

Submission
No 282

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Name: Name suppressed

Date Received: 4 July 2021

Partially
Confidential

4 July 2021

I wish to lodge a submission to the review of the Heritage Act

Who am I

I am an independent Public Historian, a member of the Professional Historians' Association, with a quarter century experience and work regularly with the Act.

I live across the road from Callan Park and since 1998 when Friends of Callan Park was formed I have been an active member of this group.

As part of the process of this review I request that Public Hearings, Draft White Paper and any further legislation are part of a process that allows opportunities for public comments at every step.

Question 1

It is imperative that more historians are members of the Heritage Council.

The process of appointing such members should be by public application process with specific expertise and selection criteria

Question 2

It is imperative that heritage items should have reference to Aboriginal cultural and association.

Question 3

The question of cultural landscapes – rural, regional and urban places – should have greater prominence, recognition and understanding. The Department of Environment and Climate Change – *Cultural landscapes and park management: A literature snapshot, 2008*, states

A cultural landscape approach integrates natural and cultural heritage conservation by examining them at a landscape level.

The literature snapshot highlights the 'landscape scale of history and the connectivity between people, place and heritage items is emphasised in this concept; and recognises cultural landscapes are the result of long-term and complex interrelationships'.

It is imperative that this broad view of cultural landscapes is included in the Act.

Question 4

No it does not. The review refers to a broader understanding of heritage and history but when exemptions for work are sought without regard for community value and changing understandings of social value ... it makes a mockery of the current legislation which allows such convenient loopholes.

Question 5

Jean Rice and others have repeatedly demonstrated examples of adaptive reuse. The community is hungry for such commonsense and practicality – both elements difficult to quantify in legislation! But is assuredly part of social value.

The government could set a better example of incentivising adapting reuse of heritage. At Callan Park there are dozens of buildings which the community and entities have sought across two decades to reuse for a variety of services that match the legislative provisions of the Callan Park (Special Provisions) Act 2002. The grand sandstone buildings have value but reflecting the disinterest in considering the site as a cultural landscape, the only option activated to date has been demolition.

The recipe for better government legislation is about making places available and setting proper conditions on their reuse.

Question 6

A proper process of applying for adaptive reuse and guidelines to indicate how buildings and curtilages (not simply structures) and cultural landscapes should be appropriately managed – and advertise that – should be first step.

Government grants are provided for sporting and other activities – greater support and funding for history, heritage and grants to support such programs.

Question 8

All heritage is – at some point – local and support for local entities, local government, local communities and their support for heritage items its important.

Question 9

Reece McDougall, in a Forum at Parliament in 2017 -

https://www.pennysharpe.com/heritage_forum_speech_by_reece_mcdougall

Stated that a major injection of government funding to enable the completion of a comprehensive State heritage Register.

Broader community education of the importance of heritage and education about the importance of small details and seemingly insignificant elements that contribute to its history are vital in this process.

Develop a heritage lottery as he recommended.

Question 10

Repeat – education of community is imperative. Community is hungry for history and exploring the diversity of many histories ... activate that education.

Question 11

Of course! But with care for the importance of proper historical reports and systematic examination of the item.

Question 12

Transparency of the process and providing proper funding for dedicated assessment at government level.

Question 14

Stick to the law and stop changing it! Land clearing abuse takes no heed of heritage or ecological or social values. Rob Stokes recently cited land for development which had low heritage / ecological values. Seems an hypocrisy.

Question 15

Education at all points – government and community – is imperative.

Question 16

Essentially a repeat of Question 14 answer.

Question 17

Simply education ... and improved funding for that process through local government, museums and galleries. The National Trust Heritage Festival and the History Council's History Week provide great opportunities to showcase heritage and history across NSW.

Question 18

See question 17 response. Walks, talks, tours, children's events that highlight environment, historic, and heritage of cultural landscapes, communities, landscapes and structures.

Question 19

As above ... the only advocacy and education services at Callan Park have been those provided by Friends of Callan Park ... a voluntary organisation which has conducted tours for thousands of people across Callan Park landscape. Educate the community, allow proper and transparent applications for their use. There are increasingly numbers of places vitalised by new uses which respect buildings, curtilages, places, industrial sites.

Summary

- Develop a Heritage Strategy for NSW!
- “Heritage” must be defined in the Act and be much broader than buildings.
- The Heritage Council must be a merit, skills-based, knowledgeable group of respected professionals and experts.
- NSW Government instrumentalities should actively seek to determine, recognise and publicise important Aboriginal heritage sites.
- Heritage listed building sites currently have little reference to Aboriginal culture on the environment and heritage website. This should be rectified.
- There should be an objective in the Heritage Act to protect cultural landscapes and expand curtilages to capture viewsheds and conserve physical and historical links intrinsic to the significance of a place beyond property boundaries.

Review of the Heritage Act 1977

TERMS OF REFERENCE

1. That the Standing Committee on Social Issues inquire into and report on the *Heritage Act 1977* (NSW) (the Act), with particular reference to:
 - (a) the need for legislative change to deliver a heritage system that is modern, effective and reflects best practice heritage conservation, activation and celebration
 - (b) the adequacy of the Act in meeting the needs of customers and the community and the protection of heritage
 - (c) how the Act could more effectively intersect with related legislation, such as heritage elements of the *Environmental Planning and Assessment Act 1979* and the *National Parks and Wildlife Act 1974*
 - (d) the issues raised and focus questions posed in the Government's Discussion Paper, in particular:
 - (i) a category approach to heritage listing to allow for more nuanced and targeted recognition and protection of the diversity of State significant heritage items
 - (ii) consideration of new supports to incentivise heritage ownership, conservation, adaptive reuse, activation and investment
 - (iii) improvements to heritage compliance and enforcement provisions
 - (iv) streamlining heritage processes
 - (e) any other related matter.