

**Submission
No 85**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Organisation: National Trust NSW, Far South Coast Branch

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National Trust, NSW, Far South Coast Branch Submission to the Review of NSW's Heritage Act, 1977

In the last decade, the Far South Coast Branch of the National Trust NSW has contributed to many community campaigns and projects to protect and enhance the built, indigenous and natural heritage of the Far South Coast, which covers the Bega Valley and Eurobodalla Shires.

We concur with the major conclusions of the forum of major NSW heritage organisations, held on 9 June, organised by the National Trust NSW, regarding the significant contribution that cultural heritage places make to our identity. They are crucial for creating a sense of place and representing the State's story, its people and its shared connections. At a time when our South Coast communities have been severely impacted by the devastating Black Summer bushfires, which destroyed a large number of important historical houses and other buildings and vast areas of native forests, preserving the historical built and natural environments is even more important than ever to our communities. We also thoroughly endorse the crucial role cultural heritage places have in domestic and international tourism and their major economic contribution to our region. Local towns like Cobargo, which lost over half of its historic main street in the 2019 bushfires, is suffering significantly from the loss of associated tourism income and employment.

We are also very concerned about the failure of successive NSW Governments to enact independent Indigenous heritage legislation in NSW, although this was promised 20 years ago. Our region, like all of NSW, has a particularly rich indigenous cultural heritage. In recent years the National Trust FSC Branch collaborated with the Merriman Local Aboriginal Land Council to create a successful Yuin Cultural Heritage Signage Trail, to celebrate this vast heritage. Nevertheless, this indigenous heritage is continually under threat due to inadequate legal and administrative protection.

It is crucial any amendments to the Heritage Act, 1977 flowing from this review enhance rather than weaken existing protection of cultural heritage places in NSW. The State's cultural heritage is already at serious risk from the State Significant Developments provisions which effectively annul provisions of the Heritage Act, 1977. Only in the last few months, without any public consultation, the Bega Valley Shire Council, BVSC, NSW Road and Marine Services and Regional Development Department proposed the demolition of an iconic heritage listed wooden bridge, Cuttagee Bridge and its replacement with a concrete structure. Although the bridge is listed as a heritage item (item no. I655) in Schedule 5 of the *Bega Valley Local Environmental Plan 2013*, it could have been demolished without any legal protection because it would have been designated a State Significant Development. Only after a massive public campaign, that secured 12,000 signatures opposing this demolition, did the State and local Council, temporarily, retreat from this proposal. Bega Valley Shire only has 32,400 residents.

Heritage NSW also requires proper funding so it can provide effective leadership of all levels of government, owners, corporations and community groups in identifying and protecting the state's heritage places, as well as managing any required re-purposing. We also strongly urge that the NSW Heritage Council should be strengthened as an independent public champion of heritage and should be comprised largely of recognised heritage experts and relevant heritage organisation representatives.

Government agencies in particular should be model owners and managers of cultural heritage assets and have sufficient resource to fulfil their respective heritage maintenance and management roles, for the cultural heritage of the state's significant places. Too often this is not the case, as the proposed Cuttagee Bridge demolition showed. In 2008, Bega Valley Shire Council bought and later demolished an important interim heritage listed historical house in Cobargo, MacCarthy House, a former Cobb and Co staging house, to make way for a Council car park. The people of Cobargo unsuccessfully fought this demolition for several years, but were ignored by Council. Hence, it is important to provide the local and state governments with sufficient support and establish an independent oversight agency to adequately identify, protect and conserve NSW's over 40,000 locally and 27,000 state listed heritage items.

The Heritage Act does not prevent sympathetic re-use of heritage places. When applied well, it enhances strong economic development and delivers good heritage outcomes. Some of the most successful built heritage destinations on the Far South Coast, like the village of Tilba, would probably not exist without the protection provided by the 1977 Heritage Act and strong community commitment to its preservation. Many other Far South Coast towns lost their historical buildings and streetscapes in the 1950s and 1960s and now struggle to attract tourists or create employment. We agree that the owners of heritage places should receive useful advice, effective financial incentives and adequate conservation grants to ensure well informed ownership of heritage places leads to desirable outcomes. Such assistance is urgently needed by the owners of the eight heritage buildings in Cobargo's main street that were lost in the Black Summer fires. Eighteen months on, they have received no Government assistance, despite heroic efforts to access this.

Regards

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