



THE NATIONAL TRUST OF AUSTRALIA (NSW)

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National Trust welcoming but cautious about Heritage Act Review

The National Trust is pleased that the NSW Government is planning to review the state’s heritage legislation as part of its planning reforms, but cautious about the plan at the same time.

“It is very timely to review the Act to mark its 30th anniversary and a good opportunity to examine whether the Act is still current and answering the needs of NSW,” said National Trust Executive Director, Tina Jackson.

“The Trust lobbied for the Act in the first place and is therefore concerned about its ongoing relevance. We want to see it updated to ensure it continues to meet the needs and expectations of the community.”

She noted that the Act had been amended a few times over the past 30 years, but this would be the first comprehensive review since it was introduced in 1977.

However, the Trust is concerned about lumping the Heritage Act in with ‘State Plan Priority P3: Cutting Red Tape as it implies that this much needed legislation is ‘red tape’.

The Trust thought the State Government’s choice of panellists to review the act was fitting, noting it was appropriate for NSW Heritage Council Chair Michael Collins and lawyer John Whitehouse, who wrote the original Act, to sit on the panel. They also welcomed Gabrielle Kibble of Liverpool City Council for her planning and heritage expertise.

“However, we hope there will be wide community and professional representation on the panel as well as broad consultation,” said Ms. Jackson.

Another Trust concern was how local heritage processes would be addressed. “We would like to see these processes become more integrated with State processes. There are too many variations in the way councils deal with heritage matters. Some councils are more concerned about heritage than others. A consistent criteria across the State would be an advantage as long as it isn’t the lowest common denominator.”

The recent Productivity Commission highlighted the community unease with local government management of heritage under the existing legislation, noting the State Heritage Office can’t become meaningfully involved except in extreme circumstances.

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