

Submission  
No 233

## INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

**Name:** Name suppressed

**Date Received:** 26 June 2021

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Partially  
Confidential

I am a resident of Cremorne, NSW, a Sydney suburb which is fast losing its original character of tree-lined streets with Victorian Italianate, Federation Arts & Crafts and Federation Queen Anne era residential properties being demolished to make way for “luxury” apartments despite being in excellent habitable condition and worth \$3-4 million as individual residential dwellings. My reason for submission is to ensure that future generations will still be able to have a tangible record of Cremorne’s early history and built heritage.

Whilst I welcome the opportunity to review the Act and welcome enhancements, I am deeply concerned about any changes to the current NSW Heritage Act which may result in further loss of heritage for current and future generations of not just Cremorne but also loss to the wider NSW community.

I would like to offer feedback to the following Focus Questions:

**Focus Question 9: How should heritage items that are residential properties be accommodated under a proposed category scheme?**

- Residential properties should not be classified differently. Major change is not needed - the current categories are long established, succinct, and are working well. The proposed new category system would further undermine the ability to retain and afford significance to local heritage items.

- However, there is a need for a much greater recognition of the value of residential local heritage items and need for retention to help communities to maintain their relationship with the past and provide context.

Currently the value and significance of residential properties which provide evidence of early urban subdivision and their contribution to defining local character and identity is very poorly recognised by local governments and planning authorities.

Consider the NSW Local Character and Place Guideline (February 2019) statements:

*“local character and place identity is often shaped by its built or natural heritage items. This relationship and influence should be considered when defining local character.*

*A community’s history defines its character and may be shaped by many influences and found in many forms...heritage-listed buildings, sites, districts, or landscapes; or important cultural features, landmarks, landscapes, decorative features (materials, detailing, awnings, etc.)....”*

*“Heritage and culture are key elements of what a community enjoys about their local area and how they celebrate who they are”.*

- One area which needs improvement is better recognition for the heritage value of **a group or collection of residential properties**. Focusing on individual merits and single listings is not always efficient and strengthened focus on conservation of groups of houses would ensure *“a sense of ‘meaning’ can be maintained or enhanced as the place evolves”* (ref: NSW Local Character and Place Guideline, February 2019).

**Focus Question 10: Would greater community engagement deliver a more robust State Heritage Register?**

- Community engagement is important; however, a more robust Register could be delivered if assessments which are genuine and follow the principles of the Burra Charter are carried out.

- However, the knowledge held with communities should be considered as highly important and community members need to be considered equal and valued stakeholders, particularly as most heritage items are at the local level and are nominated because they are important to the community(s) with which they are associated.

**Focus Question 11: Would streamlining enhance the listing process?**

NO. Streamlining may result in assessments and processes being less robust and this would result in more loss of heritage if developers are allowed to have their DA's approved more quickly.

**Focus Question 14: How could we improve heritage consideration within land use planning systems?**

- Establish a certification system for heritage consultants so that heritage reports are written with an 'independent' voice and not allowed to be biased to the initiator (ie developers).

- Provide a more robust scrutiny of processes and an independent certification system for "experts" (similar to proposed reforms with the Private Certify system)

- Provide more resources to Local Councils for resourcing and to enhance council's ability to provide their own internal independent assessments. The current process has an over reliance on "expert" reports submitted by developers.)

**Focus Question 15: Are there opportunities to enhance consideration of heritage at the strategic level?**

Ensure more education is provided to communities to debunk the "myths about heritage listings". Provide factual information to property owners and communities about the benefits of heritage listings eg the ACT Government's Fact Sheet "DEBUNKING THE MYTHS OF HERITAGE LISTING"

[https://www.environment.act.gov.au/\\_\\_data/assets/pdf\\_file/0006/1131639/Heritage-Factsheets-Debunking-the-myths-of-heritage-listing.pdf](https://www.environment.act.gov.au/__data/assets/pdf_file/0006/1131639/Heritage-Factsheets-Debunking-the-myths-of-heritage-listing.pdf)

Currently a heritage listing is considered a hindrance not a benefit or opportunity, particularly in relation to residential properties.

**Closing Statement:** It is essential that subsequent stages of this Review, including Hearings, Draft White Papers and Draft Bills, are incorporated into the process and that there will be further opportunities for public feedback.