

**Submission  
No 39**

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

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## **REVIEW OF THE NSW HERITAGE ACT**

It is a welcome development that the NSW Government is reviewing the Heritage Act. My concern is that the review should be used as an opportunity to ensure that the protection of our heritage is at the forefront of decision making in the State. Once heritage sites are destroyed they are lost forever and as a society we have much to learn from our heritage.

I would urge the review to consider heritage much more holistically rather than thinking of the listing of individual items. This involved thinking about precincts and environments as well as taking into account more intangible heritage values such as the aesthetic, social, spiritual and living cultural traditions. The need to consider precincts can be seen clearly in relation to areas such as North Parramatta where there are not just a few buildings of great heritage value but a whole precinct including the Cumberland Hospital, Female Factory and Orphan School, and where developments in the surrounding area may compromise the whole heritage value of the precinct. There is a need to have conservation schemes for whole areas and these need to be integrated across all levels of government and especially link to local government planning.

I also argue that the Act should not be just about preserving the past but also promoting the sustainability and continuity of places and ensuring that they are not only preserved but used.

I strongly urge the Standing Committee to take into account the following matters:

- Ensuring that the Heritage Council has a substantial community representation with expertise from a broad range of heritage professionals.
- Ensuring that the Heritage Council is adequately funded to ensure that it can have a prominent voice in any heritage discussions.
- That the State Government's significant developments must take into account all aspects of heritage and not be allowed to override heritage considerations as is the case presently.
- Making it mandatory that heritage issues are considered in all development proposals.
- That the Government urgently review its own assets and ensure that those with heritage value are placed on the Heritage Register.
- Ensure that people involved in assessing heritage values are appropriately qualified to do so. Just because some claim to be a heritage expert does not mean that they have appropriate expertise. The Act should ensure that they are required to demonstrate their bona-fides as experts.
- The Government should also address the issue of destruction of heritage items because of neglect.

The Standing Committee should ask what the more serious issue is facing the placing of heritage at the forefront of decision making. Is it because of weaknesses in the current Act, the manner in which the current Act is applied, or in the level of resources to ensure that the requirements of the Act are complied with?

It may be that there has been a diminution in technical expertise within Government Departments which makes it more difficult for them to enforce the requirements of the Act. I would argue that existing legislation is not the underlying cause of all the identified concerns. Rather, authorities responsible for heritage are under-resourced and with better resourcing can ensure that all relevant policies are up-to-date.

Gregory Brunner 24/6/2021