

# 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 s10B 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 Heritage Council, as specified under s7 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; and
- b) to work within the planning system to achieve the proper protection of Tasmania's historic cultural heritage; and
- c) to co-operate and collaborate with Federal, State and local authorities in the conservation of places of historic cultural heritage significance; and
- d) to encourage and assist in the proper management of places of historic cultural heritage significance; and
- e) to encourage public interest in, and understanding of, issues relevant to the conservation of Tasmania's historic cultural heritage; and
- f) to encourage and provide public education in respect of Tasmania's historic cultural heritage; and
- g) to assist in the promotion of tourism in respect of places of historic cultural heritage significance; and
- 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, under s4A (2) 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, the Council is not an independent statutory body, it remains an instrumentality of the Crown and must work within the established administrative framework of the State of Tasmania.

## **Communication with Minister**

As 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, any information on significant issues affecting the Council's functions and work.

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

## **Government Policies**

### *Overarching framework – balancing competing objectives*

The Council's primary statutory role is 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 that require the attainment of quite specific heritage objectives on the one hand, and facilitation of economic development and social objectives on the other.

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 and management of our most important heritage assets – and I expect the Council to facilitate that outcome wherever it can. This is more important than ever as the State recovers from and manages the deep and long-lasting impacts of COVID-19.

### *Specific Government policies*

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

For example:

- 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 places of State significance. It is therefore my expectation that the Council's practices and decisions will consider the potential to support the State's tourism offering and visitor experience. 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;
- 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;

- the Government has merged the \$10 million Heritage Places Renewal Loan Scheme into the Business Growth Loan Scheme to continue to provide low interest loans to owners of heritage listed properties to facilitate the use/adaptive reuse of their property to operate in the visitor economy (for example, as cafes, boutique accommodation, galleries, restaurants or pubs). It is my expectation that the Council will collaborate with the Department of State Growth and the Tasmanian Development and Resources (TDR) Board to successfully promote and implement the Scheme;
- the Government is committed to a target of at least 50 per cent women across Government boards and committees by July 2020. It is my expectation that the Council seeks to achieve and maintain this target in the composition of any committees it establishes over the period for which this Statement applies. This includes committees established to perform both statutory and non-statutory functions.

### **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 Primary Industries, Parks, Water and Environment.

### **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 Primary Industries Parks Water and Environment (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, Tasmanian Planning Commission, Policy Planning Unit in the Department of Justice, Resource Management and Planning Appeal Tribunal (RMPAT) 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.

### **Governance and operations**

#### *Corporate governance and values*

It is my expectation that the Council will continue to develop and maintain good governance, transparency and accountability. Members are to act in an informed, impartial and professional manner, and exercise leadership in heritage management.

#### *Reporting*

The Council's Annual Report is to be delivered to me by 31 October each year, as required under s92 of the Act. It is my expectation the Annual Report will have appended copies of the Statement of Expectation and the Statement of Intent that were in effect during the reporting period, along with a brief report on the progress against those Statements. It is also my expectation these Statements are published on the Council's website and made readily accessible to the public.

### *Policies and Procedures*

The Council should regularly review and develop its operational policies and procedures to ensure it performs its functions effectively, efficiently, consistently and transparently, and in accordance with the provisions of the Act and this Statement.

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 maintains a communications program to inform the public of its role within Tasmania's RMPS and advise of its decisions in a timely manner. I expect the Council to engage broadly with relevant stakeholders in the course of developing policy.

Within the scope of its broader statutory functions, I expect the Council to develop and communicate information that is current, clear and easy to understand. Such information should focus on practical guidance to promote understanding of regulatory requirements, facilitate timely and smooth regulatory processes, and support compliance.

### **Heritage Priorities**

1. Implement *A Plan to Evolve the Tasmanian Heritage Register (2020-2025)* and ensure a strategic approach to populating the Register with entries for places of State significance, addressing legacy issues and ensuring there is a systematic process for improving the integrity of existing entries.
2. Help to foster skill development and capacity in the sound management of historic heritage in the heritage sector and Tasmanian building and construction industries.
3. Investigate and introduce measures that help to engage, develop and maintain strong supportive relationships with the owners of places entered on the Register.
4. Work with and support local planning authorities to manage places and precincts of local heritage significance, to build their capacity to manage local heritage.
5. Promote and support owners, tourism and business operators, property developers and local government to access grants, loan schemes and other incentive programs.
6. Take a leadership role in the heritage sector and develop and maintain collaborative and supportive relationships with key sector stakeholders and sites, including the operators of key sites, local planning authorities, National Trust 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, for a period of three years unless amended or revoked by the Minister beforehand.



The Hon. Elise Archer MP  
**Minister for Heritage**

Date: 18 January.....2021