

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Name: Name suppressed

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Partially
Confidential

SUBMISSION TO THE REVIEW OF THE HERITAGE ACT (1977)

2) General Concerns

Although my involvement in heritage principally concerns the niche area of pipe organs, I have a deep concern for the protection of all heritage, both natural and cultural. I am alarmed at the ongoing destruction of natural heritage through land clearing and other human incursions, as well the impact of human-induced climate change on the natural world and the relentless spoiling and destruction of Aboriginal places of significance, urban precincts, streetscapes and notable buildings to meet the demands of eternal growth. I also note that for too long now the stench of greed and corruption has hung over development in Sydney.

I am disturbed that, in conservation terms, not a lot seems to have been learned from the past. History seems to repeat itself. We see ongoing battles over individual heritage sites, precincts and streetscapes in places like Parramatta, where diminishing remnants of heritage are under constant threat to meet the demands of the afore-mentioned push for eternal growth.

Those in power who use pejorative language to malign those who campaign to preserve the environment need a reminder that history always reveres the legacy of conservationists, such as Juanita Nielsen and Jack Munday.

NSW needs, more than ever, a strengthened Heritage Act, where independent decision-making is freed, as far as possible, from the tentacles of political and vested interests.

3) Strengthened Heritage Protection

I submit that the powers contained in the Heritage Act (1977), as amended, be retained and strengthened, with the following points taken into account:

- a) Following the current review, there needs to be a period of accountability in which the public is given further opportunities for comment, especially in the context of draft papers and draft legislation.
- b) The public needs an assurance that existing protections for heritage are maintained, with a reduction of the power of government to override those protections. At present it is too easy for protection to be revoked so that a major development can proceed. While development – especially in the form of public infrastructure – is important, it is currently too easy for governments to sign heritage away.
- c) Decision making within the Heritage Council Department needs to rely on independent heritage experts who are not aligned with for-profit organisations, such as property developers. Organisations with altruistic goals (such as the National Trust of Australia) should be considered as worthy stakeholders, as similar bodies have a long history of honourable activism, achieving outcomes that are widely recognised as benefitting local communities and enriching society and culture.
- d) While adaptive reuse or the alteration of a heritage item may sometimes be necessary, it is important that philosophical and universally-accepted conservation principles be applied to determine the nature of such change: guidance can, for example, come from the *Burra Charter*. Wholesale change and the practice of “facadism” should not be sold, or politically spun, as acceptable conservation practice.
- e) The government, itself, should be a leader in conservation, preserving the diminishing number of significant sites in its ownership according to international best practice. It should inspire the community by its example, not be a grudging latecomer.
- f) The listing of places of cultural and historic significance – most notably those of significance to Aboriginal people – should continue to expand, in consultation with local communities and local governments.
- g) There are no shortcuts to the effective conservation of heritage. While any unnecessary administrative burden on owners should be avoided, excessive fast

tracking of unsympathetic change sold to the community as “removing green tape” should also be avoided.

- h) There needs to be a greater level of funding and other financial incentives for heritage projects, recognising the fact that restoration projects are labour intensive and therefore job creators. ■

- i) Introduction of the Heritage Act in 1977 was a notable achievement at a time when public acceptance of the principles of conservation was not at the heightened level seen today. The principles contained in the Act were those universally accepted by enlightened governments and entities (such as UNESCO) around the world at that time and remain so today. It would be wonderful were NSW to be considered a world leader in conservation: strengthening the Act would be one way we could achieve this noble goal.