

Statement of Expectation Tasmanian Heritage Council

Introduction

Section 10A of the *Historic Cultural Heritage Act 1995* (the Act) enables the Minister administering the Act to provide the Tasmanian Heritage Council (the Council) with a triennial Statement of Expectation specifying his/her aims and expectations of the Council in performing its functions.

In response, the Council is required under section 10B of the Act to provide a Statement of Intent indicating how it intends to deliver on the Minister's expectations.

Functions of the Council

The functions of the Council, as specified under section 7 of the Act, are:

- a) to advise the Minister on matters relating to Tasmania's historic cultural heritage and the measures necessary to conserve that heritage for the benefit of the present community and future generations;
- b) to work within the planning system to achieve the proper protection of Tasmania's historic cultural heritage;
- c) to cooperate and collaborate with Federal, State and local authorities in the conservation of places of historic cultural heritage significance;
- d) to encourage and assist in the proper management of places of historic cultural heritage significance;
- e) to encourage public interest in, and understanding of, issues relevant to the conservation of Tasmania's historic cultural heritage;
- f) to encourage and provide public education in respect of Tasmania's historic cultural heritage;
- g) to assist in the promotion of tourism in respect of places of historic cultural heritage significance;
- h) to keep proper records, and encourage others to keep proper records, of places of historic cultural heritage significance; and
- i) to perform any other function the Minister determines.

In addition, the Council 'may do anything necessary or convenient to perform its functions'.

Further, section 4A(2) of the Act requires that the exercise of functions and powers under the Act is consistent with the objectives of Tasmania's Resource Management and Planning System (RMPS), as set out in Schedule 1 of the *Land Use Planning and Approvals Act 1993*.

Relationship with Government

The Council is established as a statutory body responsible for performing its functions and exercising its statutory powers at arms-length from Government, except where the Act specifies that the Minister has a role. However, while the Council is a statutory body, it remains an instrumentality of the Crown and must work within the established administrative framework of the State of Tasmania.

Communication with the Minister

As the responsible Minister, it is my expectation that the Council will, through the Chair, provide me with regular information on its activities and performance and bring to my attention, in a timely manner, all information on significant issues affecting the Council's functions and work.

I expect the Council will, through the Chair, also inform me in a timely manner of all issues affecting its capacity to exercise its statutory functions and powers under the Act.

Government Policies

The Council's primary statutory roles are the entry of places on the Tasmanian Heritage Register, the management of the Register, and the management of development control processes contained in the Act for places entered on the Register. This involves the task of balancing at times competing objectives of conserving, managing and activating places of historic heritage value with facilitation of economic development and social objectives.

It is my expectation that in the course of making such decisions of balance, the Council has regard for the social and economic circumstances prevailing in Tasmania and the objectives of the Government with respect to those circumstances.

I expect the Council to take account of the need to create a more prosperous and equitable society, and this relies in part on providing employment and other economic opportunities where they are most needed. The Government's overarching policy position is that a productive community is better able to manage the State's long-term social, economic and environmental challenges - including the conservation, management and activation of our most important heritage assets - and I expect the Council to facilitate that outcome wherever it can.

In performing its functions, the Council is to consider published Tasmanian Government policies, and those advised by me in writing, relevant to its functions.

For reference:

- The Government is strongly committed to growing the State's tourism industry. The presentation, interpretation, conservation, use and management of our historic heritage is an important element of Tasmania's brand and the visitor economy, particularly for places of State significance. It is therefore my expectation that the Council's practices and decisions will take into consideration the potential to support the State's tourism offerings and visitor experiences. This includes looking for opportunities to facilitate and enhance the visitor experience on offer and to encourage the proper conservation, sympathetic development and the adaptive reuse of heritage places, in particular industrial heritage.

- The Government has a policy of regulatory reform, seeking to reduce the burden of unnecessary regulation and 'red tape' on business and the community. It is my expectation that the Council will take account of this policy in managing its legislative obligations. This includes looking for opportunities to reduce unnecessary processes and costs of complying with the Act and to maximise certainty for property owners and developers, while encouraging sympathetic and innovative development. These opportunities may involve the development of new or revised regulation, policies and practices and a range of engagement/communications activities.
- The Government is also committed to growing the supply of housing. It is my expectation that the Council will undertake activities to support investment in infill housing and key worker accommodation in regional areas, through the adaption or re-use of current heritage listed properties that improve the overall housing supply.
- The Government is also focused on reducing waste, recycling and resource recovery to achieve a stronger circular economy for the State. It is my expectation that the Council will undertake activities to support this Government initiative and support our vision for Tasmania as being a place where nothing is wasted.
- In 2023-24, the Built Heritage Grants Scheme was re-established by the Tasmanian Government in recognition of the importance of supporting property owners to preserve and conserve the heritage values of places and to re-purpose and activate underutilised buildings. The Scheme provides \$3 million over two years with funds rolled out from 2024-25, and it is my expectation that the Council will continue to work with all stakeholders to maintain the momentum generated by this investment. In particular, I expect the Council to actively support the Scheme's emphasis on growing visitor demand for Tasmania and the development of Tasmania's skilled built heritage conservation workforce.
- The Government is committed to diversity in respect of membership of government boards and committees. It is my expectation that the Council seeks to achieve the same in the composition of any committees it establishes over the period for which this Statement applies. In order to recognise the voice of young people and shape sector communications, the Council is also encouraged to consider how it can better communicate and gather feedback from young people within our community. In addition, it is my expectation that the Council review its composition and membership to ensure it is aligned with, and reflective of, contemporary governance arrangements.

