

Submission  
No 280

## INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

**Name:** Name suppressed

**Date Received:** 4 July 2021

---

Partially  
Confidential

- Focus Question 1: What should be the composition, skills and qualities of the Heritage Council of NSW?

The Heritage Council should be made up of individuals with experience in all facets of the heritage and the town planning industry. This should include archaeologists, historians and heritage architects.

- Focus Question 2: How should Aboriginal Cultural Heritage be acknowledged and considered within the Heritage Act

Aboriginal Heritage should be acknowledged in the Act through the consideration of more Aboriginal sites being included on the SHR as well as consultation with Local Aboriginal Land Councils where required. The Heritage Act should also include policies that allow for it to be used in tandem with the National Parks and Wildlife Act 1974, so that Aboriginal objects found in association with European sites (and vice versa) can be managed together in a clearer way.

- Focus Question 3: Are the objectives of the Heritage Act still relevant?

Yes. The Heritage Act is designed to protect heritage buildings, landscapes and archaeology and does this well. They are more relevant now than ever, considering the extent of development in Sydney.

- Focus Question 4: Does the Act adequately reflect the expectations of the contemporary NSW community?

Many members of the contemporary community appreciate NSW's heritage both consciously and unconsciously. As the Act is designed to protect heritage in the State, and communities would expect that important components of its streetscapes and towns are protected, then yes, it meets their expectations.

- Focus Question 5: How can the NSW Government legislation better incentivise the ownership, activation and adaptive reuse of heritage?

By educating owners of heritage buildings and properties of the best way to manage heritage and reducing the wait time on permit applications. To reduce the cost of assessing adaptive reuse proposals or section 60 applications more face-to-face meetings could be implemented so ideas and advice can be provided in real time.

This could be actioned by adequately funding Heritage NSW and allocating enough trained staff to relevant departments.

- Focus Question 12: How could we improve the current approval permit system?

Return it to the system used prior to recent changes that introduced confusing and conflicting permit and approval systems such as Fast Tracked Section 60s etc.

Adequately funding Heritage NSW so they have the time and resources to assess permits in an appropriate timeframe.

- Focus Question 13: Are the current determination criteria for heritage permits still appropriate?

Yes.

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

Consider the benefits a heritage building, landscape or group of building has on the local regional and international community. Sometimes doing as little as possible can be the best form of land use. Alternatively, land use planning systems should attempt to be more sensitive to the existing character of an area.

- Focus Question 16: How could heritage compliance and enforcement be improved?

Fines for breaching permit conditions should be higher to incentives developers and property owners against damaging or destroying heritage. I have personally witnessed permit breaches by large developers and seen no fines or punishment sought for their actions. This has a trickle down effect throughout the industry and means that the Heritage Act is not always respected as a component of NSW legislation.

- Focus Question 17: How could understanding of state heritage be enhanced?

Funding better development of smartphone apps, updating the Heritage NSW website so it is more interactive, engaging and use friendly.

- Focus Question 18: How could we improve heritage tourism or help activate heritage places for tourism?

Heritage interpretation, accessible and dynamic smartphone apps, more open days, festivals and online/print publications in multiple languages

- Focus Question 19: How could public heritage buildings be activated to meet the needs of communities?

Heritage interpretation, accessible and dynamic smartphone apps, more open days, festivals and online/print publications