

In their 2017-2018 Report, the Select Committee on Estimates (2017-2018) (the Committee) recommended the ACT Government include more accountability indicators for heritage matters in future budgets to provide greater clarity about:

- the number of nominations received
- the number of nominations assessed; and
- the length of time taken to assess them.

ACT Heritage has assessed the feasibility of the recommendation against the ACT Auditor-General's Report: *ACT Government Strategic and Accountability Indicators*, Report No. 2/2018, (the Report).

The Report outlines the attributes and characteristics of good performance measures and evaluation criteria for accountability indicators (Appendix A), with which the Committee's suggested indicators for heritage matters do not accord:

- a) Measures should be quantifiable and measurable to a reasonable degree of accuracy (particularly for auditable measures).
- b) measures should have an external focus, rather than focusing on internal or technical processes.
- c) there should be a focus on overall performance and key deliverables. Measures should not be focused on one single aspect of performance.
- d) Measures should be clearly defined and easy to understand.
- e) Performance measures must measure something that the Directorate is able to influence.

Nomination lists can feature in heritage jurisdictions where heritage legislation has existed for several decades or more. This situation is echoed in the ACT where heritage legislation has existed since the initial years following self-government with the concurrent operation of the *Heritage Objects Act 1991*, and the *Land (Planning and Environment) Act 1991* (both repealed). The current nomination list therefore represents a legacy issue, where the age of

many nominations is unknown, and it is not feasible to accurately quantify the length of time taken to assess older nominations.

The age of these legacy nominations is undiscoverable, as the heritage database does not generate data or statistics that capture information on submission and acceptance dates or information on original nominators.

In rare circumstances it may be possible to capture information on the length of time it takes to *actively* assess nominations. This would mean quantifying the time elapsing between the commencement of research on an existing nomination, and the conclusion of research, culminating in a decision made by the ACT Heritage Council (the Council)

However, timeframes on *active* assessment cannot be accurately quantified on a consistent basis, and to report on this aspect of the Council's work program would represent an internal, technical process. Further, such an indicator is not an accurate measure of performance, as it is not something EPSDD is able to influence.

For example, the Council is comprised of experts in relevant disciplines including history, archaeology, planning, architecture and Aboriginal culture. Council members may identify unforeseen research complexities when actively undertaking assessments, necessarily lengthening or pausing the assessment process. The reasons for such variations may be diverse and technical, and it is the Council's role, as an independent body established under the *Heritage Act 2004* (the Act), to thoroughly research and assess heritage significance under the significance criteria established under the Act. Pursuant to any assessment of significance, it is a function of the Council, not EPSDD, to make heritage decisions.

Research and assessment issues, which are out of the control of EPSDD, also render it impractical to develop indicators based on the number of nominations assessed. The occurrence of unforeseeable complexities also means that the number of nominations assessed is not an accurate measure of performance, neither is the length of time taken to assess them.

Further, the Council determines and reassesses its priorities for assessing nominated places and objects based on resourcing, community expectations, and land development pressures and threat to a heritage place or object. These factors are frequently subject to change, meaning the Council must regularly reassess its priorities.

The Council must also balance the requirement to assess nominations with its other functions as prescribed under the Act. This can, and frequently does, involve resource intensive appeals on registration decisions to the ACT Civil and Administrative Tribunal (ACAT) and the Supreme Court.

Under the Act, anyone may nominate a place or object. The nomination list reflects community interest in heritage. While the Council encourages this, the openness of the nomination process means that the number of nominations received is not an accurate measure of performance, is out of the control of EPSDD and the Council, and is not an appropriate indicator.

unknown	31
pre 2000	13
2000-2005	27
2006-2010	6
2011-2015	10
2016 to date	10
Total Nominations	97

Portfolio/s Environment & Heritage

ISSUE: Heritage accountability indicators**Talking points:**

- In their 2017-2018 Report, the Select Committee on Estimates (the Committee) recommended the ACT Government include more accountability indicators for heritage matters in future budgets to provide greater clarity about:
 - the number of nominations received
 - the number of nominations assessed; and
 - the length of time taken to assess them.
- EPSDD has assessed the feasibility of the Committees recommendation against the ACT Auditor-General's Report: *ACT Government Strategic and Accountability Indicators*, Report No. 2/2018, (the Report).

Key Information

The Report outlines the attributes and characteristics of good performance measures and evaluation criteria for accountability indicators

Measures should be quantifiable and measurable to a reasonable degree of accuracy.

Nomination lists can feature in heritage jurisdictions where heritage legislation has existed for several decades or more. This situation is echoed in the ACT where heritage legislation has existed since the initial years following self-government with the concurrent operation of the *Heritage Objects Act 1991*, and the *Land (Planning and Environment) Act 1991* (both repealed). The current nomination list therefore represents a legacy issue, where the age of many nominations is unknown, cannot be captured by the heritage database, and it is not feasible to accurately quantify the length of time taken to assess older nominations.

In rare circumstances it may be possible to capture information on the length of time it takes to *actively* assess nominations. This would mean quantifying the time elapsing between the commencement of research on an existing nomination, and the conclusion of research, culminating in a decision made by the ACT Heritage Council (the Council)

However, timeframes on *active* assessment cannot be accurately measured on a consistent basis. The Council, as a body of experts, may identify unforeseen research complexities when actively undertaking assessments, necessarily lengthening or pausing the assessment process.

The reasons for such variations may be diverse, and it is the Council's role, as an independent body established under the *Heritage Act 2004* (the Act), to thoroughly

Cleared as complete and accurate: 18/01/2018

Cleared by:

Contact Officer Name:

Choose an item.

Ext:

Ext:

research and assess heritage significance under the significance criteria established under the Act.

Under the Act, while the Council must make a decision whether to accept or dismiss a nomination application as soon as practicable, there is no explicit statutory timeframe that stipulates how long the Council has to make its decision. As this function cannot be meaningfully quantified adopting an additional indicator based on the number of nominations accepted or dismissed by the Council does not accord with the Report.

Measures should have an external focus, rather than focusing on internal or technical processes.

Research and assessment complexities are often specialist in nature. Developing indicators based on the number of nominations assessed, and the time it takes to assess them would represent an internal, technical process against the recommendations of the Report.

Further, the Council determines and reassesses its priorities for assessing nominated places and objects based on resourcing, community expectations, land development pressures and threat to a heritage place or object. These factors are frequently subject to change, meaning the Council must regularly reassess its priorities and reduce the number of assessments it undertakes.

The Council must also balance the requirement to assess nominations with its other functions as prescribed under the Act. This can, and frequently does, involve resource intensive appeals on registration decisions to the ACT Civil and Administrative Tribunal (ACAT) and the Supreme Court.

These factors are matters of internal processes and resourcing, and would not be readily captured for public benefit in the form of an additional indicator.

Focus on overall performance and key deliverables. Measures should not be focused on one single aspect of performance. AND Performance measures must measure something that the Directorate is able to influence.

The occurrence of unforeseeable complexities in the assessment of nominations also means that the number of nominations assessed is not an accurate measure of performance, neither is the length of time taken to assess them.

Pursuant to any assessment of significance, it is a function of the Council, not EPSDD, to make heritage decisions on nominated places or objects. As such, indicators based on quantities of assessments are not accurate measures of performance, as EPSDD is unable to control related outcomes.

Under the Act, anyone may nominate a place or object. The nomination list reflects community interest in heritage. While the Council encourages community investment in heritage, the openness of the process means that reporting on the number of nominations

received is not an accurate measure of performance, is out of the control of EPSDD and the Council, and is not an appropriate indicator.

From: [Chaston, Daisy](#)
To: [OConnell, Jennifer](#)
Subject: RE: FOR ACTION: DRAFT Estimates Brief Indexes [SEC=UNCLASSIFIED]
Date: Wednesday, 2 May 2018 9:44:00 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Hi Jen – I agree with what you propose to add, and have put the Locomotive in the index. Recapping our convo yesterday (sorry if I'm asking the same questions!) Did you want to add a QTB about our plans to devise a new Reg Team accountability indicator(s) or did you want to keep this out of the formal QTB list and provide talking points before Estimates Hearing?

Daisy Chaston | Team Leader | Registrations

Phone: 6207 7379 | Email: daisy.chaston@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: OConnell, Jennifer
Sent: Tuesday, 1 May 2018 11:31 AM
To: Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>; Roberts, Linda <Linda.Roberts@act.gov.au>; Gleeson, Mary <Mary.Gleeson@act.gov.au>
Subject: FW: FOR ACTION: DRAFT Estimates Brief Indexes [SEC=UNCLASSIFIED]

Hi All

GS are requesting we finalise the index for Budget Estimates. Currently they have:

- *3 - Output 1.3: Heritage
- *25 - Heritage Conversation (CAPITAL WORKS)
- *14 – Heritage Nomination List
- *15 - Kingston Hotel
- *16 - Heritage Council Meeting decisions – this should be decisions for 2017-18 and priority list

Others that should be included:

- Locomotive
- Heritage Festival
- Aboriginal Heritage Festival events
- Heritage Grants
- Aboriginal Heritage Grants
- Canberra Tracks
- Advice Stats
- Heritage Strategy
- OTHERS / Hot Issues etc

Can you please advise by COB tomorrow.

Cheers
Jen

From: Marcantonio, Laura
Sent: Tuesday, 1 May 2018 10:10 AM
To: Tennent, Simon <Simon.Tennent@act.gov.au>; Morris, VanessaX <VanessaX.Morris@act.gov.au>; Flanery, Fleur <Fleur.Flanery@act.gov.au>; Moore, AlisonM (ACTPLA) <AlisonM.Moore@act.gov.au>; Kaucz, Alix <Alix.Kaucz@act.gov.au>; Paynter, Patrick <Patrick.Paynter@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Tetley, Melissa <Melissa.Tetley@act.gov.au>; O'Neill, Carolyn <Carolyn.O'Neill@act.gov.au>; Elton, Jaime <Jaime.Elton@act.gov.au>; Fitzgerald, Bruce <Bruce.Fitzgerald@act.gov.au>; Phillips, Brett <Brett.Phillips@act.gov.au>; Lewis, Paul <Paul.Lewis@act.gov.au>; Howorth, Chloe <Chloe.Howorth@act.gov.au>; Mundy, Graham <Graham.Mundy@act.gov.au>; Harding, Daniel <Daniel.Harding@act.gov.au>; Round, Jessica <Jessica.Round@act.gov.au>; Wyman, Andrew <Andrew.Wyman@act.gov.au>; Marshall, Guenivere <Guenivere.Marshall@act.gov.au>
Cc: Edgar, Olivia <Olivia.Edgar@act.gov.au>; EPD Ministerials - Parks and Conservation <EPDMinisterials-ParksandConservation@act.gov.au>; EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; McLeod, Rebecca <Rebecca.McLeod@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Taylor, Karen <Karen.Taylor@act.gov.au>; Crowe, Lindsay <Lindsay.Crowe@act.gov.au>; Morton, Stacey <Stacey.Morton@act.gov.au>; Groom, Samantha <Samantha.Groom@act.gov.au>; Price, Ruth <Ruth.Price@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>
Subject: FOR ACTION: DRAFT Estimates Brief Indexes [SEC=UNCLASSIFIED]

Good Morning everyone,

The attached indexes for Estimates Briefs require your review and updating as necessary please. The indexes are based on last year's to guide you, but they do need your review and input!

Could indexes please be updated and sent back to Government Services, cleared by EDs by **COB Thursday 3 May**.

Government Services will set up relevant briefing templates this week and a separate request for the briefs will follow.

Please contact Gov Services if you have any questions.

Many thanks,

Laura

Laura Marcantonio | Senior Manager - Government Services

Phone 02 6207 8263

Engagement and Executive Support | Environment, Planning and Sustainable Development Directorate | **ACT Government**

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From: [EPD Ministerials - Environment](#)
To: [Chaston, Daisy](#); [EPD Ministerials - Environment](#)
Cc: [OConnell, Jennifer](#); [Russell, Meaghan](#)
Subject: RE: For Clearance: QTBS FOR UPDATING- MINISTER GENTLEMAN JUNE SITTING - DUE TO ED COB 23 MAY 2018 [DLM=For-Official-Use-Only]
Date: Tuesday, 22 May 2018 2:59:27 PM
Attachments: [image001.png](#)
[image002.png](#)

Great!! Thank you

From: Chaston, Daisy
Sent: Tuesday, 22 May 2018 2:51 PM
To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>
Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: For Clearance: QTBS FOR UPDATING- MINISTER GENTLEMAN JUNE SITTING - DUE TO ED COB 23 MAY 2018 [DLM=For-Official-Use-Only]
Importance: High

Heritage QTBs are updated and ready for clearance.

Daisy Chaston | Team Leader | Registrations

Phone: 6207 7379 | Email: daisy.chaston@act.gov.au

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From: Russell, Meaghan
Sent: Monday, 21 May 2018 3:18 PM
To: Chaston, Daisy <Daisy.Chaston@act.gov.au>
Subject: FW: QTBS FOR UPDATING- MINISTER GENTLEMAN JUNE SITTING - DUE TO ED COB 23 MAY 2018 [DLM=For-Official-Use-Only]
Importance: High

Hi Daisy – FYI – there are registration QTBs on the list for updating this week.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

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From: EPD Ministerials - Environment

Sent: Monday, 21 May 2018 3:16 PM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>; Spackman, Tammie <Tammie.Spackman@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: EPD Ministerials - Parks and Conservation <EPDMinisterials-ParksandConservation@act.gov.au>; EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>

Subject: QTBS FOR UPDATING- MINISTER GENTLEMAN JUNE SITTING - DUE TO ED COB 23 MAY 2018 [DLM=For-Official-Use-Only]

Importance: High

Good Afternoon

Please find attached reference to the QTBS for Minister Gentleman for the next Assembly Sitting week **5-7 June 2018**.

QTBS used at the last Assembly Sitting are provided in the attached link, if you could please update these as they are the most recent versions, **in track mode by COB Wednesday 23 May 2018**.

Please note, these QTBS will be used at the Budget Estimates Hearings later in the month.

Where possible QTBS are to be kept to a single page.

Please let me know if you have any questions.

Thanks

Rachael

From: [Russell, Meaghan](#)
To: [Chaston, Daisy](#)
Subject: FW: For Clearance: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]
Date: Thursday, 24 May 2018 10:29:00 AM
Attachments: [Estimates INDEX 2018 - Gentleman \(A15873861\) \(002\).docx](#)
[GENTLEMAN.OBR](#)
[image001.png](#)
[image002.png](#)

Hi Daisy – done, with some extra notes on the DA indicator.

Cheers,
 Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

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From: Chaston, Daisy
Sent: Thursday, 24 May 2018 10:20 AM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: For Clearance: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Hi Meaghan

I put the brief together (including Advice stats) based on the info we sent back to Melissa Tetley on the Budget Statement back in April. Brief is also essentially the same as last year's, with the exception of the figures. Do you want to check it over before I let Jen know it's ready? Jen and I are working on a separate brief about the new indicator.

Daisy Chaston | Team Leader | Registrations

Phone: 6207 7379 | Email: daisy.chaston@act.gov.au

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From: OConnell, Jennifer
Sent: Thursday, 24 May 2018 9:52 AM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Roberts, Linda <Linda.Roberts@act.gov.au>
Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Did I send this one through while I was away?

As the blue subjects aren't required, it looks like we only need to do:

5- Output 2.3: Heritage – Meaghan and Daisy

29- Heritage Conservation (BIF/Capital Works funding) – Meaghan and Linda (we can probably take the wording from the budget day briefs we prepared the other week)

From: EPD Ministerials - Environment

Sent: Wednesday, 23 May 2018 9:03 AM

To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; O'Callaghan, Tammi <Tammi.O'Callaghan@act.gov.au>; Bradley, Joanne <Joanne.Bradley@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Tracy, Kathryn <Kathryn.Tracy@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Chapman, Stewart <Stewart.Chapman@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Apologies. Try this index

From: EPD Ministerials - Environment

Sent: Wednesday, 23 May 2018 9:01 AM

To: Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; O'Callaghan, Tammi <Tammi.O'Callaghan@act.gov.au>; Bradley, Joanne <Joanne.Bradley@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Tracy, Kathryn <Kathryn.Tracy@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Chapman, Stewart <Stewart.Chapman@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Importance: High

Hi everyone

Please note below email from Government Services regarding upcoming Budget Estimates and required briefs.

Please remember that the recent QTB's with the same subject will be used in place of the requested estimate brief. I have attached the index and highlighted blue the subjects I believe are already being prepared as a QTB and therefore are not required, I believe the yellow highlighted subjects are required as an estimate brief.

Please review the index and let me if you have a different view.

The required estimate briefs are due for ED clearance by **COB Tuesday 29 May please.** -
 Templates are located in the objective link.

Should you have any concerns or need anything clarified please come and have a chat.

Thank you
 Rachael

From: EPSD Government Services
Sent: Monday, 21 May 2018 3:18 PM
To: O'Neill, Carolyn <Carolyn.O'Neill@act.gov.au>; Elton, Jaime <Jaime.Elton@act.gov.au>; Flanery, Fleur <Fleur.Flanery@act.gov.au>; Tennent, Simon <Simon.Tennent@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Fitzgerald, Bruce <Bruce.Fitzgerald@act.gov.au>; Phillips, Brett <Brett.Phillips@act.gov.au>
Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; EPD Ministerials - Planning Delivery <EPDMinisterials-PlanningDelivery@act.gov.au>; EPD Ministerials - Strategic Planning <EPDMinisterials-StrategicPlanning@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>; Edgar, Olivia <Olivia.Edgar@act.gov.au>; McDonald, Helen <Helen.McDonald@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Tetley, Melissa <Melissa.Tetley@act.gov.au>; Morton, Stacey <Stacey.Morton@act.gov.au>; Lewis, Paul <Paul.Lewis@act.gov.au>; Crowe, Lindsay <Lindsay.Crowe@act.gov.au>; Marshall, Guenivere <Guenivere.Marshall@act.gov.au>
Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 31/05/2018 [DLM=Sensitive: Cabinet]
Importance: High

Hi All

The Minister and Executive are appearing before the Select Committee on Estimates in June 2018 (date still to be confirmed). In preparation we are requesting briefs to be prepared for the Minister and Executive to reference.

