

**Submission  
No 164**

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

**Name:** Ms Louise Marcroft

**Date Received:** 27 June 2021

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## REVIEW OF THE NSW HERITAGE ACT

I applaud the NSW Government's review of the Heritage Act, which should be used as an important opportunity to ensure that the protection of our heritage is at the forefront of decision making across all decisions in New South Wales. Once lost or adapted far beyond their original state, heritage sites are irreplaceable and as a community and indeed an economy, we cannot afford to lose them. Our heritage assets in NSW are a vital part of the connection and context of so many of our people. To make sense of now we need to preserve, understand and embrace our heritage. They should play an invaluable role in primary and secondary education.

I urge the review to consider heritage much more holistically rather just focusing on the listing of individual items. The context of precincts and environments as well as intangible heritage values such as the aesthetic, social, spiritual and living cultural traditions should be included. The need to consider precincts can be seen clearly in relation to areas such as North Parramatta where there are not just a few buildings of great heritage value but a whole precinct including the Cumberland Hospital, Female Factory and Orphan School, and where developments in the surrounding area may compromise the whole heritage value of the precinct. There is a need to have conservation schemes for whole areas and these need to be integrated across all levels of government and especially link to local government planning which should be required to take heritage issues into account.

I also argue that the Act should not be just about preserving the past but also promoting the sustainability and continuity of places. Many heritage assets can be used for ongoing activities in arts and education, and many provide a unique backdrop for tourism which is so vital to many communities.

I strongly urge the Standing Committee to take into account the following:

- Ensuring that heritage assets, broadly defined are adequately resourced, respected and integrated into 21<sup>st</sup> century NSW.
- That the State Government's significant developments must take into account all aspects of heritage and not be allowed to override heritage considerations as is the case presently.
- Making it mandatory that heritage issues are considered in all development proposals.
- That the Government urgently review its own assets and ensure that those with heritage value are placed on the Heritage Register.
- Ensure that people involved in assessing heritage values are appropriately qualified to do so. Just because some claim to be a heritage expert does not mean that they have appropriate expertise. The Act should ensure that they are required to demonstrate their bona-fides as experts.
- The Government should also address the issue of destruction of heritage items because of neglect. The Act should allow the Government to step in when it is clear that neglect is damaging a heritage asset.
- Ensuring that the Heritage Council has a substantial community representation with expertise from a broad range of heritage professionals.
- Ensuring that the Heritage Council is adequately funded to ensure that it can have a prominent voice in any heritage discussions.

The Standing Committee should ask what the more serious issue is facing the placing of heritage at the forefront of decision making. Is it because of weaknesses in the current Act, the manner in which the current Act is applied, or in the level of resources to ensure that the requirements of the Act are complied with?

It may be that there has been a diminution in technical expertise within Government Departments which makes it more difficult for them to enforce the requirements of the Act. I would argue that existing legislation is not the underlying cause of all the identified concerns. Rather, authorities responsible for heritage are under-resourced and with better resourcing can ensure that all relevant policies are up-to-date.

Louise Marcroft 27 /6/2021