

**Submission
No 95**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Organisation: Royal Australian Historical Society

Date Received: 4 July 2021

Submission to the NSW Heritage Act Review by the Royal Australian Historical Society.

The Royal Australian Historical Society was founded in 1901 to encourage the study of Australian history. We have a membership of 1500 with an extensive network of 370 affiliated local and specialist historical societies (representing more than 45,000 people).

In the decades since the founding of the Society, the community's understanding of history had broadened significantly. No longer is it about white, male public figures of British background (who were not convicts). So too since 1977, when the NSW Heritage Act was passed, has our perception of who makes our history changed radically to include women, Indigenous people, migrants of diverse ethnic backgrounds, and to look at events beyond political and economic milestones to environmental consequences, global contexts and technological influences. The social, spiritual and gender dimensions of these histories need to be reflected in our heritage at both state and local levels.

Heritage is the physical evidence of history and history must be explicit in our understanding of these places and objects. The Royal Australian Historical Society strongly supports the Heritage Act and its existing objectives in identifying and protecting places and objects of historical and cultural importance to the people of New South Wales. We believe there is a need for a deeper understanding of history and historical processes to strengthen the analytical framework for assessing historical significance under the Act.

Our experiences show that people identify strongly with places around them. These heritage places are most commonly identified as locally significant – a term that too often denigrates their value to tell of events that link places and people and reveal the many layers of our state's history and heritage. Yet it is these linkages that build the significance of state listed heritage items. Resources need to be substantially increased to provide local communities and local government with the tools to improve the identification, conservation and promotion of local heritage items.

The ease with which local heritage can be obliterated when state significant re-developments occur on or near these sites must be halted. The Heritage Act must provide stronger protection to any identified heritage item (whether of local and state significance) and proactively address alternative strategies to prevent their destruction. The Burra Charter which underpins heritage assessments makes clear these responsibilities. The capacity for the declaration of a state significant development to turn off heritage and planning protections undermines the community's confidence in the government's approach to heritage. Why should private owners of heritage items respect the system if the government's preferred projects don't?

The Royal Australian Historical Society supports legislation that will protect Indigenous heritage and resources should be provided so that non-Indigenous people can better understand the significance of Indigenous heritage places. We are concerned that the process of replacing the protections relating to Aboriginal Heritage in the National Parks and Wildlife Act has taken well over a decade without any result.

Preliminary nomination of items for local or state heritage listing should be simplified to support community engagement. This is particularly important for smaller communities outside the larger cities where there may be fewer resources to document the site. It is the watchfulness of the local community that is the strongest protection of heritage.

Many of the actions proposed in the discussion paper are ones that legislation will not resolve. Rather there needs to be changes in the Government's approach to heritage, such as better resourcing of Heritage NSW; improving the capacity of the Department of Planning, Industry and Environment to deal with heritage for State Significant and Major Development; and meaningful and effective means for the community to have their say on developments effecting heritage.

Community involvement in the Heritage Council should be improved with an expansion of the Heritage Council to include groups that represent community interests and making the process of appointing members to the Heritage Council open and transparent.

As the history of New South Wales is at the root of all heritage considerations the Royal Australian Historical Society believes that Heritage Council members, professional staff employed by Heritage NSW, and their consultants, should demonstrate an understanding of the patterns and processes of the history of the state as this is a critical skill for them to do their job.

Adjunct Associate Professor Carol Liston AO,
President,
Royal Australian Historical Society
133 Macquarie Street,
Sydney. 2000