An index has been finalised with input from Finance and Executive.

Corporate briefs will be used across all of EPSDDs portfolios, please include the breakup under each portfolio heading where possible. Briefs should be 1-2 pages long.

The Estimates pack will also include QTBS from the June sitting period and briefs prepared for Budget Day. To further assist with clarification on recent requests in relation to Budget, Budget Estimates Hearings and QTBS, please see below timelines for

your reference:

BRIEF	PURPOSE
Budget Day Briefs	Briefs for budget items to be used on budget day 05 June 2018
QTBS for June Sitting – to be prepared in line with Estimates indexes where relevant, in order to be used for Estimates hearings as well	QTBS will be used in the June sittings 5-7 and also be included in the Estimates briefing packages
Estimates Briefs, following discussion at EMB on 29 May 2018	Estimates Briefs are budget focused and will include June QTBS

If you have any questions please do not hesitate to call.

Many Thanks
Patti

From: [Russell, Meaghan](#)
To: [OConnell, Jennifer](#)
Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]
Date: Thursday, 24 May 2018 11:23:17 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Jen – both briefs should now be ready for your review....

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)
 Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au
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From: Roberts, Linda
Sent: Thursday, 24 May 2018 11:18 AM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Thanks Meaghan, I have no further additions if Jen is happy with the level of detail.
 Cheers
 Linda

From: Russell, Meaghan
Sent: Thursday, 24 May 2018 10:54 AM
To: Roberts, Linda <Linda.Roberts@act.gov.au>
Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Hi Linda – I have prepared the Heritage Conservation brief from the budget day briefs prepared earlier in the month – can you please review Canberra Tracks content for any updates?

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)
 Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au
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From: OConnell, Jennifer
Sent: Thursday, 24 May 2018 9:52 AM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Roberts, Linda <Linda.Roberts@act.gov.au>
Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

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From: EPD Ministerials - Environment
Sent: Wednesday, 23 May 2018 9:03 AM
To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; O'Callaghan, Tammi <Tammi.O'Callaghan@act.gov.au>; Bradley, Joanne <Joanne.Bradley@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Tracy, Kathryn <Kathryn.Tracy@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Chapman, Stewart <Stewart.Chapman@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>
Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Apologies. Try this index

From: EPD Ministerials - Environment
Sent: Wednesday, 23 May 2018 9:01 AM
To: Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; O'Callaghan, Tammi <Tammi.O'Callaghan@act.gov.au>; Bradley, Joanne <Joanne.Bradley@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Tracy, Kathryn <Kathryn.Tracy@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Chapman, Stewart <Stewart.Chapman@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell,

Meaghan <Meaghan.Russell@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Importance: High

Hi everyone

Please note below email from Government Services regarding upcoming Budget Estimates and required briefs.

Please remember that the recent QTB's with the same subject will be used in place of the requested estimate brief. I have attached the index and highlighted blue the subjects I believe are already being prepared as a QTB and therefore are not required, I believe the yellow highlighted subjects are required as an estimate brief.

Please review the index and let me if you have a different view.

The required estimate briefs are due for ED clearance by **COB Tuesday 29 May please.** -
Templates are located in the objective link.

Should you have any concerns or need anything clarified please come and have a chat.

Thank you

Rachael

From: EPSD Government Services

Sent: Monday, 21 May 2018 3:18 PM

To: O'Neill, Carolyn <Carolyn.O'Neill@act.gov.au>; Elton, Jaime <Jaime.Elton@act.gov.au>; Flanery, Fleur <Fleur.Flanery@act.gov.au>; Tennent, Simon <Simon.Tennent@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Fitzgerald, Bruce <Bruce.Fitzgerald@act.gov.au>; Phillips, Brett <Brett.Phillips@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; EPD Ministerials - Planning Delivery <EPDMinisterials-PlanningDelivery@act.gov.au>; EPD Ministerials - Strategic Planning <EPDMinisterials-StrategicPlanning@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>; Edgar, Olivia <Olivia.Edgar@act.gov.au>; McDonald, Helen <Helen.McDonald@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Tetley, Melissa <Melissa.Tetley@act.gov.au>; Morton, Stacey <Stacey.Morton@act.gov.au>; Lewis, Paul <Paul.Lewis@act.gov.au>; Crowe, Lindsay <Lindsay.Crowe@act.gov.au>; Marshall, Guenivere <Guenivere.Marshall@act.gov.au>

Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 31/05/2018 [DLM=Sensitive: Cabinet]

Importance: High

Hi All

The Minister and Executive are appearing before the Select Committee on Estimates in June 2018 (date still to be confirmed). In preparation we are requesting briefs to be

prepared for the Minister and Executive to reference.

An index has been finalised with input from Finance and Executive.

Corporate briefs will be used across all of EPSDDs portfolios, please include the breakup under each portfolio heading where possible. Briefs should be 1-2 pages long.

The Estimates pack will also include QTBS from the June sitting period and briefs prepared for Budget Day. To further assist with clarification on recent requests in relation to Budget, Budget Estimates Hearings and QTBs, please see below timelines for your reference:

BRIEF	PURPOSE
Budget Day Briefs	Briefs for budget items to be used on budget day 05 June 2018
QTBS for June Sitting – to be prepared in line with Estimates indexes where relevant, in order to be used for Estimates hearings as well	QTBS will be used in the June sittings 5-7 and also be included in the Estimates briefing packages
Estimates Briefs, following discussion at EMB on 29 May 2018	Estimates Briefs are budget focused and will include June QTBS

If you have any questions please do not hesitate to call.

Many Thanks
Patti

From: [Chaston, Daisy](#)
To: [OConnell, Jennifer](#)
Subject: Budget Estimates - Accountability Indicators - Draft Brief [SEC=UNCLASSIFIED]
Date: Friday, 25 May 2018 5:12:43 PM
Attachments: [image001.png](#)
[image002.png](#)

It's a tad long for a QTB, but I've assessed the Committee's recommended indicators against the guidelines.

<G:\001 Objective\Heritage - Reporting\Accountability Indicators - Draft Brief.docx>

For a slightly longer version

<G:\001 Objective\Heritage - Reporting\Accountability Indicator Notes.docx>

Daisy Chaston | Team Leader | Registrations

Phone: 6207 7379 | Email: daisy.chaston@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development | **ACT Government**

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: [Walker, IanS](#)
To: [Dunstan, David](#)
Cc: [OConnell, Jennifer](#); [Bennett, JamesP](#)
Subject: RE: further revised estimates brief heritage act enforcement matters - a24. Corporate - Heritage Act Compliance - EPSDD/Access Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Tuesday, 29 May 2018 1:34:24 PM

David – I'm ok with this

Thanks Ian

From: Dunstan, David
Sent: Tuesday, 29 May 2018 12:39 PM
To: Walker, IanS <IanS.Walker@act.gov.au>
Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>
Subject: further revised estimates brief heritage act enforcement matters - a24. Corporate - Heritage Act Compliance - EPSDD/Access Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Ian

Thank you for your review earlier draft estimates brief, the attached is as further revised in light of your and Heritage unit comments for your review/clearance.

The additional matters are **highlighted**. If cleared by yourself the intent is to put this up with other briefs to COO through Carolyn O'Neill/Govt services and then to DG.

Thanks James for draft and thanks Jennifer for comment/changes

David

David Dunstan, Senior Manager, Legal Services

Governance Compliance and Legal Services

Environment, Planning and Sustainable Development Directorate, ACT Government

Level 3, Dame Pattie Menzies House | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Phone: +61 2 6207 1716 Email: david.dunstan@act.gov.au Mobile: 0409005824

From: [OConnell, Jennifer](#)
To: [Russell, Meaghan](#)
Subject: RE: URGENT REVIEW - a24. Corporate - Heritage Act Compliance - EPSDD/Access Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Date: Tuesday, 29 May 2018 10:57:00 AM
Attachments: [image001.png](#)
[image002.png](#)

Thanks Meaghan – have made those changes in the document and had a chat to David Dunstan.

Cheers

Jen

From: Russell, Meaghan
Sent: Tuesday, 29 May 2018 10:09 AM
To: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Subject: FW: URGENT REVIEW - a24. Corporate - Heritage Act Compliance - EPSDD/Access Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi Jen,

Just to add my notes on the heritage compliance brief:

- It still states that ACT Heritage can engage Access Canberra on as-needs basis for heritage compliance – and then states that ACT Heritage relies on the Environment compliance team;
- The reference to 1-2 significance heritage compliance matters can be expanded to include ‘are reported in the media’ – which should just be are reported to ACT Heritage;
- The reference to no associated infringement scheme should be expanded to identify that this could be enacted through the Magistrates Act subject to EPSDD and JACS consultation;
- ‘aboriginal’ should be capitalised.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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From: Dunstan, David
Sent: Tuesday, 29 May 2018 9:50 AM
To: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>

Subject: RE: URGENT REVIEW - a24. Corporate - Heritage Act Compliance - EPSDD/Access Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi Jennifer

Thanks for comments - have made some changes as highlighted in revised text accordingly.

Would appreciate your further views on whether this adequately picks up on your points below (have jumped into this conversation as James is required at meeting in city)

Cheers
David

-----Original Message-----

From: OConnell, Jennifer

Sent: Tuesday, 29 May 2018 9:16 AM

To: Walker, IanS <IanS.Walker@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>

Cc: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Dunstan, David

<David.Dunstan@act.gov.au>

Subject: RE: URGENT REVIEW - a24. Corporate - Heritage Act Compliance - EPSDD/Access Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi James

This looks good although In April 2018, Access Canberra advised ACT Heritage/Environment ED that it had never been given the compliance function for heritage, and therefore had no power to and would not investigate heritage compliance matters.

On average, ACT Heritage receives about 15 heritage complaints/compliance reports per financial year – however, approximately half are often not offences and do not require any action.

Many of the remaining reports are minor/moderate matters – and only 1-2 significant heritage compliance matters are reported a year.

In addition to appropriate regulations not being established for infringement notices, Presently, Heritage Directions can only be issued for places at ‘serious and imminent threat’, which does not allow for ‘repair’ directions to be issued – which does not reflect the stated aim of directions or examples given in legislation. Amendments to the Heritage Act are required to provide for repair directions.

Also as Ian mentioned, the recent issue of an Aboriginal object being sold and the inability of the Heritage Act to protect the item.

Cheers
Jen

-----Original Message-----

From: Walker, IanS

Sent: Tuesday, 29 May 2018 8:32 AM

To: Bennett, JamesP <JamesP.Bennett@act.gov.au>

Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Russell, Meaghan

<Meaghan.Russell@act.gov.au>; Dunstan, David <David.Dunstan@act.gov.au>

Subject: RE: URGENT REVIEW - a24. Corporate - Heritage Act Compliance - EPSDD/Access
Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi James

Thanks for this

My understanding is the Heritage Act need to be strengthened when

a) a heritage asset is impacted on eg we have no way of seeking

rehabilitation/remediation/compensation for impact

b) an aboriginal cultural moveable value is taken from country/ sold (this may also apply to non
aboriginal moveable heritage also) and

c) as identified in the brief the ability to issue a fine for minor breaches

Jen and Meaghan can you confirm the above and add a bit more into the brief in line with the
above.

Cheers Ian

-----Original Message-----

From: Bennett, JamesP

Sent: Friday, 25 May 2018 11:19 PM

To: Walker, IanS <IanS.Walker@act.gov.au>

Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Russell, Meaghan

<Meaghan.Russell@act.gov.au>; Dunstan, David <David.Dunstan@act.gov.au>

Subject: FW: URGENT REVIEW - a24. Corporate - Heritage Act Compliance - EPSDD/Access
Canberra - GOVERNANCE (A16157586) [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Importance: High

Hi Ian

Can you please review the attached Estimates brief relating to Heritage Act compliance.

If it is consistent with your discussions on this topic to date, please provide your clearance.

We would appreciate your clearance by COB Tuesday 29 May to meet other clearance deadlines.

Thanks

James

James Bennett | Legal Services

Governance, Compliance and Legal Services

Phone: 6205 4877 | Email: JamesP.Bennett@act.gov.au Environment, Planning and Sustainable

Development Directorate | ACT Government Dame Pattie Menzies House, 16 Challis Street
Dickson | GPO Box 158 Canberra ACT 2601 www.environment.act.gov.au

From: [OConnell, Jennifer](#)
To: [Russell, Meaghan](#); [Chaston, Daisy](#); [Gleeson, Mary](#); [Roberts, Linda](#)
Subject: FW: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]
Date: Wednesday, 30 May 2018 11:39:48 AM
Attachments: [Estimates INDEX 2018 - Gentleman.docx](#)

Hi All

Ian would like us to review the budget estimates index and include new briefs for any issues that may be raised. He hasn't given a timeframe but I suspect as soon as possible would be the expectation. Based on the briefs provided in previous years and resulting QONs, I suggest:

- Grants – *Mary*
- Grants – Aboriginal projects – *Mary*
- Heritage Festival - *Linda*
- Heritage Festival – Aboriginal events – *Linda*
- Canberra Tracks – *Linda*
- Outward Bound Tree – *Meaghan*
- Accountability Indicators recommended by the Standing Committee in 2017 – *Daisy*
- GBW? – *Daisy*
- Gold Creek – *Daisy*
- Compliance general – *Meaghan*
- RAOs – *Meaghan*
- Hot issues advice – *Meaghan*

- Advice Stats? – *Meaghan*
- Aboriginal policies? – *Meaghan*

Already included on the index is:

[Heritage Outputs](#)

[Heritage Conservation BIF Funding](#)

[Heritage Nomination List](#)

[Kingston Hotel](#)

[Heritage Council Meeting decisions](#)

[Railway Historical Society 1210 Locomotive](#)

Cheers

Jen

From: Walker, IanS

Sent: Wednesday, 30 May 2018 8:18 AM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>

Subject: Estimates INDEX 2018 - Gentleman

Guys

In relation to estimate briefs can you please take another look at these – see attached index

In particular consider the questions that maybe asked of the minister and answer the questions, noting estimates is about budget BUT questions may (will) extend to anything.

Additionally in lead up to estimates (late June) please keep an eye on the media and if there is something contentious please prepare some dot points to aid in a response.

Thanks Ian

From: [OConnell, Jennifer](#)
To: [Russell, Meaghan](#)
Subject: FW: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]
Date: Thursday, 31 May 2018 11:06:00 AM
Attachments: [Estimates INDEX 2018 - Gentleman.docx](#)

Hi Meaghan

Can you please include Hall Bike Track in the Hot Issues – advice brief.

Cheers

Jen

From: OConnell, Jennifer
Sent: Wednesday, 30 May 2018 11:40 AM
To: Russell, Meaghan <Meaghan.Russell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Gleeson, Mary <Mary.Gleeson@act.gov.au>; Roberts, Linda <Linda.Roberts@act.gov.au>
Subject: FW: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]

Hi All

Ian would like us to review the budget estimates index and include new briefs for any issues that may be raised. He hasn't given a timeframe but I suspect as soon as possible would be the expectation. Based on the briefs provided in previous years and resulting QONs, I suggest:

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Heritage Council Meeting decisions

Railway Historical Society 1210 Locomotive

Cheers

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From: Walker, IanS

Sent: Wednesday, 30 May 2018 8:18 AM

To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>;
Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; McKeown, Helen
<Helen.McKeown@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>; OConnell,
Jennifer <Jennifer.OConnell@act.gov.au>; Tomlinson, Heather
<Heather.Tomlinson@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>

Subject: Estimates INDEX 2018 - Gentleman

Guys

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Additionally in lead up to estimates (late June) please keep an eye on the media and if there is something contentious please prepare some dot points to aid in a response.

Thanks Ian

**MINISTER FOR PLANNING AND LAND MANAGEMENT
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MINISTER FOR URBAN RENEWAL**

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3.	Greenway Southquay
4.	Greenway Section 28

From: [OConnell, Jennifer](#)
To: [Russell, Meaghan](#); [Chaston, Daisy](#); [Roberts, Linda](#); [Gleeson, Mary](#)
Subject: FW: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]
Date: Thursday, 31 May 2018 12:03:00 PM
Attachments: [GENTLEMAN.OBR](#)
[Additional briefs not yet with agenda items.obr](#)

Hi Guys

Ian is after these briefs by COB today, although I may be able to work out a small extension until tomorrow for Daisy's Team given it's a Council meeting day today.

Rachael has created a new link (attached) for the additional briefs – GS will number and update the index.

Cheers
 Jen

From: Mileski, Rachael
Sent: Thursday, 31 May 2018 11:57 AM
To: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>
Cc: Mileski, Rachael <Rachael.Mileski@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>
Subject: RE: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]

Hi all

Ian has requested all briefs by cob today please.

Please place a note next to your brief indicating when it is ready for Ian's review.

Please let me know as soon as possible the subject name to any additional briefs your team is preparing so I can coordinate updates to the agenda. Additional briefs that are not yet included on the agenda can be placed in the attached objective link.

Should you have any questions please let me know.