Legal Advice

Unless the Council perceives a potential conflict of interest, any necessary legal advice and other legal services must be obtained from the Office of the Solicitor-General through the Department of Natural Resources and Environment Tasmania.

Relationship with the Department

It is my expectation that the Council will maintain clear lines of communication and receive advice from senior executives and staff from the Department of Natural Resources and Environment Tasmania, and primarily Heritage Tasmania, the relevant business unit.

Relationship with other Agencies and Authorities

The Council's statutory functions have direct and indirect links to regulatory responsibilities and functions performed by other Agencies and authorities under other legislation, such as the Environment Protection Authority, the Tasmanian Planning Commission, the Policy Planning Unit in the Department of Justice, the Tasmanian Civil and Administrative Tribunal and local planning authorities. It is my expectation that the Council will collaborate and maintain clear lines of communication with these bodies in relation to the administration of these functions.

I also expect the Council to actively seek opportunities to partner with Agencies and authorities such as Tourism Tasmania, the Parks and Wildlife Services, and the Tasmanian Waste Recovery Board, where there may be aligned interests and benefits.

Governance and Operations

It is my expectation that the Council will continue to strengthen its practices to the highest standards of governance, transparency, accountability and management of conflicts of interest. I expect the Council to further its work in respect of managing conflicts of interest by undertaking work to improve the identification, declaration and management of conflicts of interests.

Members are to always act in an informed, impartial and professional manner, and exercise leadership when acting on behalf of the Council or when using privileged Council information.

The Council's Annual Report is to be delivered to me by 31 October each year, as required under section 92 of the Act. It is my expectation the Annual Report will provide evidence of how the Council has progressed the Statement of Expectation and the Statement of Intent in effect during the reporting period. It is also my expectation these Statements are published on the Council's website and made readily accessible to the public.

The Council will regularly review its operational policies and procedures to ensure it performs its functions effectively, efficiently, consistently and transparently both in terms of engagement with external stakeholders and its relationship with Heritage Tasmania, and in accordance with the provisions of the Act and the expectations of this Statement. In this regard, I expect the Council to review and update in the next six months its Charter and policies in relation to governance, which were last approved in 2021. This includes procedures for the induction of new members and Committee Terms of Reference.

I expect the Council to take particular care to ensure that its processes maximise certainty, provide for consistent and timely assessments and decisions, and that the degree of regulatory burden imposed is the minimum necessary to achieve appropriate heritage outcomes.

Community and Stakeholder Engagement

Under the Act, the Council has specific functions associated with raising community awareness and understanding of heritage issues, and general functions that both serve and impact stakeholders and the community. It is my expectation that the Council strengthens its engagement and communications program to better inform the public of its role within Tasmania's statewide planning scheme, elevate the brand value of heritage, promote the economic and social value of heritage and engage more broadly

with stakeholders to achieve long-term, generational improvements in the community perception of the value of heritage.

Heritage Priorities

- Continue to implement *A Plan to Evolve the Tasmanian Heritage Register (2020-2025)* and maintain a strategic approach to ensure places of State significance are entered to the Register. This includes better management of legacy issues regarding boundaries and titles, an ongoing focus on strengthening the stories of existing entries and addressing gaps in the Register.
- Advocate and support the development of skills and capacity in relation to the sound management of historic heritage including across the Tasmanian building and construction sector.
- Strengthen the relationship with owners of places entered on the Register, to support them to elevate and activate their listed places.
- Continue to build the capacity of local planning authorities to manage places and precincts of local heritage significance. This includes strengthening efforts to share resources and skills as well as actively work to improve communications between the sectors.
- Provide an advocacy role in promoting and supporting owners, tourism and business operators, property developers and local government to increase investment in Tasmania's built heritage, with a particular focus on leveraging the State's built heritage.
- Maintain a leadership role in both the State and National heritage sectors and maintain collaborative and supportive relationships with key sector stakeholders, including the operators of key sites, local planning authorities, the National Trust of Australia (Tasmania) and the Tasmanian sites included in the *Australian Convict Sites World Heritage Property*.

Period this Statement of Expectation will apply

This Statement of Expectation takes effect from the date of signing below, until amended or revoked by the incumbent Minister.



Hon Madeleine Ogilvie MP
Minister for the Arts

Date: 23 September 2024