

**Submission
No 149**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Name: Ms Helen Carter

Date Received: 26 June 2021

25 June 2021

The Hon S Mallard
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Mallard

Re – Review of NSW Heritage Act 1977

Please consider my submission on ways to better manage and protect the heritage of NSW.

Background

A graduate in Arts majoring in Australian History, working in the Ministry for the Arts, cataloguing 19th Century Australian photographs held in UK institutions, including the Queens Collection at Windsor Castle and Copyright material at Kew, a valuer under the Tax Incentive Scheme, lending photographic material to major institutions for Bicentennial Exhibitions and presently working at the Balmain Association as Archivist and historian having archived 55 years of material at the Watch House in addition to doing family and house histories.

Consequentially I have seen the failings of both state and local government to have in place sufficient control and appropriate measures to protect our indigenous and built heritage.

The Heritage Act

After working in a legal environment for over 40 years – the Heritage Act is essential to ensure the continuity between past, present and future by keeping the **State Heritage Register** to safeguard important man made houses and buildings. The challenge for the 20th century and the Heritage Act is to stop excessive over development and greed by developers making sure that the original curtilage of heritage buildings is protected – therefore the Act needs to have greater control over Local Governments to ensure they do not allow destruction and unsympathetic modifications or high density development destroying heritage houses and buildings. A due diligence code needs to be inserted and the Heritage Register reviewed and updated regularly.

However, there are **many pieces of legislation** all attempting to protect heritage eg the *National Parks and Wildlife Act* aims to protect Aboriginal Cultural History however having numerous pieces of legislation only muddies the water and isolates owners, heritage organisations, local councils, community and individuals seeking advice and safeguards.

The Act lacks incentives for architects, owners and heritage organisations to identify, protect and conserve Sydney's unique heritage buildings and houses. Awards and plaques only indicate how little has survived.

Heritage Council

The composition should include specialists across fields of architecture, conservation, environmental, legislation, indigenous culture and a vision for the future.

Heritage material in overseas cultural institutions

Lastly, whilst scholars and academics have identified and catalogued material held overseas it would be an important strategy to implement a central register of relevant NSW material (request digital copies from overseas institutions) to ensure that a record/copy is held here. (Appendix/html to Heritage Act).

Conclusion

There is a need for the Heritage Act to be updated and other legislation combined into one Act with a Heritage Council, politics aside, should represent individual areas of expertise. The future of NSW heritage rests with the Government and getting individuals, community and local government to safeguard and protect our future so that the natural and man made built environment across centuries survive and are an enduring legacy.

Yours sincerely

Helen Carter