Cheers
 Rachael

From: Walker, IanS
Sent: Wednesday, 30 May 2018 8:18 AM
To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>;

Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>

Subject: Estimates INDEX 2018 - Gentleman

Guys

In relation to estimate briefs can you please take another look at these – see attached index

In particular consider the questions that maybe asked of the minister and answer the questions, noting estimates is about budget BUT questions may (will) extend to anything.

Additionally in lead up to estimates (late June) please keep an eye on the media and if there is something contentious please prepare some dot points to aid in a response.

Thanks Ian

Portfolio/s Environment & Heritage

Choose a Portfolio.

ISSUE: CANBERRA TRACKS**Question: *How will the Canberra Tracks develop to remain relevant?*****Answer**

- With 174 interpretive signs now located around the ACT at heritage-listed sites and places of historic interest, the main focus is to provide more content on the Canberra Tracks Augmented Reality App and to market the app.

Key Information

- Two workshops were held for stakeholders to explain the opportunity this app provides for them without the expense of creating an app from scratch. Community groups can apply for ACT Heritage Grant funding to develop content to engage with the public through using oral histories, old photographs and objects to tell digital stories.
- The app was launched in December 2014 with 48 two minute videos made by University of Canberra undergraduates. During 2017-18 content has been diversified with 360° panoramas, audios and geo-location pips.
- A new panel explaining the workings of the app is now installed at Regatta Point outside the Canberra Region Visitors Centre.
- The other sign erected in 2017-18 is *Toll Dale*, the former farm at O'Connor tennis court owned by the Shumack family. Its installation was timed to coincide with John Shumack's 100th birthday in January 2018.
- The Canberra Tracks brochure is distributed to 110 tourism outlets including hotels, attractions, visitors centres and at Floriade.

Background

Canberra Tracks is an initiative of the ACT Government, providing heritage interpretation at 147 sites in the ACT, including eight self-drive interpretive trails. Each heritage site on the trails has an interpretive sign telling the story of its past and its connection to the present.

The Canberra Tracks branding is recognised as enhancing the experience of visitors and locals while celebrating the Territory's built, Aboriginal and natural heritage.

From beginning with just signage installation in 2006, Canberra Tracks has branched out to include brochures, website and an Augmented Reality app. Expanding and consolidating the network is done through partnerships with other agencies, businesses and community groups.



BUDGET ESTIMATES BRIEF

Portfolio/s Environment & Heritage

ISSUE: Canberra and Region Heritage Festival

Question: *What data is available on this year's Heritage Festival?*

Answer

- Events: 156 events with 60 event organisers
 - 18 events were focused on Aboriginal heritage;
 - 39% were free events; 12% gold coin entry; 10% regional;
 - 12 new organisations (16 in 2017); and
 - 18 connected to ACT Heritage grants.
 - The Festival continues to reach new markets with 55% of the 130 surveyed stating that they had not been to a Festival event before.
 - The standard of the activities as rated by 130 participants was 79% very satisfactory and 19% satisfactory.
 - A record number of 19 events (including four Aboriginal) linked to ACT Heritage Grant projects were part of the festival program.
 - Further research by IER at the cost of \$20K is taking place to provide in-depth evaluation and a future directions report.
 - The Festival webpage was the most popular page for www.environment.act.gov.au which saw a 25% increase in unique page views compared to 2017.
 - A new partnership with ABC Radio generated ten interviews with various event organisers.
 - Social media activity was increased to 26 posts (7 in 2017) with a reach of 58,052 compared to 31,138 in 2017.
 - Attendance of approximately 10,000 at various events with the larger ones:
 - Lanyon Open Day: 600
 - Hall School Museum and Heritage Centre: 568
 - Cliftonwood Farm Day: 300
-

Key Issues

- The Canberra and Region Heritage Festival (the Festival) celebrates the Aboriginal, historic and natural heritage of the ACT and surrounding shires. The 2018 theme 'My Culture, My Story' explored, celebrated and shared our cultural heritage. This included Aboriginal

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Cleared by: Ian Walker	Executive Director	Ext:59027
Contact Officer Name:	Linda Roberts	Ext: 50255

heritage events, a focus of ethnic diversity at the launch and events held at the Irish Embassy and German Harmonie Club.

- This was the 36th Festival for the ACT. The 2018 Festival received \$77,000 from the Community Partnerships Grant funding.
- Event organisers range from small businesses, community groups, NGOs, government agencies e.g. NCA, ACT Historic Places and large institutions such as Parliament House and Australian National Botanic Gardens.

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Cleared by: Ian Walker	Executive Director	Ext:59027
Contact Officer Name:	Linda Roberts	Ext: 50255

Portfolio/s Environment & Heritage

ISSUE: Heritage Accountability Indicators

Question: *What new accountability indicators for heritage has the ACT Government adopted as per the 2017 recommendations of the Select Committee on Estimates (the Committee)?*

Answer:

- The ACT Government has not adopted any new accountability indicators for 2018-19.
- The suggested accountability indicators do not accord with key criteria for good performance measures and indicators as outlined in the *ACT Government Strategic and Accountability Indicators Report No.2* (the Report). This Report outlines the attributes and characteristics of good performance measures and evaluation criteria for accountability indicators.

Key Information

- The Committee's suggested indicators included the number of nominations received, the number of nominations assessed, and the length of time taken to assess them.
- The Report recommends performance measures that are quantifiable and measurable to a reasonable degree of accuracy, however it is not feasible to accurately quantify the length of time taken to commence assessment of around 30% of places and objects on the nomination list.
- The nominations list exists partially as a legacy, originating in the early years following self-government when heritage legislation for the Territory was introduced. Coupled with shortcomings in the heritage database in capturing detailed information, this issue means that the precise age of many nominations is unknown.
- Anyone may nominate a place or object to the ACT Heritage Register. The openness of this process means that reporting on the number of nominations received is not an accurate measure of performance, is out of the control of the Directorate and the ACT Heritage Council (the Council), and is therefore not an appropriate indicator.
- An Indicator based on the number of nominations assessed would not represent accurate measures of performance, as heritage decisions are the responsibility of the Council, and the Directorate is unable to control this outcome.
- The Report also dissuades indicators that are based on technical processes. Delays to assessments are often highly technical, as nominations are researched by a body of experts in varied disciplines (the Council).

Cleared as complete and accurate: 31/05/2018

Cleared by: Executive Director

Contact Officer Daisy Chaston

Ext:

Ext:6207 7379

- In rare circumstances it may be possible to capture information on the length of time it takes to *actively* assess nominations. This would mean quantifying the time elapsing between the commencement of research on an existing nomination, and the conclusion of research, culminating in a decision made by the ACT Heritage Council.
- However, unforeseen research and assessment complexities often necessitate delays or pauses in this process, which means that the number of nominations assessed, and the length of time taken to *actively* assess them, is not an accurate measure of performance.

Background Information – may not be suitable for public disclosure

ACT Heritage currently reports on the following accountability indicators:

- Notification on the legislation register of Heritage Council decisions within five working days of the decision;
- Development application advice issued within 15 working days of referral by the ACT Land and Planning Authority;
- Decisions about heritage registrations by the ACT Heritage Council made within statutory timeframes. Note, this indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on final registrations under the *Heritage Act 2004*.

Nomination List Statistics (Age) – ACT Heritage

unknown	31
pre 2000	13
2000-2005	27
2006-2010	6
2011-2015	10
2016 to date	10
Total Nominations	94

Portfolio/s Environment & Heritage

ISSUE: Heritage Advice Hot Issues

Question: What's happening with the Hall Village bike track proposal?

Answer:

- The proposed bike track is located within the 'Aboriginal Sites Zone' of the Hall Village Heritage Precinct, and may impact Aboriginal heritage sites.
- In September 2017, Transport Canberra and City Services (TCCS) made a Statement of Heritage Effect (SHE) application to the Council, seeking approval for these heritage impacts.
- The Council requested further information from TCCS in December 2017 and February 2018, which has not yet been provided.
- Further information is needed to meet *Heritage Act 2004* requirements, such as whether there are reasonably practicable alternatives to heritage impacts, and what measures would be adopted to minimise Aboriginal heritage impacts.

Key Information:

- TCCS propose to build a bike track next to Halls Creek, within the Hall Village.
- The project is partially funded by local community fundraising efforts, although the exact location of the proposed bike track was not selected by the community.
- Following receipt of the requested information, the Council will make a decision on the SHE application, approval of which is required for the project to proceed.
- The proposal has high levels of local interest, with local residents writing to ACT Heritage, TCCS and Minister Fitzharris objecting to the proposal on the basis of Aboriginal heritage impacts.

Question: What's happening with the Haig Park CMP?**Answer:**

- A draft Conservation Management Plan (CMP) was submitted to the Council in September 2017 for review.
- Council advice on the draft CMP was provided in November 2017, and a revised CMP is expected in June 2018.
- The draft CMP has been commissioned by the City Renewal Authority (CRA) to inform the Place Plan currently being developed.
- Haig Park is registered on the ACT Heritage Register, and Council advice and approvals will need to be sought for any proposed works in the park.

Key Information – Haig Park CMP:

- The draft CMP presents an assessment of heritage significance and management framework that varies from that described in the existing ACT Heritage Register entry; which the Council will consider as part of the CMP review.
- The draft CMP seeks Council approval to undertake a range of works within Haig Park, such as tree removal and the installation of new recreational facilities; without the need to seek further *Heritage Act 2004* approvals. This approach does not reflect Heritage Act provisions, and will be considered by the Council as part of the CMP review.

Question: What's happening with the Canberra Brickworks redevelopment?**Answer:**

- The 'Canberra Brickwork Precinct' contains two places registered on the ACT Heritage Register - the 'Yarralumla Brickworks' and the 'Yarralumla Brickworks Railway Remnants'.
- *Heritage Act 2004* approvals will be required for the development to proceed.
- No heritage applications have been made and no heritage approvals have been issued for the project.
- The ACT Heritage Council has not yet been consulted about the proposed redevelopment.

Key Information – Canberra Brickworks redevelopment:

- The Suburban Land Agency (SLA) proposes to redevelop the ‘Canberra Brickwork Precinct’, with the sale process commencing in April 2016.
- Since September 2015, the Council and EPSDD have advised the SLA that the 2010 Conservation Management Plan (CMP) for the place should be revised as a priority, to inform the sale and development process.
- To date, the CMP has not been revised, and the Council understands that the Doma Group will revise the CMP following completion of the sale process.
- A SHE approved by the Council will also be required for the development to proceed, which will be submitted by the Doma Group following sale.

Question: What’s happening with the Ginninderra Creek sewer proposal?**Answer:**

- Stage 2 of the West Belconnen development includes a new sewer connection to Ginninderra Creek, which would impact a significant Aboriginal heritage place.
- RAOs object to this sewer connection alignment and do not support the proposal.
- The Council has directed Riverview Projects to consider other sewer alignments that would not impact this Aboriginal heritage site.
- Riverview Projects is expected to provide further information to the Council in June 2018 on alternative sewer alignments.

Key Information – Ginninderra Creek sewer connection (West Belconnen Riverview):

- The Ginninderra Creek sewer connection has been included in a range of recent West Belconnen applications, including the draft Estate Development Plan and Section 211 EIS Exemption.
- The proposed sewer connection would impact an Aboriginal archaeological site of heritage significance and conservation value, which is also associated with a nearby corroboree ground.
- In Council advice in November 2017, February, March and April 2018, Riverview Projects were advised that alternative alignments need to be explored that would avoid this significant cultural area.
- The Council met with Riverview Projects on 15 May 2018, and at this time, Riverview Projects committed to exploring other alignment options and provide further information in June 2018.

Portfolio/s Environment & Heritage

ISSUE: Heritage Compliance**Question: *What legal protection is afforded to heritage places?*****Answer:**

- The *Heritage Act 2004* (the Act) protects all registered heritage places and objects, including Aboriginal places and objects, by setting out that it is an offence to engage in conduct that diminishes the heritage significance of registered places or damages Aboriginal places and objects.

Question: *How are reports of heritage offences investigated?***Answer:**

- ACT Heritage reviews all heritage complaints and compliance reports received, to determine whether registered heritage places have been diminished and whether Aboriginal places have been damaged.
- ACT Heritage officers are authorised officers under the Act providing a number of powers such as entering premises and the the power on premises to inspect, examine, take measurements, conduct tests, take samples, and make records;
- Where ACT Heritage determine that heritage offences may have occurred, support is often sought from the Access Canberra Complaints and Investigation Team; who have personnel with investigations training and experience.
- Where Aboriginal heritage compliance matters are reported, Representative Aboriginal Organisations (RAOs) are also notified and consulted about the compliance review and its outcomes.

Question: *What's happening with the Wanniasa scarred tree and Ottocliffe (8 Palmer Street, Hall) heritage investigations.***Answer:**

- In accordance with the provisions of the *Information Privacy Act 2014*, we are not able to disclose detailed information on individual heritage compliance matters.

Key Information – heritage investigation outcomes:

- A range of enforcement actions are available in response to heritage offences, including: education; encouragement to comply; cautions and warnings; issuing of a heritage direction or heritage; and prosecution.
- In considering what actions may be appropriate for heritage offences, ACT Heritage considers a range of factors including: the seriousness of the offence; mitigating circumstances; the previous history of the offender; the most effective action to mitigate against future offences; and what is in the public interest.
- While prosecution may be available under the Act, the Office of the Director of Public Prosecutions (DPP) has its own *Prosecutions Policy* that provides guidance for when the DPP will make a decision to prosecute.

Portfolio/s Environment & Heritage

ISSUE: GINNINDERRA BLACKSMITH SHOP

Question: *What is the Government doing to conserve and maintain the Ginninderra Blacksmith Shop in Nicholls?*

Answer:

- In December 2017, EPSDD arranged for a contractor to refasten loose iron sheeting and secure additional loose panels at the Ginninderra Blacksmith Shop (GBS)
- In 2017 and in May 2018, EPSDD also arranged to have vegetation around the building removed to reduce fire hazard.
- GBS is privately owned by th Konstantinou Group (KGROUP). However, owing to a previous ACT Government-funded conservation project undertaken at the site in 2012, the Territory remains potentially liable for any future injury or property damage that may be caused due to lack of maintenance.
- EPSDD is pursuing options for terminating liability for GBS by entering into a deed with KGROUP.

Key Information

- GBS is owned by KGROUP and is registered on the ACT Heritage Register.
- In 2011-2012 the (then) Chief Minister, Jon Stanhope directed ACT Heritage to complete conservation works at GBS under Capital Works funding.
- KGROUP gave permission for these works to go ahead but declined to be involved in the project.
- The 2011-2012 conservation works have resulted in the Territory having some residual liability at GBS with regard to potential indemnity claims relating to injury or property damage, but KGROUP was and still remains the owner of the land and structure.
- As such, when maintenance issues concerning the roof of GBS were reported to EPSDD in 2017, the Territory was under some obligation to mend the structure.

- Following a potential deed, KGROUP will continue to own the land and structure as before. However, the deed will remove doubt with regard to any remaining liability of the Territory in the case of potential indemnity issues at GBW.
- If KGROUP is unwilling to enter a deed with the Territory, then the Territory may terminate residual liability by clearly indicating in writing its intention to do so and by taking action consistent with that intention such as handing over any key for GBS to KGROUP.

Portfolio/s Environment & Heritage

ISSUE: GOLD CREEK HOMESTEAD

Question: *What is the Government doing to protect Gold Creek Homestead in Ngunnawal?*

Answer:

- Block 109, Section 23 Ngunnawal includes Gold Creek Homestead (the Homestead) and was released to the market via open tender for aged care purposes under a process managed by the Suburban Land Agency (SLA).
- SLA instructed each tenderer to submit a report detailing their plans for the original building, which could have included maintaining it for community use or incorporating it into a sympathetic design. These submissions were a mandatory part of the tender.
- The ACT Heritage Council (the Council) decided not to provisionally register the Homestead in 1999, and again in 2009 after thorough assessment of heritage values on each occasion. As such, the provisions of the *Heritage Act 2004* are not applicable to the place.

Key Information

- The sale of Block 109, Section 23 Ngunnawal for the purposes of aged care facilities has given rise to community and media concerns in the first half of 2018, with several Gungahlin residents contacting my office expressing concerns over the conservation of the Homestead and its association with the pioneering Rolfe family of the Limestone Plains.
- In 1999 the Council decided not to include the Homestead in the ACT Heritage Register (the Register). The Council noted that while the place had some heritage value, it did not meet thresholds against significance criteria to a high enough degree to warrant inclusion in the Register.
- In 2006, the Council again decided not to include the Homestead in the Register. The Council considered a new nomination for the Homestead, which made arguments for significance against social values and community attachment to the place.

- Constituents have been advised that previous decisions of the Council to not list the Homestead in the Register do not detract from the contributions made by the pioneering Rolfe family to the development of the Limestone Plains and the ACT.
- I have encouraged constituents to consider alternative projects or events that recognise the importance of the Rolfe family, such as the ACT Heritage Grants Program, and the ACT and Region Heritage Festival.

Portfolio/s Environment & Heritage

ISSUE: RAILWAY HISTORICAL SOCIETY 1210 LOCOMOTIVE

Question: *Has there been any resolution on the theft of parts from the heritage listed Locomotive 1210, and the issue of ownership of the object?*

Answer:

- ACT Policing is investigating the theft of parts from Locomotive 1210, which occurred in late 2017.
- EPSDD Law Reform confirmed that the Commonwealth owns the Locomotive, as there is no reference either particularly or by class to the locomotive in the instruments of transfer under section 5 of the *ACT (Self Government) Consequential Provisions Act 1988*.
- With agreement from the Commonwealth, it is proposed that the asset is transferred to the ACT Government.
- After transfer, unless an alternative Directorate is able to assume ownership of the Locomotive, it is likely the Locomotive will be placed on the EPSDD asset register

Key Information

- In late 2017 valuable fittings were stolen from the premises of the Canberra Railway Museum where Locomotive 1210 is stored.
- The locomotive has been on loan from the Commonwealth to the Australian Railway Historical Society (ARHS, ACT Division) since 1984, who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017.
- EPSDD Law Reform will advise on a document of transferral from the Commonwealth to the Territory.
- ARHS is currently reforming, following the 2017 liquidation.
- EPSDD is exploring options for formalising a loan agreement between the ACT Government and the newly formed ARHS.
- Although ARHS is in the process of reforming, liquidator Deloitte is currently managing the Canberra Railway Museum yards.
- To increase security measures at the premises, volunteers from the ARHS occupy the museum yards during the week to perform general maintenance tasks.

