



Statement of Intent

Tasmanian Heritage Council

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.

Preamble

On behalf of the Tasmanian Heritage Council, I am pleased to respond to the Statement of Expectations outlined by you on 19 January 2021, with the Tasmanian Heritage Council's Statement of Intent.

Take confidence that the objectives identified in your Statement of Expectations are reflected in our recently updated three-year Strategic Plan. In progressing this work, the Heritage Council will ensure that you are informed of progress and of any issues that arise. We look forward to a collaborative approach with the Minister's Office so as to be able to respond to opportunities and address issues that arise within the historic heritage portfolio.

Ms Brett Torossi
Chair
Tasmanian Heritage Council

Relationship with Government

Minister's Expectation:

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.

The Council recognises its role in being arm's length to Government in the areas specified by the Act, whilst also remaining an instrumentality of the Crown, working within the established administrative framework of the State of Tasmania.

The Council will continue to work closely with Heritage Tasmania within DPIPWE for advice and guidance to ensure its actions are consistent with the required administrative framework, and with the Minister's Office as we progress the heritage priorities detailed in the Statement of Expectation.

Communication with Minister

Minister's Expectation:

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.

Given the relationship with Government that the Council must work within, we believe it is critical that we maintain a clear and timely information exchange between the Minister and the Council.

This information exchange shall occur via the Director of Heritage Tasmania through regular ministerial staff meetings, and between the Chair and the Minister in regular quarterly meetings and as required for complex or contentious matters. The Minister's Office also will be informed

when the minutes of Council meetings become available online, with additional briefings provided should complex matters arise.

The Chair will then provide feedback to the Council regarding the issues discussed at these regular quarterly meetings with the Minister.

Government Policies

Overarching framework – balancing competing objectives

Minister's Expectation:

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 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 Council will continue its commitment to initiatives such as the 'Tasmanac', and 'The Voice' that are aimed at supporting this objective.

We also will continue our commitment to lead and engage stakeholders to generate sustainable heritage outcomes and encourage public and private sector investment in heritage and the visitor economy.

- *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 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.

A major Goal identified in the Council's Strategic Plan is to redefine the Heritage Register as a living resource. There are a number of steps identified in this process, set out in the document 'A Plan to Evolve the Tasmanian Heritage Register', with the key outcome being to transform the Register into an accurate, reliable, accessible, searchable and user-friendly digital resource.

One key outcome of making the Register accessible online is providing access to the where, what and why of listed places and maximising certainty for property owners and developers wanting to complete works to heritage properties.

There are many complex and interrelated steps to achieve an online Register which, if they are to be achieved in workable timeframe, will require prioritisation, resource allocation, and risk management.

In order to accelerate progress towards achieving the goal of a publicly accessible Register, a budget request for targeted use of additional resources may need to be submitted.

The Council also will continue to progressively review and amend entries on the Register to ensure listed properties have clear statements of significance to improve the consistency and predictability of Heritage Works decisions, for both the property owners and community stakeholders.

Our Strategic Plan notes our continual commitment to increase our engagement with property owners and increase our engagement with local government to encouraging sympathetic and innovative development.

- *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 Council will continue to promote this initiative, which is now administered through the Department of State Growth, via Heritage Tasmania and its interaction with listed property owners, local government and other key stakeholders.

- *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.*

The Council has met this objective in 2021 through the recent round of filling Council member vacancies.

Legal advice

Minister's Expectation:

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.

The Council recognises this obligation and appreciates the service provided by the Office of the Solicitor General.

Relationship with the Department

Minister's Expectation:

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 & Environment (primarily Heritage Tasmania, the relevant business unit).

The Council will continue its strong communication with the Department primarily through Heritage Tasmania, but also on occasions through the relevant Deputy Secretary of the Department.

Relationship with other Agencies and authorities

Minister's Expectation:

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.

The Council fully recognises that its role and functions cannot be achieved without awareness of, and cooperation with, other agencies and authorities. The Council will use the collective resource of its members and through Heritage Tasmania to develop and maintain this understanding and cooperation.

Governance and operations

Corporate governance and values

Minister's Expectation:

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.

The Council accepts its responsibility to work in accordance with the Act and consistent with the objectives of Tasmania's resource management and planning system.

Registration and works approval matters of a complex, contentious or novel nature, will continue to be determined by the convened meetings of the Council.

We will also continue the use of Delegations that are now well established (and published in the Council's Annual Report) to enable decisions to be made at the appropriate level to ensure both good governance, consistency and also timeliness of decision making.

As an important enhancement of our good governance checks and balances we have recently endorsed guidelines to complete internal reviews of registration decisions made under delegation, as has occurred for a number of years for works decisions made under delegation. These regular reviews will be conducted by both the Works Sub Committee and the Registration Sub Committee.

Reporting

Minister's Expectation:

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.

The Council sees the Annual Report as an important document to both inform and maintain community trust in the activities of the Heritage Council and its roles and functions.

The Council commits to satisfying this expectation.

Policies and Procedures

Minister's Expectation:

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.

The Council firmly agrees with your expectation that its processes should maximise certainty, and provide for consistent and timely assessments and decisions. We will continue to encourage pre-statutory consultation with property owners and developers and make decisions in line with our *Works Guidelines*. These two mechanisms continue to realise appropriate heritage outcomes with minimal impost on property owners and developers.

In addition, we will continue our focus on revising the applicability, transparency and consistency of our Policies and Procedural Guidelines.

Progress achieved on this ongoing improvement work will be published in the Council's Annual Report.

Community and stakeholder engagement

Minister's Expectation:

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 the 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.

The Council's *Plan to Evolve the Tasmanian Heritage Register* documents the pathways to guide and prioritise our collective efforts and identifies actions and outcomes to help us develop the Heritage Register as an accurate, reliable, and current record of Tasmania's places of historic heritage significance.

A key objective of the Council is to move as quickly as possible to have the Register digitally available for the public to investigate. This availability will ideally include a thematic framework to aid searchability.

This improved engagement of the community in the content of the Register also is seen as step towards improved representation within the respective themes within the Register.

The Council will continue to be an active partner together with TMAG to lead the development of Tasmanac as an essential source for the stories that bring Tasmania's cultural collections and registers to life in a cultural heritage tourism-focused platform.

The Council will continue to publish via its website the minutes of its meetings and the decisions made.

The Council's Policies, particularly its Works Guidelines and Practice Notes will continue to be reviewed, updated where required and made available to all interested parties. These documents are written with both end user in mind and to ensure consistent decision making by the Council. Development of companion Registration Guidelines also will commence.

The Council also will continue to encourage owners of listed properties to discuss their proposed works with Heritage Tasmania's Heritage Advisors prior to proceeding with works or detailed development proposals. The commitment of Heritage Tasmania to the timeliness of this process has proved to be one of the most effective engagement strategies adopted to date.

Continued effort will be made to engage with Local Government to help them build their capacity and capability in heritage management, particularly in support of their role in preserving Heritage street scapes and encouraging their identification of local places to which the Local Historic Heritage Code will be applied in their Local Provisions Schedule (LPS).

Heritage Priorities

Minister's Expectation:

- 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.*

The Council accepts these heritage priorities, which also are included within the Council's recently updated rolling three-year Strategic Plan.

Period of this Statement of Intent

This Statement of Intent takes effect from the date of signing, for a period of three years, aligned with the term of the Statement of Expectations.



Ms Brett Torossi
Chair
Tasmanian Heritage Council

Date: 31 March 2021