

**Submission  
No 50**

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

**Organisation:** National Trust of Australia (NSW) - Southern Highlands Branch

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National Trust (NSW)  
Southern Highlands Branch  
PO Box 491  
Bowral NSW 2576

Standing Committee on Social Issues  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Committee Members,

**re: Inquiry into Heritage Act 1977**

We write on behalf of the Southern Highlands Branch of the National Trust (NSW). There are around 800 local residents who are member of the National Trust. The Branch is centred on the Wingecarribee LGA. The National Trust manages 3 historic heritage properties in this area being:

- **Golden Vale**, Sutton Forest - 1860s historic sandstone home, English gardens, woolshed.
- **Harpers Mansion**, Berrima - 1834 Georgian house, maze and 2 acres of garden.
- **Retford Park, Bowral** - 1887 James Fairfax's Italianate residence, large garden & collection. Retford Park is the jewel in the NT (NSW) crown. The Retford Park precinct includes *Ngunungulla*, the Southern Highlands Regional Art Gallery to open later this year.

The rich local heritage of the Southern Highlands, the historic village settings and the natural beauty attracts residents and visitors to this area. We believe there is a real economic value in retaining those characteristics.

We would submit that any review of the Heritage Act should seek to strengthen the recognition, retention and appropriate adaptive reuse of our historic assets. This should include properties, landscapes and cultures.

We would also like to see a productive and synergistic co-operation between the Heritage Act and, in our case, the Wingecarribee Local Environment Plan. This should recognise the local community views and provide support to the local community.

To quickly address the Focus Questions, we would comment:

1. **Heritage Council** – We obviously support the inclusion of a representative of the National Trust on the Heritage Council. We would expect that a majority of the Council have relevant experience and expertise.
2. **Aboriginal Cultural Heritage** – The mission of the National Trust is to support “built, cultural and natural heritage”. Aboriginal culture is important.
3. **Objective of the Act** – The Act's initial objective to “halt the increasing loss of heritage” is as important today as it was almost 50 years ago. Indeed there may have been a broadening of community expectations to include the preservation, and adaptive reuse of properties and the recognition of the value of landscapes and cultural heritage.
4. **Contemporary Expectations** – If anything, there is a greater realisation of the potential loss and the need for protection. This includes properties, landscapes and culture.
5. **Better incentivise** – Yes! The National Trust, supported by its extensive member base, has, like a lot of dedicated property owners, spent time and money preserving and reusing heritage properties on behalf of the broader community. All those owners would appreciate greater support from government – as long as that support does not involve unrealistic obligations.
6. **Incentives in the tax system** – This might include assistance with local government charges, state payroll tax relief where staff are employed to assist public access to properties, state land tax relief and expanded access to DGR status offering tax deductibility to donors.



7. **Commercial and philanthropic investment** – Commercial investment may be quite hard-headed so there may need to be flexibility in adaptive re-use options. Philanthropic donors may be more interested in ensuring that their support provides a long-term solution.
8. **Tailored heritage protection** – Heritage listings, and heritage protection, must support long-term conservation and appropriate contextual conservation including adaptive reuse.
9. **Residential properties** – Such properties, even modest residential heritage properties, should be documented and protected under the Heritage Act and/or Local Environment Plans.
10. **Greater community engagement** – The Heritage Register should be readily available to the community and, with the support of specialists, the community could be actively involved with proposed additions to the Register.
11. **Streamline the listing process** – Yes, subject to appropriate due diligence and expert support.
12. **Permit system** – While there be advantages in flexibility and speed, there should still be appropriate rigour and review. There should be due process.
13. **Heritage permit criteria** – Realistic exemption criteria and appropriate Heritage Assessments are important.
14. **Land use planning** – There is a growing community recognition of the heritage value of the natural environment and landscapes. This should be acknowledged and supported.
15. **Heritage strategy** – Yes, there does need to be consistency between the Heritage Act and the EP&A Act but that needs to recognise the value of heritage and not erode community confidence in the Acts and their implementation.
16. **Heritage compliance** – Enforcement powers are important. This may be through greater intervention and mediation powers but may also involve greater personnel resourcing and support at a local government level.
17. **Understand heritage** – Support for heritage awards (be it through the National Trust or at State or Local Government level) is appropriate. Greater support could be given to local research, documentation and publication – including electronic publication and social media.
18. **Heritage tourism** – Tourism in general is greatly impacted in the current COVID. But “heritage tourism” could offer great economic benefit in the future, especially in rural communities.
19. **Public heritage building** – There seems to be great potential for “adaptive re-use” as long as the fabric and history of the building are not compromised.

We welcome the opportunity to make this brief submission. We hope it will assist in strengthening the Heritage Act in a way that acknowledges the community support for our important built, natural and cultural heritage.

Yours sincerely,

David Collingridge  
Chairman,  
National Trust, Southern Highlands Branch  
25<sup>th</sup> June 2021