

11 July 2025



Environment Institute
of Australia and
New Zealand Inc.

Via online form sent to: [REDACTED]

Dear Minister Sharpe,

RE: EIANZ submission regarding the Draft NSW Heritage Strategy

I write on behalf of the Environment Institute of Australia and New Zealand (EIANZ), the peak professional body for environmental management in Australasia. Heritage, as you will know, forms an important part of our environment and is a major consideration for our members in their work. This submission has been prepared by EIANZ members who sit on the Institute's Special Interest Section (Heritage) (the 'SIS'), which advises on policy, outreach and professional development matters, and the Special Environmental Advisory Committee (SEAC) Heritage (HER), which advises and oversees the Certified Environmental Practitioner (CEnvP) Scheme's Heritage Specialist Certification program.

This submission has been structured to address the four Objectives identified by the Government, with additional more general comments at the end. Our members would be pleased to discuss this submission with you or your representatives further, as we collectively work towards an improved and robust system for managing the State's environmental heritage.

In the first instance, please contact Vanessa Hardy at [REDACTED] for further input on behalf of the Institute.

Objective 1: Embrace and reflect the diversity of our heritage

1.1 Recognise a broader range of stories and values to better represent the history of New South Wales

1.2 Increase the accessibility of our heritage system and places to ensure more people can participate in the heritage of New South Wales

The demographics of Australia have changed substantially since the development of the NSW heritage system, but the heritage system, and particularly State and local heritage listings, do not reflect that change. In order to remain relevant to growing migrant communities, it is important that they see themselves and their heritage reflected in the NSW heritage system. According to ABS data¹, 27.6% of the Australian population are overseas born, and the largest migrant populations in order by size are English, Indian, Chinese, New Zealand² and Filipino. The State Heritage Register, local heritage lists, and heritage policy and outreach needs to better

¹ <https://www.abs.gov.au/statistics/people/people-and-communities/cultural-diversity-census/2021>

² The Census does not clearly differentiate those of Māori descent, but other ABS data sets suggest perhaps 10% of NZ migrants are of Māori descent.

reflect the heritage of those under-served, but growing, migrant communities, to remain relevant.

Objective 2: Empower owners to conserve heritage

2.1 Support owners and the community to care for heritage

Incentives are an important consideration here – the grants program is simply too small and too restricted to help the majority of owners. Greater structural reform is required – rate relief, tax incentives or other financial tools to encourage owners to expend funds on conservation are critical. Additionally, capacity to submit grant applications is often limited in marginalised communities. Increased assistance for grass roots application for listing and preservation of heritage should be considered.

At the local government level, councils need to undertake further work to encourage local conservation, particularly in Heritage Conservation Areas (HCAs). It is good to make statements about “desired future character” within a HCA, but unless activities to improve that character are supported, the HCA will not achieve that objective. An example of how this can be done is through the identification of streetscapes with buildings that have lost key elements considered desirable within the HCA, and providing financial incentives or assistance to owners to reinstate missing details. For example, opening up enclosed verandahs to improve local character.

2.2 Assist government to improve conservation of public assets

Government agencies hold a significant number of the items on the State Heritage Register, but these have been largely ignored in government policy for more than a decade. While it is encouraging that the Heritage Council has released updated State Agency Heritage Asset Management Guidelines, the State-Owned Heritage Management Principles remain unreviewed, despite an intent to review them in 2024.

This review should be completed and published in the context of the development of this Strategy. State agencies often manage specialised assets which are outside the experience of the heritage bureaucracy (e.g. infrastructure assets) and so do not conform to the general guidance typically prepared for buildings. In such circumstances, state agencies need to be encouraged to develop in-house capacity and be provided with sufficient flexibility to continue to meet service delivery obligations. If this does not happen then it is likely to lead to the ongoing redundancy of state assets, which may have limited capacity for adaptive reuse. Policy settings which encourage the ongoing use of State-owned heritage assets are likely to lead to better conservation outcomes.