Portfolio/s Environment & Heritage

ISSUE: HERITAGE NOMINATION LIST

Question: *What actions has the ACT Heritage Council (the Council) taken to reduce the nominations list?*

Answer:

- The Council has substantially reduced the nominations list.
- Since reaching a peak of 320 in 2008, the list of nominations is currently 94.
- In 2016-17, the Council reduced the nomination list by 32 nominations (a single decision can combine multiple nominations).
- Since commencement of the current reporting period (2017 to date), the Council has reduced the nominations list by 20 nominations.
- Assessing nominations and making heritage decisions on nominated places and objects is one of the core business responsibilities of the Council.

Key Information

- ACT Heritage, ESPDD provides administrative support to the Council. 1.6 FTE are allocated to assessing nominations.
- The Council decides on its priority list of nominated places and objects to be assessed at its first meeting of the financial year.
- The Council bases its priority list on development pressures, internal resourcing, community and political expectation, and thematic research synergies and efficiencies.
- Any member of the community can nominate a place or object to the ACT Heritage Register (the Register), so the long nomination list reflects community interest in heritage matters.
- In some cases, nominations may be straightforward and can be easily and quickly assessed. In others – such as with precincts – a single nomination may take many months to assess, due to increased complexities involved.
- Although they still require assessment, provisions of both heritage and planning legislation establish a process where development at nominated heritage places is referred to the Council for conservation advice.

- Under the *Heritage Act 2004*, applications can be made for the Council to urgently assess nomination applications, as well as applications to amend an existing register listing.
- For urgent nomination applications, once the application is made and the fee paid, the Council must, as far as practicable, make a decision within 20 days for an individual place and within 60 working days for a Precinct.

	2015-16	2016-17	2017 to date
Nominations accepted	9	7	5
Nominations dismissed	2		2
Provisional registration decision (including decisions to not provisionally register)	16	10	18
Registration decisions (including further registration decision)	14	6	4

Portfolio/s Environment & Heritage

ISSUE: Heritage Nomination – Kingston Hotel**Question: *Has there been any further community or media interest following the nomination of the Kingston Hotel to the ACT Heritage Register?*****Answer:**

- Since the ACT Heritage Council (the Council) accepted the nomination for the Kingston Hotel in February 2018, ACT Heritage has contacted the owner of the place, Mr Michael Kouper, on several occasions.
- Mr Kouper does not support the nomination, and asserted this view in an article in the Canberra Times in April 2018.
- The nomination has also generated positive media attention. The nominator, president of Canberra and District Historical Society (CDHS), Nick Swain, appeared in the Canberra Times in March 2018 speaking in support of the nomination.
- CDHS contacted my office in early March regarding a rumour that the place is to be knocked down. ACT Heritage investigated the matter and Planning Delivery within EPSDD concluded there is no Development Application (pending or current) for the place, and I have relayed this information to CDHS.
- The Council has not yet formed a view on the significance of the place.

Key Information:

- At its meeting of 8 February 2018, the Council accepted a nomination for the Kingston Hotel.
- The place was nominated by the Canberra and District Historical Society (CDHS), who assert the place is significant for its social values and for its association with 20th century espionage.
- Once the Council accepts a nomination, some provisions of the Heritage Act are applicable to the nominated place, for example:
 - the Council gives advice to the planning and land authority about the effect of a development on the likely heritage significance of a place if the development application is referred to the council; and
 - the Council may also give certain parties a Heritage Direction (to do or not do something to conserve the place) if immediate protection of the place is justified

Cleared as complete and accurate: 31/05/2018

Cleared by: Ian Walker

Contact Officer Name:

Executive Director

Daisy Chaston

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because a serious and imminent threat exists that would harmfully affect the heritage significance of the place.

Portfolio/s Environment & Heritage

ISSUE: 'Outward Bound' Scarred Tree Conservation and Management

Question: *What is happening with the Aboriginal scarred tree recently moved from Tharwa to Namadgi?*

Answer:

- The recent relocation of an Aboriginal scarred tree from Tharwa to Namadgi was part of a conservation and interpretation project funded by the ACT Government.
- The tree had been felled many years ago, and has since been lying in a garden bed at the entrance to the Outward Bound property at Tharwa.
- The tree was moved to the Namadgi Visitor's Centre on 17 May 2018, and conservation works are currently being undertaken.
- The project has attracted positive media attention.
- The tree will be publically displayed at a location along the Woodland Walk near the Visitors Centre. A design for the interpretation of the scarred tree is currently being developed with Representative Aboriginal Organisations (RAOs).

Key Information:

- The scarred tree contains a single large cultural scar, from the removal of timber to create a canoe for use in the nearby Murrumbidgee River.
- The felled tree was cut into four separate pieces, being: a large section of the trunk which contains the three metre cultural scar in its entirety, two short sections of the trunk and the root ball of the tree.
- At the request of RAOs, the ACT Government allocated \$76,000 for this important conservation project through the 2016-2017 Capital Works program.
- To inform the movement of the tree, a conservation assessment was undertaken in 2016, which found that with care, the tree could be moved without damage.
- A qualified conservator was involved in all stages of the relocation.
- The project has been jointly coordinated by ACT Heritage and the Parks and Conservation Service.

Portfolio/s Environment & Heritage

ISSUE: Representative Aboriginal Organisations System

Question: *How are Aboriginal people consulted about heritage in the ACT?*

Answer:

- The *Heritage Act 2004* (the Act) makes provision for recognising, registering and conserving Aboriginal places and objects, and for involving Aboriginal people in decisions affecting those places and objects.
- In the ACT, Aboriginal involvement is achieved through the Representative Aboriginal Organisations (RAOs) system.
- RAOs are declared by the Minister under Section 14 of the Act.

Question: *Who are the declared RAOs?*

Answer:

- In 2006, the following RAOs were declared by the Minister (NI2006-298):
 - Buru Ngunawal Aboriginal Corporation;
 - King Brown Tribal Group;
 - Little Gudgenby River Tribal Council; and
 - Ngarigu Currawong Clan.

Question: *Will the RAO system be reviewed?*

Answer:

- The ACT Government reviewed the RAO system as part of a review of the Act, and its amendment in 2014, and considers that the RAO system is working well.
- No review of the RAO system is planned at this time.

Key Information:

- The 2006 RAO declaration outlines that RAOs are to be consulted about:
 - The development of heritage guidelines relating to Aboriginal places and objects;
 - Council decisions about registration and cancellation of registration of Aboriginal places and objects;
 - The heritage significance of Aboriginal cultural heritage places and objects;
 - Council decisions about restricted information regarding Aboriginal places and objects;
 - The Minister's decision about declaring a repository for Territory owned Aboriginal objects; and
 - The impacts of proposed development on Aboriginal places and objects.
- The Council engages with RAOs and the broader community through:
 - The Aboriginal community representative Council member (currently Mr Gary Shipp) who raises issues on behalf of the Aboriginal community generally;
 - The Aboriginal Liaison Officer and the Team Leader, who regularly consult with the RAOs on Aboriginal heritage issues; and
 - The Council ensures heritage assessment for proposed development, and all management actions for Aboriginal places and objects, include consultation with RAOs.
- There is no provision for RAOs to be remunerated for consultation under the Act, however, ACT Government agencies or developers often remunerate RAOs for the provision of professional services in the Aboriginal heritage assessment and management process.
- The Council also consults with the United Ngunnawal Elders Council (UNEC) and ATSIEB on most of the above matters.
- There are a range of opportunities for individuals and organisations to comment on applications that may affect Aboriginal places and objects in the ACT, for example:
 - The Council has a four week public consultation period for all provisional registration decisions, including for Aboriginal places and objects;
 - EPSDD has a three week public consultation period for Territory Plan Variations, which relate to (for example) zone changes that would allow for new suburbs to be built;
 - EPSDD has a four week public consultation period for Environmental Impact Statements, which relate to (for example) major development and infrastructure projects; and
 - all Development Applications made to the ACT planning and land authority are publically notified, including those which may affect Aboriginal places and objects.

Portfolio/s Environment & Heritage

ISSUE: DECISIONS OF THE ACT HERITAGE COUNCIL

Question: *How many registration decisions has the ACT Heritage Council (the Council) made in the current reporting period?*

Answer:

- The Council has reduced the nomination list by 20 nominations, making registration decisions that have improved certainty for property owners, and improved thematic representation on the ACT Heritage Register (the Register).
- The ACT's education heritage is now better represented, after registration of Tharwa School, established at the end of the 19th century when legislation was enabling small rural communities to build schools across the country.
- The Council also decided to register the Barton Highway Road Cut, recognising our geological heritage. The place demonstrates an important part of the geological formation of the Canberra region which was formed in a marine environment.

Key Information**ACT HERITAGE COUNCIL 2017-18 DECISIONS (at 31 May 2018)****Nominations accepted to the ACT Heritage Register**

1. The 'Brick Banks' at Erindale Skatepark, Wanniasa
2. Historical Railway Objects
3. Narrabundah Duplexes, Narrabundah
4. 40 Donaldson Street, Braddon
5. Kingston Hotel, Griffith

Decisions to provisionally register

1. Barton Highway Road Cut, Nicholls
2. Tharwa School, Tharwa
3. 11 Northcote Crescent, Deakin
4. Signadou and Blackfriars Precinct, Watson
5. Red Hill Historic Plantings, Red Hill

Decisions not to provisionally register

1. Red Hill Rutidosis Site, Deakin
2. Bull Oak Grove near Molonglo Gorge, Kowen
3. Grassland Earless Dragon Habitat, Jerrabomberra and Majura
4. Molonglo River to Barton Highway Woodland
5. Mulligan's Flat Nature Reserve, Gungahlin
6. Pale Pomaderris Habitats across the ACT
7. Austral Toadflax Site near Kambah Pool, Tuggeranong
8. Tharwa Village Precinct
9. Pine Island Agglomerate
10. Canberra Nature Park
11. Murrumbidgee River Corridor
12. Narrabundah Duplexes, Narrabundah
13. Open Systems House (formerly Churchill House), Braddon

Decisions to register (including further registrations)

1. Barton Highway Road Cut, Nicholls
2. Corroboree Ground and Aboriginal Cultural Area, Queanbeyan River, Majura and Jerrabomberra
3. Glenburn Precinct, Kowen
4. Tharwa School, Tharwa

Portfolio/s Environment & Heritage

ISSUE: ACT HERITAGE GRANTS PROGRAM

Question: *How many projects were funded in the 2017-2018 Heritage Grants Program?*

Answer:

- The 2017-2018 ACT Heritage Grants Program funded projects totalling \$351,978
- This comprised of:
 - \$197,354 funded 18 individual projects;
 - \$102,000 funded 2 Community Heritage Partnership Projects being:
 - \$25,000 for the Heritage Advisory Service; and
 - \$77,000 for the Canberra & Region Heritage Festival;
 - \$52,624 to the Heritage Emergency Fund.

Key Information

- The 2018-2019 program, with a budget of \$345,000, was announced in March and closed on 11 June 2018.
- 31 applications were received and are currently being assessed. Successful applicants will be announced by the Minister in September at a date and venue yet to be confirmed.
- The 2018-2019 funding priorities are:
 - conservation works and projects that enable the continued use of and access to places entered on the ACT Heritage Register;
 - Conservation Management Plans;
 - community projects that increase the utilisation, awareness and engagement in heritage places through education (of all ages), oral histories, tourism, interpretation and events;
 - Aboriginal projects initiated by or involving the local Aboriginal community, in local heritage activities;
 - projects that provide partnership opportunities between community organisations and ACT government agencies; and
 - projects that prepare to celebrate the 50th anniversary of the Moon landing.

Cleared as complete and accurate: 18/01/2018

Cleared by: Choose an item.

Ext:

Contact Officer Name:

Ext:

2017-2018 ACT Heritage Grants Program Projects

	<i>Grant</i>	<i>Aboriginal focus</i>	<i>Heritage Festival</i>
National Trust of Australia (ACT) <i>Urban Polaris</i>	\$5,000		
The Uniting Church in Australia (ACT) <i>Roof Conservation Works</i>	\$10,000		X
Artists Society of Canberra <i>Heritage Art Exhibition</i>	\$6,265		X
St John's Anglican Church Reid <i>Lychgates Conservation Stage 2</i>	\$17,155		X
Australian Society for the Study of Labour History <i>Oral Histories</i>	\$1,827		
Institute of Foresters of Australia <i>Oral Histories</i>	\$12,766		
Woodlands & Wetlands Trust <i>WW1 Training Trenches Trail Augmentation</i>	\$27,816		X
Girl Guides ACT & SE NSW Region <i>Conservation Management Plan for archival collection</i>	\$4,400		
Southern ACT Catchment Group <i>Conservation and Protection of the Lanyon Canoe Trees</i>	\$9,240	X	X
Engineers Australia <i>Self Guided Heritage Trail</i>	\$2,320		X
Giralang Primary School Parents & Citizens Association <i>40th birthday interpretation of heritage values</i>	\$3,509		X
Friends of the Pinnacle <i>Guided Aboriginal Walks</i>	\$1,000	X	X
Canberra Lakes Pony Club <i>Conservation Works to Yarralumla Woolshed Outbuildings</i>	\$36,597		
Hall School Museum & Heritage Centre <i>Conservation and storage of heritage archives</i>	\$7,500	X	X
National Trust of Australia (ACT) <i>2018 Heritage Festival Open Day</i>	\$12,000	X	X
The Free Serbian Orthodox Church of St George <i>Roof Conservation Works</i>	\$10,000		
Majura Valley Landcare Group <i>Majura Valley Bush Festival</i>	\$15,736		

Cleared as complete and accurate: 18/01/2018

Cleared by: Choose an item.

Contact Officer Name:

Ext:

Ext:

Majura Valley Landcare Group	\$14,223
<i>Majura Valley Interpretive Signage</i>	

TOTAL	\$197,354
--------------	------------------

Cleared as complete and accurate: 18/01/2018
Cleared by: Choose an item.
Contact Officer Name:

Ext:
Ext:

Portfolio/s Environment & Heritage

ISSUE: Heritage Accountability Indicators

Talking points:

- ACT Heritage administers the provisions of the *Heritage Act 2004* and provides assistance in the conservation of the ACT's heritage assets to ensure their recognition, registration and conservation.
- The area provides administrative and operational support to the ACT Heritage Council and its projects, and administers the annual funding of the ACT Heritage Grants Program, the annual Canberra and Region Heritage Festival and Capital Works projects as they relate to heritage conservation works.
- A key function is also the promotion and education of the community regarding heritage assets of the ACT.

Key Information

Accountability Indicators Output 2.3	2017-18 Targets	2017-18 Estimated Outcome	2018-19 Targets
a. Notification on the legislation register of Heritage Council decisions within five working days of the decision	100%	100%	100%
b. Development application advice issued within 15 working days of referral by the ACT Land and Planning Authority	95%	88%	90%
c. Decisions about heritage registrations by the ACT Heritage Council made within statutory timeframes ¹	100%	100%	100%

Notes:

1. This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on final registrations under the *Heritage Act 2004*.

Background Information – may not be suitable for public disclosure

FURTHER INFORMATION ON INDICATOR B:

The number of development applications referrals in this period has increased from the past financial year, from 106 to 146 – a 28% increase. There also continues to be a general increase in the number of heritage submissions made to the ACT Heritage Council, which has increased from 491 to 601 over the past two financial years – a 19% increase. In this context, response timeframes for heritage advice are generally increasing.

FURTHER INFORMATION ON INDICATOR C:

This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on Registration (aka Final Registration) under the *Heritage Act 2004*.

Heritage registration is a three stage process established under Part 6 of the Act.

- 1. Nomination
- 2. Provisional Registration
- 3. Registration

There is no statutory timeframe imposed on the Council to make a decision on whether or not to accept a nomination application received. (See Section 29 of the Act)

There is no statutory timeframe imposed on the Council to make a decision on Provisional Registration once a place has been accepted as a nomination. (See Section 32 of the Act)

However, there is a statutory timeframe imposed on the Council to make a decision on Registration if it has made a decision to Provisionally Register. (See Section 35 of the Act)

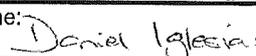
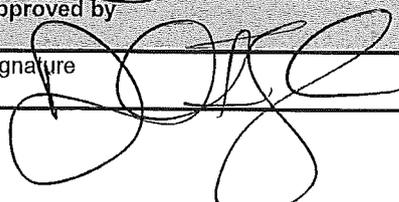
The Council has:

- for a precinct – 9 months after the provisional registration day; or
- for a place – 5 months after the provisional registration day

to make a decision on Registration (unless an extension is granted).

