

**Submission  
No 158**

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

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## Heritage Act 1977 Review Submission

Bridget Brooklyn

I am a historian specialising in Australian history, and a long-term NSW resident with a strong personal interest in preserving our heritage. In addition I am the part-owner of a house with heritage significance as a relatively intact example of an interwar California bungalow built for working- and lower-middle class residents in Tamworth.

Australian heritage protection has unique origins in the development of the Burra Charter in 1979, which has meant that sites of significance to Australia generally, not just those deemed aesthetically significant, have been preserved. The NSW *Heritage Act 1977* in its current form effectively affirms Burra Charter principles, and I want to see that perpetuated in any amendments to it. In addition to my personal attachment to built heritage, I want a strong Heritage Act to safeguard the preservation of key environmental sites, and key aspects of NSW's indigenous heritage.

I have three major concerns/priorities regarding this review, listed below.

1. I am concerned that the review is aimed at weakening, rather than preserving, the *Heritage Act 1977*, as indicated in the few examples that follow:
  - Condoning government destruction of heritage, such as the Parramatta Council and RMS knocking holes in the Lennox Bridge in 2014-16, relocating Willow Grove in Parramatta in 2021 to make room for the Parramatta branch of the Powerhouse Museum.
  - Prioritising review of the *Heritage Act 1977* rather than committing to a twenty-year unfulfilled promise by successive governments to develop specific legislation to preserve indigenous heritage.
2. I am concerned at a lack of leadership on heritage by successive governments. Under heritage legislation, governments should be providing leadership on heritage matters, including:
  - Taking responsibility for the management of heritage, and not overriding legislation that they have been entrusted through the democratic process to uphold.
  - Supporting local government in the protection of heritage in their jurisdiction, and stepping in when they do not abide by heritage protection legislation.
  - Encouraging adaptive reuse of heritage buildings through extensive community and professional consultation, and the engagement of heritage architects and builders who are known for implementing best practice.
  - Fostering community engagement with heritage conservation, including providing expert advice, financial incentives and conservation grants to assist owners of heritage places to provide adequate custodianship.
3. I am concerned about the weakness of heritage legislation in the face of attempts to undermine it. Loopholes will be exploited by unscrupulous governments. The Act needs to empower disinterested parties to have a voice where individuals, governments or corporations seek to flout the legislation. This requires greater resourcing to ensure the Act is administered effectively, without fear or favour. The NSW Heritage Council should be an independent body comprised largely of recognised heritage professionals and organisational representatives, and with independent powers.