

**Submission
No 159**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

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2021 Review of the NSW Heritage Act

Submission by Jane Gardiner

Overview

1. As a person who has worked in and volunteered for 30 years in the area of Regional Heritage, I have noted the continuing weakening of the *Heritage Act 1977*. The objectives of the Act to identify, protect, conserve and promote cultural heritage places relevant to all in NSW remains just as important today as it did in the 1977. I support the Communique of the Independent Forum produced by the National Trust of NSW.

Comments based on observations of heritage management on the Far North Coast of NSW

2. There needs to be **CONSISTENCY ACROSS ALL LOCAL GOVERNMENT** when listing heritage items and conserving them. For example, unlike the LGAs of Clarence Valley, Byron Bay, Richmond River and Lismore, Ballina Council does not participate in the Heritage Grants scheme. Hence for heritage owners or managers in this LGA there are **NO FINANCIAL INCENTIVES** or even heritage advice at the local level. In terms of listing items of heritage significance, the recommendations of a heritage consultant using the Burra Charter are ignored and listing is based solely on the owners wishes.
3. Many LGAs on the Far North Coast have low socio-economic conditions therefore owners need expert **ADVICE and FINANCIAL ASSISTANCE** to manage items properly.
4. There are **INSUFFICIENT DEVELOPMENT CONTROLS** that relate to existing heritage so new or infill developments often compromise an existing streetscape or adjacent buildings. Towns undergoing redevelopment (often with shopping

centres) on the North Coast such as Ballina, Grafton, Casino etc are particularly vulnerable.

5. Perhaps it has something to do with distance from Sydney but it seems very easy for **DEMOLITION of STATE SIGNIFICANT ITEMS** in this area. For example the State-listed de Burgh's timber truss bridge at Tabulam and the Dare truss Sportsman's Creek Bridge at Lawrence. Timber bridges were historic markers of our area.
6. **Timber** was also the dominant building material for all types of buildings on the North Coast. These buildings are easily damaged by water and termites if not maintained and they become uninhabitable and an eye-sore. The preferred option is then to demolish. This reinforces the need for financial assistance and professional advice at a local government level.
7. Locally **heritage-listed timber churches** are currently coming onto the market as religious institutions reassess their assets. Some have been successfully adaptively used but may have not. Once again professional advice is needed.
8. Government needs to lead by example. Many locally-listed heritage places are owned by Government organisations but their core business does not have a heritage focus. For example Transport for NSW owns "Russelton", a house at Wollongbar. It is significant (a heritage study was undertaken) but not listed. Currently it is rented but not maintained. As well, the Wollongbar Primary Industries Institute contains an old barn (or cattle shed). Again it is not used and the iron roof is rusted. Could it be adaptively reused? If the public see Government property poorly maintained it will follow that example.
9. The Pulganbar Mercury Smelter in Clarence Valley Shire is a special case. Listed on the National Trust register and nominated for State Heritage Listing (2004) it is located on a travelling stock route beyond Copmanhurst. Isolated yet known to some. It is gradually vanishing as people collect bricks as

mementoes, trees take route in the impressive structure and cattle knock sensitive parts like the retort. Despite having an Interim Heritage order placed on it the smelter has never been state heritage listed. How many other such places are waiting to be included on that list? **State Heritage listing is a slow process.**

10. Local Councils do not maintain their assets. I am involved with a non-for-profit organisation that rents heritage-listed Crawford house from Ballina Shire. We pay Council fees, security, insect inspection, gardening and minor maintenance. However serious maintenance using skilled trades people to repair rot, double hung windows, the iron roof etc and a regular inspection regime is needed by Council. This does not occur.
11. Finally to answer your focus question 19, ie how could State and local heritage be activated to meet the needs of communities. I believe the community is willing to work with heritage assets, but they need guidance. Community groups need spaces both inside and out. Relevant Departments should liaise with high profile people like Costa to work on showcase gardens in heritage places or engineers to run tours to historic bridges the list is endless.