

**Submission
No 80**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Organisation: History Council of NSW

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The Hon Peter Poulos, MLC
Chair, Standing Committee on Social Issues
Legislative Council
Parliament of New South Wales

HCNSW Submission about the Review of the Heritage Act 1977

Preamble

The History Council of NSW, Inc (HCNSW) is a Peak Body for history in NSW that aims to ensure that history, in all its diverse forms, is a central part of the cultural life of the people and communities of this state. We provide programs and services which build capacity within the history sector and showcase the importance of history to both our members and general audiences. We focus on five key areas: awareness, diversity, excellence, advocacy and outreach.

The achievements of our 25-year history show that the HCNSW is sustainable, innovative and of continuing relevance to the cultural sector, excelling at outward-facing engagement.

HCNSW Submission

The HCNSW notes that there are some opportunities for minor changes in the existing Heritage Act, but the HCNSW believes the objectives of the current Act continue to be relevant and that the Act does adequately reflect the expectations of the contemporary NSW community.

The HCNSW believes that the structures and organisation and some processes in implementing the existing Act need to be strengthened with better resources, rather than the legislation needing to be significantly changed.

The HCNSW believes the congested approvals process in particular is not due to the complexity of the process but due to inadequate resourcing.

This HCNSW submission focuses on areas relevant to history and historians in NSW.

The HCNSW strongly supports an invigorated emphasis on history as part of the heritage process. The HCNSW believes history and historians are critical to understanding and assessing, interpreting and disseminating heritage in all its forms, including built, cultural and environmental. We also believe that historians have been under-utilised in assisting the Heritage Council of NSW and Heritage NSW in the overall heritage process – in particular the valuable services of professional historians.

This submission addresses the following focus areas identified in the Act Review discussion paper:

- Focus Question - the composition, skills and qualities of the Heritage Council of NSW
- Focus Question - State Heritage identification and listing and improving the listing process
- Focus Question - The overhaul and re-writing of State Heritage Register information

1. The composition, skills and qualities of the Heritage Council of NSW

As the discussion paper notes, membership of the Heritage Council of NSW relates to any of the following areas:

archaeology, architecture, the building, development and property industries, conservation of the environmental heritage, engineering, New South Wales or Australian history, local government, moveable heritage, natural heritage, planning, property, planning or environmental law, property economics, rural interests, cultural landscapes and one of the members is to possess qualifications, knowledge and skills relating to Aboriginal heritage.

The HCNSW believes that historians should be an integral part of the Heritage Council in all areas and committees, rather than a single category of an array of heritage interested parties or stakeholder representatives.

The HCNSW refers the review committee to the Combined History Councils of Australia Value of History Statement (available in full here:

<https://historycouncilnsw.org.au/about/value-of-history-statement>)

The **Value of History statement** focuses on seven ways in which history is essential, through:

- shaping our identities,
- engaging us as citizens,
- creating inclusive communities,
- contributing to our economic well-being,
- teaching us to think critically and creatively,
- inspiring our leaders, and
- providing a foundation for future generations.

The Value of History Statement clarifies how important history is in shaping our broader contemporary communities. The HCNSW believes this is underpinned by a critical relationship between our heritage and its interpretation, including the stories, documents, oral histories and other elements of what we think of as history.

The role of historians in connecting heritage, history and community is fundamental. Historians work in interpreting historical significance, in understanding community sentiment and values and in relating heritage fabric to the cultural and social world. Historians have a much broader remit than many other heritage industry professionals often focused on detail and for this reason should be better utilised in the assessment, listing and other areas of Heritage Council operations.

One area that should reflect this is in the diversity and makeup of the Heritage Council. To this end, the HCNSW believes:

- A member from the NSW Professional Historians Association (PHA) and a member from the History Council of NSW should be incorporated in the composition of the Heritage Council in dedicated positions similar to the National Trust member;
- The History Advisory Committee (folded into the Heritage Advisory Committee) should be reinstated to provide advice to both the Heritage Council and Heritage NSW;
- The creation of a position of State Historian: a NSW Chief Historian (or similar) would be an important addition to heritage in NSW, providing advice and generating recognition of the importance of history to our state's future.

On a related point, the HCNSW strongly supports a similar set of roles for Aboriginal heritage in NSW, with identified Aboriginal Heritage positions.

2. State Heritage identification and listing and improving the listing process

In principle, the HCNSW supports a 4 category tiered structure as outlined in the discussion paper.

The HCNSW considers that historians play a critical role in the listing process. . Meaningfully engaging historians in the listing process would prevent poor quality and time-consuming nominations and provide high quality, timely professional advice that is critical for significance assessment.

Members of the Professional Historians Association NSW & ACT (PHA NSW & ACT) are well-placed to lead this process.

For example, the HCNSW see the following model or similar:

- Category 1 –The application is to be conducted by a qualified member of the PHA NSW & ACT (or equivalent).
- Category 2 – The application is to be conducted in concert with a qualified member of the PHA NSW & ACT (or equivalent).
- Category 3 – Application reviewed and signed by a qualified member of the PHA NSW & ACT (or equivalent)

- Category 4 – Recommended (not essential) that an application reviewed by a qualified member of the PHA NSW & ACT (or equivalent)

There has been a distinct failure in the heritage industry across Australia to properly utilise the skills of historians. While archaeologists and other heritage professionals have long been a critical part of the listing process, including preparation of significance assessments, historians have had little formal role in this process, sometimes (increasingly so it must be said over the last years) being subcontracted to conduct written histories (though generally these have been conducted by heritage professionals, not historians).

Historians have vast experience working with various stakeholders, sites, industry, individuals and groups with heritage interests. Historians are well positioned to work with communities and to assist and represent them in the heritage nomination and listing process in particular. For example, a professional historian with a nomination would both streamline the process and generate a full and proper, nuanced and objective listing.

3. The overhaul and re-writing of State Heritage Register information

The failure to more fully engage historians in the listing and register information process has resulted in seriously outdated and incomplete information for sites on the State Heritage Register (SHR). For example, the listings for many historic buildings focus on the architecture and completely ignore the histories that intersect with local communities and places. Listings for colonial mansions have little or no historical information on their role in the occupation of Aboriginal lands.

Just as the Australian Dictionary of Biography has undergone a reassessment and revision of its entries, the SHR needs a reassessment as well. This should be a major project and priority, and would benefit immensely by being conducted by historians – the storytellers of our heritage.

In general, the HCNSW would like to alert the Review Committee again to the Value of History Statement, in particular the section on the economic value and importance of history:

Economic development: History is a catalyst for economic growth. People are drawn to communities with a strong sense of historical identity, material heritage and character. Cultural heritage is a demonstrated economic asset and an essential component of any vibrant local economy, providing an infrastructure that attracts talent and enhances business development, including cultural tourism.

The HCNSW considers that the greatest economic value of heritage lies in its preservation as part of our cultural fabric, which itself generates community well-being and a sense of identity as well as economic activity. The idea that ‘activation’ of heritage buildings will generate income is a short-sighted economic gain which lacks cultural depth and vision. It is the heritage township for



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example that attracts people and industry to places to experience their cultural relationship with the past, not a single café in an old building.

Heritage is as much linked to economic development as it is to social, cultural and spiritual well-being. It is critical that a strong and credible regime that supports this is underpinned by the existing Heritage Act and that this is properly resourced and developed. The HCNSW look forward to working towards this in future.

Yours faithfully,

Dr Stephen Gapps

President, History Council of NSW

On behalf of the General Council of the History Council of NSW