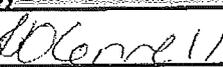
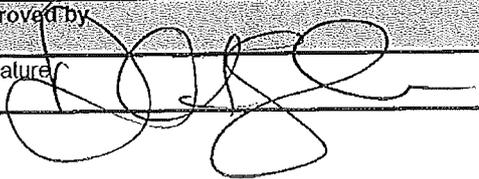
Performance Measure Summary and Verification

Report on 2017-2018 Statement of Performance

Output (number and name)	Output 1.3(a) Heritage
Measure (name in full)	Notification on the legislation register of Heritage Council decisions within five working days of the decision.
Definition of terms used in the measure (explain terms such as submitted, completed, published, occasions of service etc; what does the measure mean in 'plain English')	When the Heritage Council makes a decision on provisional registration, or registration for a place or object, the notifiable instrument for that decision must be uploaded onto the ACT Legislation Register within five working days of the decision being made.
Original Target 2017-18	100%
Actual YTD Result @ 30 December 2017	100%
Variance from the Actual YTD Result (Calculated by: (Actual YTD Result - Original Target) / Original Target)	0.0%
Explanation of how the result was achieved (describe the source and the calculations used to arrive at the result)	ACT Heritage adheres strictly to the statutory timeframes and processes surrounding Heritage Council decisions outlined in the <i>Heritage Act 2004</i> . Running statistics on statutory timeframes and processes are maintained throughout the year.
Documentation (list the documents attached to support the performance measure result, e.g., Director-General minute signed and dated, media release)	Statistical spreadsheet on notification timeframes for individual decisions.
Variance explanation (differences of more than or equal to 5% , positive or negative, need to be explained)	
Contact Officer	Prepared by
Name: Adriana Lulic	Signature:
Manager	Checked by
Name: Daisy Chaston	Signature: 
Director / Executive Director / Deputy Director-General	Approved by
Name:  Daniel Iglesias	Signature: 

Decisions Notified on the Legislation Register 2017-18

Decision (place/object name)	Date decision made by Council	Date decision notified on the Legislation Register	Date of effect	Was the decision notified within 5 working days? Yes/No
Barton Highway Road Cut, Nicholls	27-Jul-17	31-Jul-17	01-Aug-17	Yes
Red Hill Rutidosis Site, Deakin	27-Jul-17	31-Jul-17	01-Aug-17	Yes
Bull Oak Grove near Molonglo Gorge, Kowen	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Grassland Earless Dragon Habitat, Jerrabomberra and Majura	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Molonglo River to Barton Highway Woodland	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Mulligans Flat Nature Reserve, Gungahlin	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Tharwa School, Tharwa	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Austral Toadflax Site near Kambah Pool, Tuggeranong	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Pale Pomaderris Habitats across the ACT	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Tharwa Village Precinct	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Corrorree Ground and Aboriginal Cultural Area, Queanbeyan River, Majura and Jerrabomberra	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Barton Highway Road Cut, Nicholls	16-Nov-17	20-Nov-17	21-Nov-17	Yes

Performance Measure Summary and Verification	
Report on 2017-2018 Statement of Performance	
Output (number and name)	Output 1.3(b) Heritage
Measure (name in full)	Development application advice issued within 15 working days of referral by the ACT planning and land authority.
Definition of terms used in the measure (explain terms such as submitted, completed, published, occasions of service etc; what does the measure mean in 'plain English')	Under Section 149 of the Planning and Development Act 2007, the ACT Heritage Council is provided with 15 working days to provide entity advice on referred Development Applications.
Original Target 2017-18	95%
Actual YTD Result @ 30 December 2017	87%
Variance from the Actual YTD Result (Calculated by: (Actual YTD Result - Original Target) / Original Target)	(8.7%)
Explanation of how the result was achieved (describe the source and the calculations used to arrive at the result)	ACT Heritage maintains a database of all ACT Heritage Council advice issued, and this was reviewed to identify due dates and actual dates for all DA advice due between 1 July 2017 and 31 December 2017.
Documentation (list the documents attached to support the performance measure result, e.g., Director-General minute signed and dated, media release)	ACT Heritage Council database extract attached - 'Output 1.3b - DA Advice to ACTPLA'. Full ACT Heritage Council advice on referred Development Applications is filed in Objective, and can be electronically accessed.
Variance explanation (differences of more than or equal to 5% , positive or negative, need to be explained)	The number of DAs referred in this period has increased from the past financial year, from 75 to 98. There also continues to be a general increase in the number of heritage submissions made, for example, formal Council advice issued has increased from 491 to 601 over the past two financial years. The Advice team size has remaining the same during this timeframe, on which basis, response timeframes are generally increasing.
Contact Officer	Prepared by
Name: Meaghan Russell	Signature: 
Manager	Checked by
Name: Jennifer O'Connell	Signature: 
Director / Executive Director / Deputy Director - General	Approved by
Name: Daniel Inglesias	Signature: 

From: [Mileski, Rachael](#)
To: [OConnell, Jennifer](#)
Subject: RE: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]
Date: Thursday, 31 May 2018 8:48:44 AM

Hi Jen

Can we have a quick chat about this pls?

From: OConnell, Jennifer
Sent: Wednesday, 30 May 2018 2:11 PM
To: Mileski, Rachael <Rachael.Mileski@act.gov.au>
Subject: FW: Estimates INDEX 2018 - Gentleman [SEC=UNCLASSIFIED]

Hi Rachel

Where should we be saving any additional briefs. Note the objective link does not include the QTBs from the index – the QTBs are really the hot issues that we may get questions about and probably the most appropriate place to be saving the additional briefs. Also, would you like us to update the index or is that something you'll coordinate?

Cheers
Jen

From: Walker, IanS
Sent: Wednesday, 30 May 2018 8:18 AM
To: Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>
Subject: Estimates INDEX 2018 - Gentleman

Guys

In relation to estimate briefs can you please take another look at these – see attached index

In particular consider the questions that maybe asked of the minister and answer the questions, noting estimates is about budget BUT questions may (will) extend to anything.

Additionally in lead up to estimates (late June) please keep an eye on the media and if there is something contentious please prepare some dot points to aid in a response.

Thanks Ian

From: [OConnell, Jennifer](#)
To: [EPD Ministerials - Environment](#)
Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]
Date: Thursday, 31 May 2018 1:21:00 PM
Attachments: [image001.gif](#)
[image002.gif](#)

Thanks Rachael

I've aliased the heritage capital works brief and heritage outputs into this folder.

Cheers
Jen

From: EPD Ministerials - Environment
Sent: Thursday, 31 May 2018 12:23 PM
To: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Hi Jen

I've attempted to make thing easier for Ian by alias all briefs for his clearance to the attached folder. Can you please review this and let me know if I've missed any from Heritage?

Thanks
Rachael

From: OConnell, Jennifer
Sent: Tuesday, 29 May 2018 3:54 PM
To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>
Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Hi Rachael

Heritage input has been included in the briefs.

Cheers
Jen

Jennifer O'Connell | Manager, ACT Heritage
Phone: +61 2 6207 2179 | Email: jennifer.oconnell@act.gov.au
ACT Heritage | ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: EPD Ministerials - Environment

Sent: Wednesday, 23 May 2018 9:03 AM

To: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; O'Callaghan, Tammi <Tammi.O'Callaghan@act.gov.au>; Bradley, Joanne <Joanne.Bradley@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Tracy, Kathryn <Kathryn.Tracy@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Chapman, Stewart <Stewart.Chapman@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Subject: RE: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Apologies. Try this index

From: EPD Ministerials - Environment

Sent: Wednesday, 23 May 2018 9:01 AM

To: Walters, Daniel <Daniel.WALTERS@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; O'Callaghan, Tammi <Tammi.O'Callaghan@act.gov.au>; Bradley, Joanne <Joanne.Bradley@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; Tracy, Kathryn <Kathryn.Tracy@act.gov.au>; Kendall, Matt <Matt.Kendall@act.gov.au>; Chapman, Stewart <Stewart.Chapman@act.gov.au>; Foley, Justin <Justin.Foley@act.gov.au>; Glennon, Chris <Chris.Glennon@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Chaston, Daisy <Daisy.Chaston@act.gov.au>; Russell, Meaghan <Meaghan.Russell@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>

Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE 29/05/2018 [DLM=Sensitive: Cabinet]

Importance: High

Hi everyone

Please note below email from Government Services regarding upcoming Budget Estimates and required briefs.

Please remember that the recent QTB's with the same subject will be used in place of the requested estimate brief. I have attached the index and highlighted blue the subjects I believe are already being prepared as a QTB and therefore are not required, I believe the yellow highlighted subjects are required as an estimate brief.

Please review the index and let me if you have a different view.

The required estimate briefs are due for ED clearance by **COB Tuesday 29 May please.** -
 Templates are located in the objective link.

Should you have any concerns or need anything clarified please come and have a chat.

Thank you
 Rachael

From: EPSD Government Services

Sent: Monday, 21 May 2018 3:18 PM

To: O'Neill, Carolyn <Carolyn.O'Neill@act.gov.au>; Elton, Jaime <Jaime.Elton@act.gov.au>;
 Flanery, Fleur <Fleur.Flanery@act.gov.au>; Tennent, Simon <Simon.Tennent@act.gov.au>;
 Walker, IanS <IanS.Walker@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Fitzgerald,
 Bruce <Bruce.Fitzgerald@act.gov.au>; Phillips, Brett <Brett.Phillips@act.gov.au>

Cc: EPD Ministerials - Environment <EPDMinisterials-Environment@act.gov.au>; EPD Ministerials
 - Planning Delivery <EPDMinisterials-PlanningDelivery@act.gov.au>; EPD Ministerials - Strategic
 Planning <EPDMinisterials-StrategicPlanning@act.gov.au>; Mileski, Rachael
 <Rachael.Mileski@act.gov.au>; Edgar, Olivia <Olivia.Edgar@act.gov.au>; McDonald, Helen
 <Helen.McDonald@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; Tetley, Melissa
 <Melissa.Tetley@act.gov.au>; Morton, Stacey <Stacey.Morton@act.gov.au>; Lewis, Paul
 <Paul.Lewis@act.gov.au>; Crowe, Lindsay <Lindsay.Crowe@act.gov.au>; Marshall, Guenivere
 <Guenivere.Marshall@act.gov.au>

Subject: FW: FOR PREPARATION - BUDGET ESTIMATES BRIEFS FOR MINISTER GENTLEMAN - DUE
 31/05/2018 [DLM=Sensitive: Cabinet]

Importance: High

Hi All

The Minister and Executive are appearing before the Select Committee on Estimates in June 2018 (date still to be confirmed). In preparation we are requesting briefs to be prepared for the Minister and Executive to reference.

An index has been finalised with input from Finance and Executive.

Corporate briefs will be used across all of EPSDDs portfolios, please include the breakup under each portfolio heading where possible. Briefs should be 1-2 pages long.

The Estimates pack will also include QTBS from the June sitting period and briefs prepared for Budget Day. To further assist with clarification on recent requests in relation to Budget, Budget Estimates Hearings and QTBs, please see below timelines for your reference:

BRIEF	PURPOSE

Budget Day Briefs	Briefs for budget items to be used on budget day 05 June 2018
QTBS for June Sitting – to be prepared in line with Estimates indexes where relevant, in order to be used for Estimates hearings as well	QTBS will be used in the June sittings 5-7 and also be included in the Estimates briefing packages
Estimates Briefs, following discussion at EMB on 29 May 2018	Estimates Briefs are budget focused and will include June QTBS

If you have any questions please do not hesitate to call.

Many Thanks
Patti

From: [Mileski, Rachael](#)
To: [OConnell, Jennifer](#)
Subject: RE: Phone message - Grace Concannon from Gov Services rang.... [SEC=UNCLASSIFIED]
Date: Friday, 8 June 2018 7:53:48 AM
Attachments: [image001.png](#)
[image002.png](#)

I'll come see you. Let me know when you're in.

From: OConnell, Jennifer
Sent: Thursday, 7 June 2018 12:56 PM
To: Mileski, Rachael <Rachael.Mileski@act.gov.au>
Subject: FW: Phone message - Grace Concannon from Gov Services rang.... [SEC=UNCLASSIFIED]
Importance: High

Hi Rachael

Do you know the answer to this one? I'm happy to give Grace a call if you can let me know what Ian's intention was.

Cheers
Jen

From: Russell, Meaghan
Sent: Thursday, 7 June 2018 12:29 PM
To: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Subject: Phone message - Grace Concannon from Gov Services rang.... [SEC=UNCLASSIFIED]
Importance: High

....about the additional Estimates briefs, as she was a bit confused as to their status, ie, are they meant to be in the agenda and for Minister Gentleman, or did Ian want these only for his reference.

Her number is 50321.

Cheers,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



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facebook.com/EnvironPlan

From: [Baker, Megan](#)
To: [Chaston, Daisy](#)
Cc: [OConnell, Jennifer](#)
Subject: RE: Engagement activities for 2017-18 FY - estimates [SEC=UNCLASSIFIED]
Date: Wednesday, 13 June 2018 2:01:06 PM
Attachments: [image001.png](#)
[image002.png](#)

Great thanks Daisy. That is all we need.

Cheers,
Megan

From: Chaston, Daisy
Sent: Wednesday, 13 June 2018 2:00 PM
To: Baker, Megan <Megan.Baker@act.gov.au>
Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Subject: RE: Engagement activities for 2017-18 FY - estimates [SEC=UNCLASSIFIED]

Hi Megan:

There is no budget allotted for engagement. This is performed out of standard FTEs.

The other dot points are correct, although I can confirm that public consultation ran from 10 April to 7 May (a period of 4 weeks as required by the *Heritage Act 2004*).

Daisy Chaston | Team Leader | Registrations

Phone: 6207 7379 | Email: daisy.chaston@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development | **ACT Government**

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www.environment.act.gov.au



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facebook.com/EnvironPlan

From: Baker, Megan
Sent: Wednesday, 13 June 2018 1:53 PM
To: Chaston, Daisy <Daisy.Chaston@act.gov.au>
Subject: Engagement activities for 2017-18 FY - estimates [SEC=UNCLASSIFIED]

Hi Daisy,

We are currently undertaking an audit of all out engagement activities from the last financial year for estimates.

Are you or someone else in your team able to please clear and fill in the blanks for the following dot points on the Deakin consultation? I am not too sure who the project officer was sorry.

Can you also please provide a dot point on budget allocated for communications activities?
Is it possible to get this back this tomorrow morning?

Heritage Register: Deakin

- The ACT Heritage Council provisionally registered 11 Northcote Crescent, Deakin as a way to indicate that it intends to make a decision on whether or not to permanently put it on the ACT Heritage Register.
- During April/May 2018, community comments were sought on the provisional registration via a survey on Your Say.
- The Council will make a decision on the heritage listing in late 2018.

Happy to chat if you have any questions.

Cheers,
Megan

Megan Baker | Communications Officer
P 02 6205 4518 | E megan.baker@act.gov.au
Communications | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

From: [Croke, Isabella](#)
To: [OConnell, Jennifer](#)
Subject: RE: EPSDD Environment and Heritage Witness List: Estimates 2018-19 [SEC=UNCLASSIFIED]
Date: Thursday, 14 June 2018 3:12:27 PM
Attachments: [image001.gif](#)
[image002.gif](#)

I will do that 😊

Thank you Jen

Isabella Croke | A/g Government Services Officer

Phone: 02 6205 9636 | Email: isabella.croke@act.gov.au

Government Services | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 |

www.planning.act.gov.au



From: OConnell, Jennifer

Sent: Thursday, 14 June 2018 3:10 PM

To: Croke, Isabella <Isabella.Croke@act.gov.au>

Subject: RE: EPSDD Environment and Heritage Witness List: Estimates 2018-19
[SEC=UNCLASSIFIED]

Hi Isabella

The list should include Fiona Moore, Senior Manager ACT Heritage. Should I update directly into the list or does GS do that?

Cheers

Jen

Jennifer O'Connell | Manager, ACT Heritage

Phone: +61 2 6207 2179 | Email: jennifer.oconnell@act.gov.au

ACT Heritage | ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au



From: Croke, Isabella

Sent: Thursday, 14 June 2018 2:55 PM

To: Kendall, Matt <Matt.Kendall@act.gov.au>; McKeown, Helen <Helen.McKeown@act.gov.au>; Kitchin, Margaret <Margaret.Kitchin@act.gov.au>; Tomlinson, Heather <Heather.Tomlinson@act.gov.au>; OConnell, Jennifer <Jennifer.OConnell@act.gov.au>; Walters,

Daniel <Daniel.WALTERS@act.gov.au>; Wilden, Karen <Karen.Wilden@act.gov.au>; Elton, Jaime <Jaime.Elton@act.gov.au>; Spencer, Gary <Gary.Spencer@act.gov.au>; O'Neill, Carolyn <Carolyn.O'Neill@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Simmons, Craig <Craig.Simmons@act.gov.au>; Brady, Erin <Erin.Brady@act.gov.au>; Ponton, Ben <Ben.Ponton@act.gov.au>

Cc: Vest, Petra <Petra.Vest@act.gov.au>; Kelly, Shauna <Shauna.Kelly@act.gov.au>; KalebDumic, Leanne <Leanne.KalebDumic@act.gov.au>; Mileski, Rachael <Rachael.Mileski@act.gov.au>

Subject: EPSDD Environment and Heritage Witness List: Estimates 2018-19 [SEC=UNCLASSIFIED]

Good afternoon,

Please see the attached Objective link for the witness list for EPSDD Environment and Heritage for Estimates 2018-19 on Thursday 28 June at 2:00-3:30pm.

