

**Submission
No 204**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Name: Ms Kate Higgins

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1. The Heritage Act does not need to be greatly changed as it has been effective. One change recommended is that the Heritage Act should require the impact of proposed development to be considered if the development is located within the vicinity of an item listed on the State Heritage Register. This is a requirement set out in the heritage provisions of local councils' local environmental plans, as is appropriate. It is an essential consideration as the cultural significance of a place is also embodied within its setting, and inappropriate development can adversely affect that setting.
2. The enforcement and infringement provisions of the Heritage Act should not be weakened as these provide a deterrent to unauthorised work. However, the focus should be on helping people to understand their obligations, and in supporting them to do the right thing (eg by providing them with technical assistance). This requires adequate resourcing.
3. The adaptive re-use and activation of heritage items is very important and should be supported, however it should not be prioritised over other conservation processes, and should not happen if it would reduce the heritage values of a place. It may be that it takes some time and trial and error to find the best fit for a heritage place. It is worth spending this time as our heritage places are precious. It concerns me that the emphasis on adaptive re-use and activation could be used as an excuse for unsympathetic development.
4. Resources should be made available to review and update the State Heritage Register on a regular basis. The review and updating should be done in consultation with the property owner and the local council. Moveable heritage items that are part of a museum collection should not be listed on the State Heritage Register (or in the heritage schedule of a local environmental plan).
5. One of the objectives of the Act should be to require work to heritage places to be undertaken in accordance with The Burra Charter.