

**Submission
No 274**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

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Dear NSW Parliament

I am sorry if I missed the cut-off date for public submissions to the inquiry but in case you are still listening, I would like to make the following points.

I preface these comments by explaining I am an Australian historian who has undertaken an oral history project with the National Library of Australia about the writing of the Burra Charter, a heritage professional who has worked for state and local government and in private practice for nearly 20 years, and a part-owner of the SHR-listed Canterbury Sugar House where I have lived for 17 years, along with 38 other strata owners. Thus I have wide experience of heritage practice in NSW as theorist, administrator, practitioner and owner.

- The introduction to the Discussion paper assumes that there is a groundswell of people unhappy with the way heritage is administered in NSW as being too strict, but I don't think this is correct. I think you will find that every time the government asks for public comment about this issue, there is overwhelming support for heritage protections. Governments of all kinds need to be careful about putting too much weight on the desire of developers to cut "green tape" and make easy profits, remembering that developers do not speak for most people. Australian governments also need to be aware that we have community-friendly and sophisticated principles for heritage practice in Australia as a result of our development and widespread adoption of the world-leading Burra Charter, and that public policy should work towards using the Burra Charter better, not less.
- I observe that difficulties in administration of heritage in Australia have arisen over the last 20 years as a result of the Howard Government's decision to institute a system of National, State and Local "levels of heritage significance". This has not been carefully developed as public policy but rather crudely imposed from above and there is very little writing, understanding or agreement about what it all means. It adds to the confusion already experienced about having "Exceptional, high, medium, low, minimal and intrusive" levels of heritage grading. Government needs to spend money specifically to develop detailed guidelines about levels and gradings of heritage significance in order to allow the system to become more understandable and consistent.
- For example, I have worked in a local council where the heritage officers thought it normal to stop someone who loved their historic house but wanted an open plan living area at the back, in a situation where the house was not heritage listed in its own right but was a contributory item in a heritage conservation area; the council heritage officer would not allow them to demolish an original brick wall dating from the 1880s in a back room. A proper grading of significance would have shown that the 1880s brick wall was of low, or no significance to the heritage conservation area and that having a happy heritage owner in a house which meets current living standards outweighs the significance of keeping a representative but common and uninteresting 1880s brick wall, following Burra Charter principles. I understand that heritage officers are afraid of doing the wrong thing and allowing something important to be destroyed; however they are also doing the wrong thing by heritage and the community when insisting on keeping elements and fabric that do not matter to anyone. There is a large array of ordinary heritage practitioners and administrators who need help from government in the provision of appropriate standards and guidelines, created through a process which includes the non-professional opinions of ordinary community members (as the Burra Charter insists). Government needs to foster Australia ICOMOS and the National Trust to develop such guidelines.

- Finally governments at state and federal levels need to fund the promotion of heritage as both a differentiating and a unifying force in our multicultural society, as a way of enriching everyday cultural life and for its tourism potential. Much more time and effort needs to be spent on Aboriginal heritage identification and conservation especially; it is a bit disappointing to see this cultural heritage review taking precedence over the long-awaited new Aboriginal heritage legislation for NSW.

I hope it is not too late to take these comments into consideration.

Your sincerely

Dr Bronwyn Hanna