Thank you

Isabella Croke | A/g Government Services Officer

Phone: 02 6205 9636 | Email: isabella.croke@act.gov.au

Government Services | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, Challis Street Dickson | GPO Box 158 Canberra ACT 2601 |

www.planning.act.gov.au



From: [Vest, Petra](#) on behalf of [Ponton, Ben](#)
To: [Rutledge, Geoffrey](#); [Brady, Erin](#); [Simmons, Craig](#); [Fitzgerald, Bruce](#); [Walker, IanS](#); [Flanery, Fleur](#); [Phillips, Brett](#); [Harding, Daniel](#); [O'Neill, Carolyn](#); [Spencer, Gary](#); [Elton, Jaime](#); [Lewis, Paul](#); [Howorth, Chloe](#); [Mundy, Graham](#); [Marsh, Lynette](#); [Wilden, Karen](#); [Tennent, Simon](#); [Auty, Kate](#); [Harmer, Antonia](#); [Sutton, Paul](#); [Moore, FionaF](#); [McKeown, Helen](#); [Walters, Daniel](#); [Mozqueira, Antonio](#); [OConnell, Jennifer](#)
Cc: [EPSD Government Services](#); [Dickson, Kirilly](#); [Grimes, Sean](#)
Subject: EPSDD Estimates Hearings
Attachments: [20180604132936013.pdf](#)
[EPSDD Witness List - Environment and Heritage.obr](#)
[EPSDD Witness List - Climate Change and Sustainability.obr](#)

Updated 14/6 – Witness lists attached

thursday 28 june 2018

Sec Indicative Time Witness Office Portfolio Budget Paper Details

HF 9.15am – 11.00am

(1 hr 45 min) Mr Ramsay

Minister for Regulatory Services CMTED

Access Canberra Output Class 2.1: Access Canberra

11.00am – 11.15am – Tea Break

HF 11.15am – 12.00pm

(45 min) Mr Ramsay Minister for the Arts and Community Events CMTED

Arts and Community Events Output Class 3: Economic Development

3.4 Events (Community Events)

3.5 Arts Engagement

Cultural Facilities Corporation & Statement of Intent

Output Class 1: Cultural Facilities Management

1.1 Cultural Facilities Corporation

BM 12.00 – 12.40pm

(40 min) Ms Berry Minister for Sport

and Recreation CMTED

TCCCS

Output Class 3: Economic Development

3.3 Sport and Recreation

Transport Canberra and City Services:

2.4 City Maintenance and Services (sportsgrounds)

12.40pm – 2.00pm — Lunch

BM 2.00pm-3.30pm

(1 hour 30 min)

Mr Gentleman Minister for the Environment and Heritage

EPSD

Output Class 2: Environment

2.1 Environment

Conservator of Flora and Fauna

2.2 Conservation and Land Management

2.3 Heritage

3.30pm – 3.45pm — Tea Break

BM 3.45pm – 4 10pm

(25 min) Dr Kate Auty Commissioner for Sustainability & the Environment Commissioner for Sustainability & the

Environment EBT Office of the Commissioner for Sustainability and the Environment

BM 4.10pm-5 30pm

(1 hour 20 min)

Mr Rattenbury Minister for Climate Change and Sustainability

EPSD Output Class 3: Climate Change and Sustainability

Energy Policy and energy efficiency programs

Government sustainability

5.30pm — Close

Monday 25 June	Tuesday 26 June	Wednesday 27 June	Thursday 28 June	Friday 29 June
Minister for Education and Early Childhood Development (9:30 – 12:30) <i>Lunch</i> Minister for Education and Early Childhood Development Cont'd (2:00 – 3:15) ACT Electoral Commissioner (3:30 – 4.15)	Attorney-General Minister for Regulatory Services [ex Access Canberra] (9:15-11:00) JACS Statutory Office Holders (11:15-12:30) <i>Lunch</i> Minister for Police and Emergency Services (2:00-3:20) Minister for the Prevention of Domestic and Family Violence agencies] (3:35-4:00) Minister for Corrections Minister for Justice, Consumer Affairs and Road Safety (4:00-5:30)	Minister for Disability, Children and Youth (9:30-12:30) <i>Lunch</i> Minister for Disability, Children and Youth Cont'd Minister for Aboriginal and Torres Strait Islander Affairs Minister for Multicultural Affairs (2:00-3.15) Minister for Veterans and Seniors Minister for Women Minister for the Prevention of Domestic and Family Violence [Safer Families] Minister for Housing and Suburban Development [Housing ACT] (3:30-5:30)	Minister for Regulatory Services [Access Canberra] (9.15-11:00) Minister for the Arts and Community Events (11:15-12:00) Minister for Sport and Recreation (12:00-12:40) <i>Lunch</i> Minister for the Environment and Heritage (2:00-3:30) Commissioner for Sustainability and the Environment (3:45-4:10) Climate Change and Sustainability (4:00-5:30)	Minister for Planning and Land Management (9:30-12:30) <i>Lunch</i> Minister for Urban Renewal (2:00-3:30) Minister for Housing and Suburban Development [inc Housing Renewal Taskforce] (3:45-5:00) Office of the Legislative Assembly (5:00-5:30)



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA, Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

Public Hearing Schedule

Friday 15 June	Monday 18 June	Tuesday 19 June	Wednesday 20 June	Thursday 21 June	Friday 22 June
Community and Industry group hearings	Treasurer	Treasurer Cont'd (9:30 – 12:30) <i>Lunch</i> Minister for Tourism and Major Events (2:00-3:15) City Renewal Authority (3:30-4:00) Higher Education, Training and Research (4:00-5:30)	Transport Canberra and City Services (9:30-12:30) <i>Lunch</i> Transport Canberra and City Services Cont'd (2:00-4:30) ACT Ombudsman (4:30-5:15)	Minister for Corrections [Justice Health] and Minister for Mental Health (9:30 – 10:30) Minister for Health (10:45 – 12:30) <i>Lunch</i> Minister for Health Cont'd (2:00 – 5:30)	ACT Auditor General (10.00-10:30) Chief Minister (10:45-12:30) <i>Lunch</i> Minister for Economic Development (2:00-3:45) Minister for Workplace Safety and Industrial Relations (4:00-5:00)

From: [EPSD Government Services](#)
To: [Ponton, Ben](#); [Brady, Erin](#); [Simmons, Craig](#); [Walker, IanS](#); [Iglesias, Daniel](#); [O'Neill, Carolyn](#); [Spencer, Gary](#); [Elton, Jaime](#); [Wilden, Karen](#); [Walters, Daniel](#); [OConnell, Jennifer](#); [Tomlinson, Heather](#); [Kitchin, Margaret](#); [McKeown, Helen](#); [Kendall, Matt](#)
Cc: [Marcantonio, Laura](#); [Kelly, Shauna](#); [Beveridge, Fleur](#); [Mileski, Rachael](#); [EPSDD Ministerials and Corro Executive Office](#)
Subject: FINAL - Estimates Briefing Package - Gentleman - Environment and Heritage [DLM=For-Official-Use-Only]
Date: Thursday, 21 June 2018 10:06:39 AM
Attachments: [DAY 1 - 28 June - E&H,OBR](#)

Good Morning

Please find attached the briefing package for the Environment and Heritage Estimates Hearing on Thursday 28 June 2018.

Many Thanks

Tasha Hartwig

 02 6207 0701 | Government Services | Environment, Planning & Sustainable Development | ACT Government
Level 3 South, Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2601
(Wednesday to Friday only)

From: [Mileski Rachael](#)
To: [Walker Ian5](#); [Walters Daniel](#); [McKeown Helen](#); [Kendall Matt](#); [Kitchin Margaret](#); [Tomlinson Heather](#); [OConnell Jennifer](#); [Moore Fiona](#); [Iglesias Daniel](#)
Cc: [KalebDumic Leanne](#); [Mileski Rachael](#)
Subject: Estimates Hearing - 2pm for Environment Thursday 28 June 2018 [SEC=UNCLASSIFIED]
Date: Wednesday, 27 June 2018 2:44 59 PM
Attachments: [FINAL E&H Portfolio Briefs.pdf](#)
[25 Portfolio Governance.pdf](#)
[EPSDD Witness List - Environment and Heritage.oxr](#)

All

As you are aware, environment is appearing at 2pm tomorrow.

If there are any other topical issues that have occurred in the last couple of days please send through some dot points ASAP.

Happy to discuss, clarify if required.

Thanks

Rachael

UPDATED 14/6 – WITNESS LISTS ATTACHED

THURSDAY 28 JUNE 2018

Indicative Time	Witness	Office	Portfolio	Budget Paper Details
9.15am – 11.00am (1 hr 45 min)	Mr Ramsay	Minister for Regulatory Services	CMTED Access Canberra	Output Class 2.1: Access Canberra
11.00am – 11.15am – Tea Break				
11.15am – 12.00pm (45 min)	Mr Ramsay	Minister for the Arts and Community Events	CMTED Arts and Community Events	Output Class 3: Economic Development 3.4 Events (Community Events) 3.5 Arts Engagement - <u>Cultural Facilities Corporation & Statement of Intent</u> Output Class 1: Cultural Facilities Management 1.1 Cultural Facilities Corporation
12.00 – 12.40pm (40 min)	Ms Berry	Minister for Sport and Recreation	CMTED TCCCS	Output Class 3: Economic Development 3.3 Sport and Recreation Transport Canberra and City Services: 2.4 City Maintenance and Services (sportsgrounds)
12.40pm – 2.00pm – Lunch				
2.00pm-3.30pm (1 hour 30 min)	Mr Gentleman	Minister for the Environment and Heritage	EPSD	Output Class 2: Environment 2.1 Environment Conservator of Flora and Fauna 2.2 Conservation and Land Management 2.3 Heritage
3.30pm – 3.45pm – Tea Break				
3.45pm – 4.10pm (25 min)	Dr Kate Auty	Commissioner for Sustainability & the Environment	Commissioner for Sustainability & the Environment	EBT Office of the Commissioner for Sustainability and the Environment
4.10pm-5.30pm (1 hour 20 min)	Mr Rattenbury	Minister for Climate Change and Sustainability	EPSD	Output Class 3: Climate Change and Sustainability Energy Policy and energy efficiency programs Government sustainability
5.30pm – Close				

MINISTER FOR THE ENVIRONMENT AND HERITAGE

ESTIMATES 2018-19 BRIEFS
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12.	Heritage Council Meeting decisions
13.	Railway Historical Society 1210 Locomotive



ISSUE: HERITAGE NOMINATION LIST**Talking points:**

- Assessing nominations and making heritage decisions on nominated places and objects is one of the core business responsibilities of the ACT Heritage Council (the Council).
- ACT Heritage, ESPDD, provides administrative support to the Council. 1.6 FTE are allocated to assessing nominations.
- The Council decides on its priority list of nominated places and objects to be assessed at its first meeting of the financial year.
- The Council bases its priority list on development pressures, internal resourcing, community and political expectation, and thematic research synergies and efficiencies.
- Overall, the Council has substantially reduced the nominations list. Since reaching a peak of 320 in 2008, the list of nominations is currently 96.
- In 2016-17, the Council reduced the nomination list by 32 nominations (a single decision can combine multiple nominations).
- Any member of the community can nominate a place or object to the ACT Heritage Register (the Register), so the long nomination list reflects community interest in heritage matters.
- In some cases, nominations may be straightforward and can be easily and quickly assessed. In others – such as with precincts – a single nomination may take many months to assess, due to increased complexities involved.
- Provisions of both heritage and planning legislation establish a process where development at nominated heritage places is referred to the Council for conservation advice.
- Under the *Heritage Act 2004*, applications can be made for the Council to urgently assess nomination applications, as well as applications to amend an existing register listing.
- For urgent nomination applications, once the application is made and the fee paid, the Council must, as far as practicable, make a decision within 20 days for an individual place and within 60 working days for a Precinct.

Key Information

	2015-16	2016-17	2017 to date
Nominations accepted	9	7	5
Nominations dismissed	2		1
Provisional registration decision (including decisions to not provisionally register)	16	10	16
Registration decision (including further registration decision)	14	6	4

Background Information – may not be suitable for public disclosure

Throughout 2017 the Council received media attention concerning the current list of heritage register nominations, and how the Council intends prioritising assessing these nominations.

ISSUE: Heritage Nomination – Kingston Hotel

- At its meeting of 8 February 2018, the Council accepted a nomination for the Kingston Hotel.
- The place was nominated by the Canberra and District Historical Society (CDHS), who assert the place is significant for its social values and for its association with 20th century espionage.
- The Council has not formed a view on the significance of the place.
- ACT Heritage has been in contact with the owner and lessees of the place. The owner has indicated he does not support the nomination.
- The nomination has attracted some media attention. Some attention has been positive, while another feature in the Canberra Times interviewed the owner of the place, who criticised CDHS for putting forward the nomination without consulting him.
- CDHS contacted my office in early March regarding a rumour that the place is to be knocked down. ACT Heritage investigated the matter and concluded there is no Development Application (pending or current) for the place, and I have relayed this information to CDHS.

Key Information:

- Under the Act, anyone may nominate a place or object to be included in the ACT Heritage Register.
- Once the Council accepts a nomination, some provisions of the Heritage Act are applicable to the nominated place, for example:
 - the Council gives advice to the planning and land authority about the effect of a development on the likely heritage significance of a place if the development application is referred to the council; and
 - the Council may also give certain parties a Heritage Direction (to do or not do something to conserve the place) if immediate protection of the place is justified because a serious and imminent threat exists that would harmfully affect the heritage significance of the place.
- EPSDD and the Heritage Council have agreed that the Manager, ACT Heritage will make the decision (under delegation) whether or not to accept or dismiss a nomination application. This will ensure provisions of the Heritage Act for nominations are activated without delay.

Portfolio Environment & Heritage

ISSUE: HERITAGE COUNCIL MEETING DECISIONS**Talking points:**

The ACT Heritage Council (the Council) will meet on 31 May 2018 and make the following decisions:

1. Decisions to provisionally register:
 - Red Hill Historic Plantings, Red Hill
 - Signadou and Blackfriars Precinct, Watson
2. Decision on nominations:
 - 'Trettes,' Jervis Bay

Key Information

Red Hill Historic Plantings are a unique response to environmental, conservation and city design challenges, resulting in the innovative plantings realised by the then Officer in Charge of Afforestation, Thomas Charles George Weston. The plantings are amongst the earliest plantings in Australia that were undertaken for the reason of landscape restoration.

The extraordinary vision expressed by the Griffin's to paint Canberra's hills with coloured flowering plants was a unique and no longer practiced arboricultural process, which reflected both a desire to revegetate the denuded hills, and their desire that Canberra should 'unite nature and culture'.

Signadou and Blackfriars Precinct has made an important contribution to the educational development of the ACT since the 1960s, providing the rapidly growing national capital with teaching staff during a time of unprecedented growth of the Catholic school system in the ACT and region. The opening of the Blackfriars Priory and Signadou Teaching College occurred during a formative period of educational development in Canberra when the Catholic Church was making considerable investments in the sector. The place represents a distinct phase of ACT history, wherein different orders within the Catholic Church were consolidating and uniting with increased presence within the ACT.

Since the Precinct's nomination in 2016, the Council has remained in contact with the Catholic Archdiocese of Canberra and Goulburn, and the Australian Catholic University about the progress and implications of the nomination. Sections of the Precinct have been subject to upgrade and development, however the Council has continued to work with stakeholders to facilitate sound heritage outcomes in the context of change.

'Trettes' is a small fibro homestead located in Jervis Bay Territory. The *Heritage Act 2004* is not applicable to the Jervis Bay Territory as the Act's terms specifically relate to the ACT. It is likely the Council will make a decision to dismiss the nomination on the basis of it being misconceived.

ISSUE: RAILWAY HISTORICAL SOCIETY 1210 LOCOMOTIVE**Talking points:**

- In late 2017 valuable fittings were stolen from the premises of the Canberra Railway Museum where Locomotive 1210 is stored.
- Locomotive 1210 is listed on the ACT Heritage Register.
- ACT Policing is investigating the theft.
- The locomotive has been on loan from the Commonwealth to the Australian Railway Historical Society (ARHS, ACT Division) since 1984, who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017.
- With agreement from the Commonwealth, it is proposed that the asset is transferred to the ACT Government.
- EPSDD Law Reform will advise on the document of transferral.
- AHRS is currently reforming, following the 2017 liquidation.
- EPSDD is exploring options for formalising a loan agreement between the ACT Government and the newly formed ARHS.
- Although AHRS is in the process of reforming, liquidator Deloitte is currently managing the Canberra Railway Museum yards.
- To increase security measures at the premises, volunteers from the AHRS occupy the museum yards during the week to perform general maintenance tasks such as mowing and cleaning

Key Information

- EPSDD Law Reform have confirmed that the Commonwealth still owns the Locomotive, as there is no reference either particularly or by class to the locomotive in the instruments of transfer under section 5 of the *ACT (Self Government) Consequential Provisions Act 1988*.
- After transfer, unless an alternative Directorate is able to assume ownership of the Locomotive, it is likely the Locomotive will be placed on the EPSDD asset register.



