with the amenity of surrounding uses. For example, cafes, bars, hotels and shops may have an adverse impact on nearby residences. Changes of use to attract tourism must always be consistent with such matters of consideration as listed under Conservation incentives in the *Standard Instrument—Principal Local Environmental Plan* Clause 5.10(10).

Council supports the principle of providing a graduated response to non-compliance, such as a system of fines, leading up to court action as a last resort. However, care should be taken not to weaken the power of government to use enforcement powers appropriate to severe non-compliances.

Council in general supports the proposed expanded owner incentives, philanthropic funding and public ownership proposals of this review insofar as they encourage development of otherwise neglected sites, often undergoing demolition by neglect.

For any queries, please do not hesitate to contact me  
or Terry Tredrea, Council's strategic planner on

Yours sincerely

**Mark Brisby**  
**Executive Manager, Environmental Services**