



**LEGISLATIVE ASSEMBLY**  
**FOR THE AUSTRALIAN CAPITAL TERRITORY**

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STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY  
Dr Marisa Paterson MLA (Chair), Ms Jo Clay MLA (Deputy Chair), Mr Ed Cocks MLA

## Submission Cover Sheet

Inquiry into ACT's heritage arrangements

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Standing Committee for Environment, Climate Change and Biodiversity  
ACT Legislative Assembly  
GPO Box 1020  
Canberra ACT 2601  
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Dear Dr Paterson

### **Inquiry into ACT's heritage arrangements**

The scope of this Inquiry covers six headings and deals with a complicated set of administrative, functional, and legislative instruments that were intended to deliver robust processes and positive results.

My personal direct experience on a number of significant occasions since 2010 has not been positive. I have not found the arrangements to be transparent, the communications to be helpful, or the decisions to be well founded. Instead, I have encountered what I can only describe as a black box, made up of intricate moving parts that appear to be heavily influenced by political considerations and hidden agendas.

I am a member of ICOMOS UK, a heritage researcher and town planner, former Vice President of the National Trust and chair Dickson Residents Group, a local community association. Having worked in other jurisdictions as a planning professional with heritage training and background (NSW, WA, Tasmania), prepared a conservation management plan (Lyrebird Dell), produced over 40 draft variations for ACT heritage places as a consultant, I imagined myself reasonably well informed and well equipped to raise the alarm when Dickson Library's mandatory heritage buffer was encroached by a major development application following a technical amendment that rezoned community facility land to commercial. Yet my dealings with both the Heritage Council and the Heritage Unit at the time were bizarre and inexplicable. My sense at the time was that the Council was stretched very thin, and overly reliant on the Heritage Unit's members to fulfil the responsibilities that the Act outlines. The Heritage Unit appeared to be compromised by its relationship with ex-officio members of the Council.

My personal view is that the Act requires an overhaul, both to bring it up to date with modern best practice and to ensure the Council is an active rather than a passive protagonist, with powers independent of EPSDD and that are not subordinate to the DA process or the politics around land, its ownership, and its redevelopment. An ACT Heritage Strategy would offer a practical means of drawing a line in the sand, that sets out where we are, where we want to be, and how we get there.

Shedding light on where the strengths and weaknesses in the current system lie, and what might realistically be done to improve the system overall requires in depth analysis and evidence. I have taken the opportunity to read several of the submissions, and am impressed by the content and clarity of those I have read. Unfortunately I am currently in [REDACTED] on holiday so have limited resources at hand to compile a detailed overview or present my findings and recommendations based on a series of real life case studies. What I would say, based on my own personal experience, is that the system in place neither encourages nor supports applicants who seek the

protections that the Act is designed to provide. The Heritage Register is not comprehensive, nor is it representative. The Heritage Act is remarkably passive and has no appeal mechanisms whatsoever. The importance and value of heritage is given lip service in a variety of ways because the bottom line is that there will always be tension between recognising and protecting heritage and the interplay between that and the dynamics that are constantly evolving as the national capital grows and inevitably changes.

The key, as I see it, is to strengthen the voices of communities in the long term and commission a stocktake as part of a fresh new approach and Strategy. Communities are the ones who stand to benefit or lose, whose collective memories can be shared and enriched or forgotten, and they are the ones who every four years elect representatives to govern - both for themselves and the future.

Kind regards

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