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA, Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

WITNESS DETAILS FORM

1. Please email a completed witness list at least one week before the hearing to LACommitteeEstimates@parliament.act.gov.au
2. Please include the names of all officers who are likely to give evidence to the Committee.
3. Please provide one witness list per portfolio area or agency for each hearing (usually delineated by the timeslots on the hearing schedule).
4. For questions, please contact the Committee Secretary, Nicola Kosseck on ext 50435 or LACommitteeEstimates@parliament.act.gov.au

WITNESS DETAILS	
Minister/Statutory Officer:	Minister for Environment and Heritage, Mr Mick Gentleman MLA
Portfolio area / directorate / statutory authority:	Environment and Heritage/ Environment Planning and Sustainable Development Directorate
Hearing date & time:	Thursday 28 June 2018, 2:00-3:30pm
Honorific (Dr, Ms, Mr, Mrs, Prof) / Full name / Position / Branch or Division / Directorate or Agency	
Mr Ben Ponton, Director-General, Environment, Planning and Sustainable Development Directorate	
Dr Erin Brady, Deputy Director-General, Land Strategy and Environment, Environment, Planning and Sustainable Development Directorate	
Mr Craig Simmons, Chief Operating Officer, Environment, Planning and Sustainable Development Directorate	
Mr Ian Walker, Executive Director, Environment, Environment, Planning and Sustainable Development Directorate	
Mr Daniel Iglesias, Director, ACT Parks and Conservation, Environment, Planning and Sustainable Development Directorate	
Ms Carolyn O'Neil, Director, Governance, Compliance and Legal, Environment, Planning and Sustainable Development Directorate	
Mr Gary Spencer, Director, Finance, Information and Assets, Environment, Planning and Sustainable Development Directorate	
Ms Jaime Elton, Director, People and Capability, Environment, Planning and Sustainable Development Directorate	
Ms Karen Wilden, Director, Engagement and Executive Support, Environment, Planning and Sustainable Development Directorate	
Mr Daniel Walters, Senior Manager, Environment Protection Policy, Environment, Planning and Sustainable Development Directorate	
Ms Fiona Moore, Senior Manager, ACT Heritage, Environment, Planning and Sustainable Development Directorate	
Ms Jennifer O'Connell, Manager, ACT Heritage, Environment, Planning and Sustainable Development Directorate	
Ms Heather Tomlinson, Senior Manager, Nature Conservation Policy, Environment, Planning and Sustainable Development Directorate	

WITNESS DETAILS	
Minister/Statutory Officer:	Minister for Environment and Heritage, Mr Mick Gentleman MLA
Portfolio area / directorate / statutory authority:	Environment and Heritage/ Environment Planning and Sustainable Development Directorate
Hearing date & time:	Thursday 28 June 2018, 2:00-3:30pm
Honorific (Dr, Ms, Mr, Mrs, Prof) / Full name / Position / Branch or Division / Directorate or Agency	
Ms Margaret Kitchin, Manager, Conservation Research, Environment, Planning and Sustainable Development Directorate	
Ms Helen McKeown, Conservator Liaison Officer, Environment, Planning and Sustainable Development Directorate	
Mr Matt Kendall, Senior Manager, Catchment Management and Water Policy, Environment, Planning and Sustainable Development Directorate	

From: [EPSD Government Services](#)
To: [O'Neill, Carolyn](#); [Elton, Jaime](#); [Mileski, Rachael](#)
Cc: [KalebDumic, Leanne](#); [OConnell, Jennifer](#); [Tomlinson, Heather](#); [Kitchin, Margaret](#); [McKeown, Helen](#); [Kendall, Matt](#)
Subject: Environment and Heritage Budget Estimate Hearings 28 JUNE [DLM=For-Official-Use-Only]
Date: Thursday, 28 June 2018 9:52:54 AM
Attachments: [20180627 - Minister for Environment and Heritage - Combined briefs.obr](#)
Importance: High

From: EPSDD DLO

Sent: Thursday, 28 June 2018 9:41 AM

To: Ponton, Ben <Ben.Ponton@act.gov.au>; Brady, Erin <Erin.Brady@act.gov.au>; Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Wilden, Karen <Karen.Wilden@act.gov.au>; Iglesias, Daniel <Daniel.Iglesias@act.gov.au>; Walker, IanS <IanS.Walker@act.gov.au>; Harding, Daniel <Daniel.Harding@act.gov.au>; Simmons, Craig <Craig.Simmons@act.gov.au>

Cc: Marcantonio, Laura <Laura.Marcantonio@act.gov.au>; Ives, Kieran <Kieran.Ives@act.gov.au>; EPSD Government Services <EPSDGovernmentServices@act.gov.au>

Subject: Environment and Heritage/Climate Change and Sustainability Budget Estimate Hearings 28 JUNE [DLM=For-Official-Use-Only]

Importance: High

Good morning Executive team and Happy Budget Estimates day! ☺

Please find attached the links to the combined briefing packages for today's hearings.

The index is linked to its relevant documents and there is also a return to index button for added convenience.

Kind regards
Kim Bailey

Directorate Liaison Officer | ACT Legislative Assembly
Minister Mick Gentleman | Planning and Land Management | Urban Renewal | Environment and Heritage
Minister Shane Rattenbury | Climate Change and Sustainability
Environment, Planning and Sustainable Development Directorate | ACT Government
GPO Box 1908, Canberra, ACT 2601
Phone: 6205 4521 | Email: epsdddlo@act.gov.au

MINISTER FOR THE ENVIRONMENT AND HERITAGE

ESTIMATES 2018-19 BRIEFS
28 JUNE 2018

A - BUDGET PAPERS ACCOUNTABILITY INDICATORS	
Budget Statements E – Environment, Planning and Sustainable Development Directorate https://apps.treasury.act.gov.au/_data/assets/pdf_file/0006/1079133/E-Budget-Statements.pdf	
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9.	Output Class Changes 2018-19
10.	Accountability Indicator Changes 2018-19
11.	EPSDD Budget Rollovers
12.	2018-19 Budget Summary (including summary of EPSDD Initiatives)
13.	Community Consultation Outcomes - Environment and Heritage

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MINISTER FOR THE ENVIRONMENT AND HERITAGE

ESTIMATES 2018-19 BRIEFS
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MINISTER FOR THE ENVIRONMENT AND HERITAGE

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28 JUNE 2018

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Portfolio/s Environment & Heritage

ISSUE: Heritage Accountability Indicators

Talking points:

- ACT Heritage administers the provisions of the *Heritage Act 2004* and provides assistance in the conservation of the ACT's heritage assets to ensure their recognition, registration and conservation.
- The area provides administrative and operational support to the ACT Heritage Council and its projects, and administers the annual funding of the ACT Heritage Grants Program, the annual Canberra and Region Heritage Festival and Capital Works projects as they relate to heritage conservation works.
- A key function is also the promotion and education of the community regarding heritage assets of the ACT.

Key Information

Accountability Indicators Output 2.3	2017-18 Targets	2017-18 Estimated Outcome	2018-19 Targets
a. Notification on the legislation register of Heritage Council decisions within five working days of the decision	100%	100%	100%
b. Development application advice issued within 15 working days of referral by the ACT Land and Planning Authority	95%	88%	90%
c. Decisions about heritage registrations by the ACT Heritage Council made within statutory timeframes ¹	100%	100%	100%

Notes:

1. This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on final registrations under the *Heritage Act 2004*.

Background Information – may not be suitable for public disclosure

FURTHER INFORMATION ON INDICATOR B:

The number of development applications referrals in this period has increased from the past financial year, from 106 to 146 – a 28% increase. There also continues to be a general increase in the number of heritage submissions made to the ACT Heritage Council, which has increased from 491 to 601 over the past two financial years – a 19% increase. In this context, response timeframes for heritage advice are generally increasing.

FURTHER INFORMATION ON INDICATOR C:

This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on Registration (aka Final Registration) under the *Heritage Act 2004*.

Heritage registration is a three stage process established under Part 6 of the Act.

- 1. Nomination
- 2. Provisional Registration
- 3. Registration

There is no statutory timeframe imposed on the Council to make a decision on whether or not to accept a nomination application received. (See Section 29 of the Act)

There is no statutory timeframe imposed on the Council to make a decision on Provisional Registration once a place has been accepted as a nomination. (See Section 32 of the Act)

However, there is a statutory timeframe imposed on the Council to make a decision on Registration if it has made a decision to Provisionally Register. (See Section 35 of the Act)

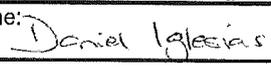
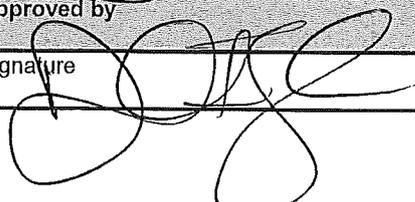
The Council has:

- for a precinct – 9 months after the provisional registration day; or
- for a place – 5 months after the provisional registration day

to make a decision on Registration (unless an extension is granted).

Performance Measure Summary and Verification
Report on 2017-2018 Statement of Performance

Output (number and name)	Output 1.3(a) Heritage
Measure (name in full)	Notification on the legislation register of Heritage Council decisions within five working days of the decision.
Definition of terms used in the measure (explain terms such as submitted, completed, published, occasions of service etc; what does the measure mean in 'plain English')	When the Heritage Council makes a decision on provisional registration, or registration for a place or object, the notifiable instrument for that decision must be uploaded onto the ACT Legislation Register within five working days of the decision being made.
Original Target 2017-18	100%
Actual YTD Result @ 30 December 2017	100%
Variance from the Actual YTD Result (Calculated by: (Actual YTD Result - Original Target) / Original Target)	0.0%
Explanation of how the result was achieved (describe the source and the calculations used to arrive at the result)	ACT Heritage adheres strictly to the statutory timeframes and processes surrounding Heritage Council decisions outlined in the <i>Heritage Act 2004</i> . Running statistics on statutory timframes and processes are maintained throughout the year.
Documentation (list the documents attached to support the performance measure result, e.g., Director-General minute signed and dated, media release)	Statistical spreadsheet on notification timframes for individual decisions.
Variance explanation (differences of more than or equal to 5% , positive or negative, need to be explained)	

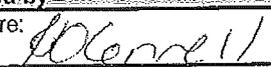
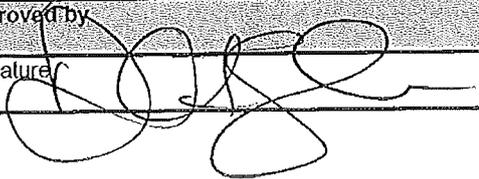
Contact Officer Name: Adriana Lulic	Prepared by Signature:
Manager Name: Daisy Chaston	Checked by Signature: 
Director / Executive Director / Deputy Director-General Name: 	Approved by Signature: 

Decisions Notified on the Legislation Register 2017-18

Decision (place/object name)	Date decision made by Council	Date decision notified on the Legislation Register	Date of effect	Was the decision notified within 5 working days? Yes/No
Barton Highway Road Cut, Nicholls	27-Jul-17	31-Jul-17	01-Aug-17	Yes
Red Hill Rutidosis Site, Deakin	27-Jul-17	31-Jul-17	01-Aug-17	Yes
Bull Oak Grove near Molonglo Gorge, Kowen	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Grassland Earless Dragon Habitat, Jerrabomberra and Majura	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Molonglo River to Barton Highway Woodland	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Mulligans Flat Nature Reserve, Gungahlin	21-Sep-17	26-Sep-17	27-Sep-17	Yes
Tharwa School, Tharwa	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Austral Toadflax Site near Kambah Pool, Tuggeranong	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Pale Pomaderris Habitats across the ACT	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Tharwa Village Precinct	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Corroborree Ground and Aboriginal Cultural Area, Queanbeyan River, Majura and Jerrabomberra	16-Nov-17	20-Nov-17	21-Nov-17	Yes
Barton Highway Road Cut, Nicholls	16-Nov-17	20-Nov-17	21-Nov-17	Yes

Performance Measure Summary and Verification

Report on 2017-2018 Statement of Performance

Output (number and name)	Output 1.3(b) Heritage
Measure (name in full)	Development application advice issued within 15 working days of referral by the ACT planning and land authority.
Definition of terms used in the measure (explain terms such as submitted, completed, published, occasions of service etc; what does the measure mean in 'plain English')	Under Section 149 of the Planning and Development Act 2007, the ACT Heritage Council is provided with 15 working days to provide entity advice on referred Development Applications.
Original Target 2017-18	95%
Actual YTD Result @ 30 December 2017	87%
Variance from the Actual YTD Result (Calculated by: (Actual YTD Result - Original Target) / Original Target)	(8.7%)
Explanation of how the result was achieved (describe the source and the calculations used to arrive at the result)	ACT Heritage maintains a database of all ACT Heritage Council advice issued, and this was reviewed to identify due dates and actual dates for all DA advice due between 1 July 2017 and 31 December 2017.
Documentation (list the documents attached to support the performance measure result, e.g., Director-General minute signed and dated, media release)	ACT Heritage Council database extract attached - 'Output 1.3b - DA Advice to ACTPLA'. Full ACT Heritage Council advice on referred Development Applications is filed in Objective, and can be electronically accessed.
Variance explanation (differences of more than or equal to 5% , positive or negative, need to be explained)	The number of DAs referred in this period has increased from the past financial year, from 75 to 98. There also continues to be a general increase in the number of heritage submissions made, for example, formal Council advice issued has increased from 491 to 601 over the past two financial years. The Advice team size has remaining the same during this timeframe, on which basis, response timeframes are generally increasing.
Contact Officer Name: Meaghan Russell	Prepared by Signature: 
Manager Name: Jennifer O'Connell	Checked by Signature: 
Director / Executive Director / Deputy Director - General Name: Daniel Inglesias	Approved by Signature: 

BUDGET ESTIMATES BRIEF

Portfolio: Planning & Land Management

Budget Statement E Page 12-18

ISSUE: OUTPUT CLASS CHANGES IN 2018-19

EPSDD		
2017-18 Output Class Split	2018-19 Output Class Split	Notes
Output Class 1: Planning <i>(Minister Gentleman)</i>	Output Class 1: Planning <i>(Minister Gentleman)</i>	
Output 1.3: Heritage		Transferred to Output Class 2 as Output 2.3: Heritage
Output Class 2: Environment <i>(Minister Gentleman)</i>	Output Class 2: Environment <i>(Minister Gentleman)</i>	
	Output 2.3: Heritage	Transferred from Output Class 1, Output 1.3: Heritage

Portfolio Planning & Land Management

Budget Statement E Page 18-25

ISSUE: ACCOUNTABILITY INDICATOR CHANGES IN 2018-19

Talking points:

Accountability Indicator – New and Discontinued

- The new indicators for 2018-19 have been highlighted in green.
- The indicators that have been discontinued have been highlighted in red.
- The indicators that have targets changed in 2018-19 from 2017-18 have been highlighted orange.



Output 2.3: Heritage

	2017-18 Targets	2017-18 Estimated Outcome	2018-19 Targets
a. Notification on the legislation register of Heritage Council decisions within five working days of the decision	100%	100%	100%
b. Development application advice issued within 15 working days of referral by the ACT Land and Planning Authority	95%	88%	90%
c. Decisions about heritage registrations by the ACT Heritage Council made within statutory timeframes ¹	100%	100%	100%

Notes:

This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on final registrations under the *Heritage Act 2004*.

Portfolio: Whole of Directorate

ISSUE: BUDGET SUMMARY**Talking points:**

- The Environment, Planning and Sustainable Development Directorate (the Directorate) promotes the orderly growth of our city, strengthens the Territory's response to climate change, provides an integrated planning and land use system that contributes to the sustainable development and future of the ACT and manages the Territory's parks and reserves.

Key Information

The 2017-18 Budget provides \$157.379m in recurrent funding, adjusting for transfers and technical adjustments including rollovers, the estimated outcome is \$158.603m.

Recurrent funding reduces in the 18-19 year to \$133.079m, this is mainly due to funding required for the Public Housing Renewal Taskforce decreasing as the program moves away from the demolition into construction \$31.069m, although is partially offset by an increase in Budget Initiatives at [Attachment A](#).

The \$133.079m in 18-19 recurrent funding has been attributed to the output classes, as follows:



- Heritage \$2.061m (1.5%);



Cleared as complete and accurate: [Click here to enter a date.](#)

Cleared by:

Contact Officer Name:

Director

Karen Taylor

Ext:

Ext: 54668

[Return to Index](#)



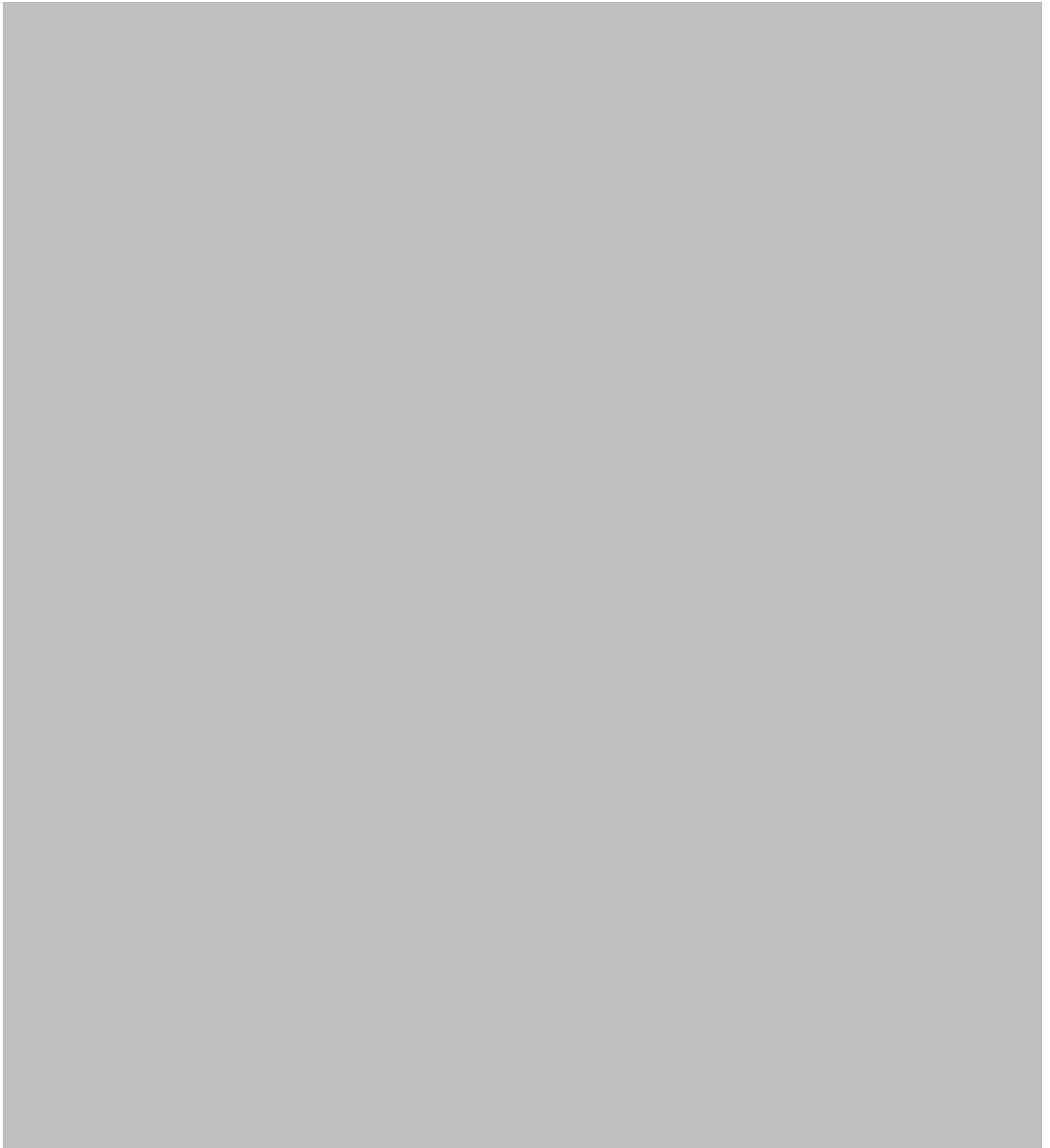
The 2018-19 Budget includes funding for Territorial programs including Office of the Commissioner for Sustainability and the Environment \$1.668m, Heritage Grants \$0.346m and Environmental Grants \$0.195m.