Local government resourcing is also a key consideration. Without adequate training and support for local government planners, too many potential heritage items ‘fall through the cracks’.

Objective 3: Realise the benefits of heritage

3.1 Promote and incentivise activation and sustainability to realise the opportunities of state heritage items

Councils also need to be encouraged by State-level heritage policy to facilitate the installation of renewable energy within HCA and on heritage items. It is not defensible to deny owners of heritage items the ability to install solar panels, heat pumps, electric vehicle charging stations, insulation or other modern energy-saving and energy-efficient devices on heritage items.

The continued resistance to certain sustainability initiatives in the name of heritage is as indefensible as denying homeowners a century ago of the ability to install electricity or indoor toilets on the grounds that gas lights and the pan toilet system were “historic” and alternatives would negatively impact heritage value.

Continued resistance to small changes to install sustainability devices will simply lead to a greater push to demolish older buildings on the basis that it is not possible to bring them up to acceptable contemporary standards of energy efficiency and comfort.

3.2 Improve the alignment between heritage and the planning system to increase community confidence in decisions affecting state and local heritage

Objective 4: Improve the state heritage system

4.1 Establish a more robust State Heritage Register to improve the protection of state-significant heritage in New South Wales

The State Heritage Register requires significant review. Many of the assessments, particularly those transferred over from the Permanent Conservation Order system, are out-of-date, are not robust and, in many cases, may no longer meet the modern heritage criteria for State significance. Having a credible data source is important for the system to function properly, and in the case of legal disputes, the court tends to rely on the details contained in the heritage listing for a place – if those details are inaccurate, out of date or insufficiently robust, there is a real risk that the heritage values of a place will be inadequately protected in the face of legal review. While this is a significant task, it is critical to the ongoing credibility of the system. The Government should not resile from removing items from the State Heritage Register that no longer meet the modern expectations for State Heritage Register listing.

4.2 Modernise the heritage framework to build community confidence in heritage protection in New South Wales

In the last year, the Institute has been engaging with heritage regulators, including Heritage NSW and the NSW Heritage Council, regarding the Certified Environmental Practitioner (CEnvP) Scheme’s Heritage Specialist Certification. This scheme provides a robust assessment of an individual’s qualifications, skills and experience. It requires ongoing professional development and has a strong complaint handling and disciplinary system for certified practitioners. Heritage is one of a range of specialist disciplines certified under the scheme. While supported by EIANZ, the CEnvP scheme runs independently and has its own Certification Board.

To “build community confidence” in the heritage system, we believe the Scheme provides a transparent, third party, independently audited process for individuals to demonstrate they are a “suitably qualified person” to conduct heritage works. This is particularly important in a field which holds a broad range of professionals – architects, planners, landscape architects,

archaeologists, conservators and historians. No single body exists which provides the professional certification that the CEnvP Scheme does.

The success of this approach is demonstrable through the development of the Registered Environmental Assessment Practitioner (REAP) Scheme in NSW to certify the suitability of Environmental Impact Statements for submission. We think that this has led to better quality submissions to the regulator, improved processing times and reduced risk for clients and regulators. We suggest that the adoption of certification for heritage practitioners, in certain circumstances, will lead to improved confidence in the system, and improved regulatory outcomes. Members of the Heritage SEAC would be happy to continue discussions with the Department and the Heritage Council regarding the scheme.

In conclusion

Based on the recommendations outlined above, NSW's heritage system requires important modernisation to remain relevant and effective for all communities. The proposed reforms would create a more inclusive, sustainable, and robust framework that better serves both heritage owners and the broader public interest. We look forward to working with the Government to implement these vital changes that will strengthen heritage protection across New South Wales.

Yours sincerely,

Vanessa Hardy MEIANZ M.ICONOS MAACAI CEnvP-HER
EIANZ Heritage SIS Chair

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MacLaren North, CEnvP-HER
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