Portfolio: Environment & Heritage

ISSUE: COMMUNITY CONSULTATION OUTCOMES 2017-18

Talking points:



Heritage Register: Deakin

- The ACT Heritage Council provisionally registered 11 Northcote Crescent, Deakin as a way to indicate that it intends to make a decision on whether or not to permanently put it on the ACT Heritage Register.
- Between 10 April and 7 May 2018 (a period of 4 weeks as required by the *Heritage Act 2004*), community comments were sought on the provisional registration via a survey on Your Say.
- The Council will make a decision on the heritage listing in late 2018.
- No budget was allocated to this project for communications activities.

Portfolio: Whole of Directorate

ISSUE: ADVERTISING COSTS
Talking Points

- The Directorate has spent \$0.949 million on advertising between 1 July 2017 and 31 May 2018.

Key information

- The Directorate's advertising spend for the budget year to date is as follows:

	2016-17	2017-18
Program	\$'000	\$'000

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BUDGET ESTIMATES BRIEF

Planning		
Heritage Public Notices	1	1

*Expenditure for the period 1 July through 31 May for the 2016-17 and 2017-18 financial years is correct at \$0.278m.

Portfolios: Planning & Land Management

Environment and Heritage

Urban renewal

ISSUE: EPSDD FEES AND CHARGES FOR 2018-19

Talking points:

- All fees and charges under the Disallowable Instruments below have been increased by WPI set at 2.5% with appropriate rounding, with exception to the Building Levy and the Water Abstraction Charge.

- Administrative fees and charges have been increased by 2.5%.

Key Information

- Fees include: Architects (Fees) Determination 2018 (No.1); Building (Fees) Determination 2018 (No.1); Clinical Waste (Fees) Determination 2018; Community Title (Fees) Determination 2018 (No.1); Construction Occupations Licensing (Fees) Determination 2018 (No.1); Electricity Safety (Fees) Determination 2018 (No.1); Environment Protection (Fees) Determination 2018 (No.1); Fisheries (Fees) Determination 2018 (No.1); Gas Safety (Fees) Determination 2018 (No.1); Heritage (Fees) Determination 2018 (No.1); Nature Conservation (Fees) Determination 2018 (No.2); Planning and Development (Fees) Determination 2018 (No.1); Surveyors (Fees) Determination 2018 (No.1); Unit Titles (Fees) Determination 2018 (No.1); Stock (fees) Determination 2018 (No.1); Stock (Levy) Determination 2018 (No.1); Stock (Minimum Stock Levy) Determination 2018 (No.1); Water and Sewerage (Fees) Determination 2018 (No.1); and Water Resources (Fees) Determination 2018 (No.1)

Portfolio: Environment & Heritage

[BP3 page 359]

ISSUE: Better Infrastructure Fund (BIF) – Improving our heritage

Project	Financing 2018-19 \$'000
<i>More services for our suburbs – Improving our heritage</i>	
Heritage Conservation – Conservation Management Plans for Aboriginal places, part two	43
Heritage Conservation – Canberra tracks	40

Question: *What heritage conservation projects are being funded?*

Answer:

- Heritage better infrastructure fund projects are focused on conserving the ACTs heritage and educating the public.
- \$83,000 has been allocated for heritage projects in 2018-19, including:
 - \$40,000 for Canberra Tracks; and
 - \$43,000 for Aboriginal heritage conservation within lands managed by ACT Parks and Conservation Service (PCS).

Key Information – Canberra Tracks:

- Canberra Tracks is an initiative of the ACT Government, and is recognised as enhancing the experience of visitors and locals while celebrating the Territory's built, Aboriginal and natural heritage.
- Since 2006, 174 interpretation signs and 15 track markers have been installed through the Canberra Tracks project.
- \$40,000 of funding for Canberra Tracks will provide for additional interpretive signs to be added to the network, and a further roll out of downloads available via the Canberra Tracks Augmented Reality App. The additional content to the App will include oral histories, digital stories, holograms and digital tours; which will enhance access to information on the ACT's heritage and broaden the demographic of interest.

Key Information – PCS Aboriginal heritage conservation project:

- Thousands of Aboriginal places occur in lands managed by PCS, and a cultural heritage management system (CHMS) is currently being developed to manage these places in partnership with Traditional Custodians and in accordance with Heritage Act 2004 obligations.
- The CHMS project aims to provide PCS with a better understanding of the Aboriginal heritage assets they manage, and provide clear guidance on management requirements for those sites.
- \$43,000 of funding for the CHMS will allow continued development of conservation policies and protocols in consultation with Traditional Custodians, for a range of Aboriginal place types such as ceremonial places, culturally modified trees, grinding grooves, quarries and stone artefact sites.

Cleared as complete and accurate: 01/06/2018

Cleared by: Executive Director

Ext: 59027

Contact Officer Name: Jennifer O'Connell

Ext: 72179

[Return to Index](#)

ISSUE: HERITAGE NOMINATION LIST**Talking points:**

- Assessing nominations and making heritage decisions on nominated places and objects is one of the core business responsibilities of the ACT Heritage Council (the Council).
- ACT Heritage, ESPDD, provides administrative support to the Council. 1.6 FTE are allocated to assessing nominations.
- The Council decides on its priority list of nominated places and objects to be assessed at its first meeting of the financial year.
- The Council bases its priority list on development pressures, internal resourcing, community and political expectation, and thematic research synergies and efficiencies.
- Overall, the Council has substantially reduced the nominations list. Since reaching a peak of 320 in 2008, the list of nominations is currently 96.
- In 2016-17, the Council reduced the nomination list by 32 nominations (a single decision can combine multiple nominations).
- Any member of the community can nominate a place or object to the ACT Heritage Register (the Register), so the long nomination list reflects community interest in heritage matters.
- In some cases, nominations may be straightforward and can be easily and quickly assessed. In others – such as with precincts – a single nomination may take many months to assess, due to increased complexities involved.
- Provisions of both heritage and planning legislation establish a process where development at nominated heritage places is referred to the Council for conservation advice.
- Under the *Heritage Act 2004*, applications can be made for the Council to urgently assess nomination applications, as well as applications to amend an existing register listing.
- For urgent nomination applications, once the application is made and the fee paid, the Council must, as far as practicable, make a decision within 20 days for an individual place and within 60 working days for a Precinct.

Key Information

	2015-16	2016-17	2017 to date
Nominations accepted	9	7	5
Nominations dismissed	2		1
Provisional registration decision (including decisions to not provisionally register)	16	10	16
Registration decision (including further registration decision)	14	6	4

Background Information – may not be suitable for public disclosure

Throughout 2017 the Council received media attention concerning the current list of heritage register nominations, and how the Council intends prioritising assessing these nominations.

Portfolio Environment & Heritage

ISSUE: Heritage Nomination – Kingston Hotel

- At its meeting of 8 February 2018, the Council accepted a nomination for the Kingston Hotel.
- The place was nominated by the Canberra and District Historical Society (CDHS), who assert the place is significant for its social values and for its association with 20th century espionage.
- The Council has not formed a view on the significance of the place.
- ACT Heritage has been in contact with the owner and lessees of the place. The owner has indicated he does not support the nomination.
- The nomination has attracted some media attention. Some attention has been positive, while another feature in the Canberra Times interviewed the owner of the place, who criticised CDHS for putting forward the nomination without consulting him.
- CDHS contacted my office in early March regarding a rumour that the place is to be knocked down. ACT Heritage investigated the matter and concluded there is no Development Application (pending or current) for the place, and I have relayed this information to CDHS.

Key Information:

- Under the Act, anyone may nominate a place or object to be included in the ACT Heritage Register.
- Once the Council accepts a nomination, some provisions of the Heritage Act are applicable to the nominated place, for example:
 - the Council gives advice to the planning and land authority about the effect of a development on the likely heritage significance of a place if the development application is referred to the council; and
 - the Council may also give certain parties a Heritage Direction (to do or not do something to conserve the place) if immediate protection of the place is justified because a serious and imminent threat exists that would harmfully affect the heritage significance of the place.
- EPSDD and the Heritage Council have agreed that the Manager, ACT Heritage will make the decision (under delegation) whether or not to accept or dismiss a nomination application. This will ensure provisions of the Heritage Act for nominations are activated without delay.

Portfolio Environment & Heritage

ISSUE: HERITAGE COUNCIL MEETING DECISIONS**Talking points:**

The ACT Heritage Council (the Council) will meet on 31 May 2018 and make the following decisions:

1. Decisions to provisionally register:
 - Red Hill Historic Plantings, Red Hill
 - Signadou and Blackfriars Precinct, Watson
2. Decision on nominations:
 - 'Trettes,' Jervis Bay

Key Information

Red Hill Historic Plantings are a unique response to environmental, conservation and city design challenges, resulting in the innovative plantings realised by the then Officer in Charge of Afforestation, Thomas Charles George Weston. The plantings are amongst the earliest plantings in Australia that were undertaken for the reason of landscape restoration.

The extraordinary vision expressed by the Griffin's to paint Canberra's hills with coloured flowering plants was a unique and no longer practiced arboricultural process, which reflected both a desire to revegetate the denuded hills, and their desire that Canberra should 'unite nature and culture'.

Signadou and Blackfriars Precinct has made an important contribution to the educational development of the ACT since the 1960s, providing the rapidly growing national capital with teaching staff during a time of unprecedented growth of the Catholic school system in the ACT and region. The opening of the Blackfriars Priory and Signadou Teaching College occurred during a formative period of educational development in Canberra when the Catholic Church was making considerable investments in the sector. The place represents a distinct phase of ACT history, wherein different orders within the Catholic Church were consolidating and uniting with increased presence within the ACT.

Since the Precinct's nomination in 2016, the Council has remained in contact with the Catholic Archdiocese of Canberra and Goulburn, and the Australian Catholic University about the progress and implications of the nomination. Sections of the Precinct have been subject to upgrade and development, however the Council has continued to work with stakeholders to facilitate sound heritage outcomes in the context of change.

'Trettes' is a small fibro homestead located in Jervis Bay Territory. The *Heritage Act 2004* is not applicable to the Jervis Bay Territory as the Act's terms specifically relate to the ACT. It is likely the Council will make a decision to dismiss the nomination on the basis of it being misconceived.

ISSUE: RAILWAY HISTORICAL SOCIETY 1210 LOCOMOTIVE**Talking points:**

- In late 2017 valuable fittings were stolen from the premises of the Canberra Railway Museum where Locomotive 1210 is stored.
- Locomotive 1210 is listed on the ACT Heritage Register.
- ACT Policing is investigating the theft.
- The locomotive has been on loan from the Commonwealth to the Australian Railway Historical Society (ARHS, ACT Division) since 1984, who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017.
- With agreement from the Commonwealth, it is proposed that the asset is transferred to the ACT Government.
- EPSDD Law Reform will advise on the document of transferral.
- AHRS is currently reforming, following the 2017 liquidation.
- EPSDD is exploring options for formalising a loan agreement between the ACT Government and the newly formed ARHS.
- Although AHRS is in the process of reforming, liquidator Deloitte is currently managing the Canberra Railway Museum yards.
- To increase security measures at the premises, volunteers from the AHRS occupy the museum yards during the week to perform general maintenance tasks such as mowing and cleaning

Key Information

- EPSDD Law Reform have confirmed that the Commonwealth still owns the Locomotive, as there is no reference either particularly or by class to the locomotive in the instruments of transfer under section 5 of the *ACT (Self Government) Consequential Provisions Act 1988*.
- After transfer, unless an alternative Directorate is able to assume ownership of the Locomotive, it is likely the Locomotive will be placed on the EPSDD asset register.

MINISTER FOR THE ENVIRONMENT AND HERITAGE

ESTIMATES 2018-19 BRIEFS
28 JUNE 2018
BUDGET BRIEFS INDEX

A - BUDGET PAPERS ACCOUNTABILITY INDICATORS	
Budget Statements E – Environment, Planning and Sustainable Development Directorate https://apps.treasury.act.gov.au/data/assets/pdf_file/0006/1079133/E-Budget-Statements.pdf	
1.	
2.	
3.	
4.	
5.	Output 2.3: Heritage
6.	
7.	
8.	
9.	Output Class Changes 2018-19
10.	Accountability Indicator Changes 2018-19
11.	EPSDD Budget Rollovers
12.	2018-19 Budget Summary (including summary of EPSDD Initiatives)
13.	Community Consultation Outcomes - Environment and Heritage

MINISTER FOR THE ENVIRONMENT AND HERITAGE

ESTIMATES 2018-19 BRIEFS
28 JUNE 2018
BUDGET BRIEFS INDEX



A - BETTER INFRASTRUCTURE FUND	
32.	Heritage Conservation
33.	
34.	



Portfolio: Environment & Heritage

ISSUE: Heritage Accountability Indicators

Talking points:

- ACT Heritage administers the provisions of the *Heritage Act 2004* and provides assistance in the conservation of the ACT's heritage assets to ensure their recognition, registration and conservation.
- The area provides administrative and operational support to the ACT Heritage Council and its projects, and administers the annual funding of the ACT Heritage Grants Program, the annual Canberra and Region Heritage Festival and Capital Works projects as they relate to heritage conservation works.
- A key function is also the promotion and education of the community regarding heritage assets of the ACT.

Key Information

Accountability Indicators Output 2.3	2017-18 Targets	2017-18 Estimated Outcome	2018-19 Targets
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b. Development application advice issued within 15 working days of referral by the ACT Land and Planning Authority	95%	88%	90%
c. Decisions about heritage registrations by the ACT Heritage Council made within statutory timeframes ¹	100%	100%	100%

Notes:

1. This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on final registrations under the *Heritage Act 2004*.

Background Information – may not be suitable for public disclosure

FURTHER INFORMATION ON INDICATOR B:

The number of development applications referrals in this period has increased from the past financial year, from 106 to 146 – a 28% increase. There also continues to be a general increase in the number of heritage submissions made to the ACT Heritage Council, which has increased from 491 to 601 over the past two financial years – a 19% increase. In this context, response timeframes for heritage advice are generally increasing.

FURTHER INFORMATION ON INDICATOR C:

This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on Registration (aka Final Registration) under the *Heritage Act 2004*.

Heritage registration is a three stage process established under Part 6 of the Act.

- 1. Nomination
- 2. Provisional Registration
- 3. Registration

There is no statutory timeframe imposed on the Council to make a decision on whether or not to accept a nomination application received. (See Section 29 of the Act)

There is no statutory timeframe imposed on the Council to make a decision on Provisional Registration once a place has been accepted as a nomination. (See Section 32 of the Act)

However, there is a statutory timeframe imposed on the Council to make a decision on Registration if it has made a decision to Provisionally Register. (See Section 35 of the Act)

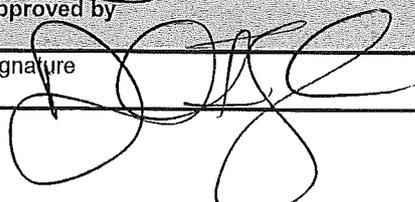
The Council has:

- for a precinct – 9 months after the provisional registration day; or
- for a place – 5 months after the provisional registration day

to make a decision on Registration (unless an extension is granted).

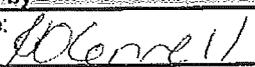
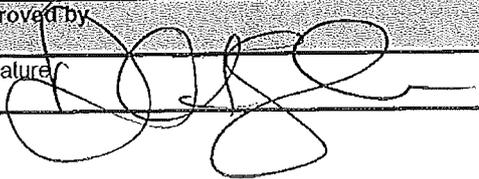
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Contact Officer Name: Adriana Lulic	Prepared by Signature:
Manager Name: Daisy Chaston	Checked by Signature: 
Director / Executive Director / Deputy Director-General Name: Daniel Iglecias	Approved by Signature: 

Decisions Notified on the Legislation Register 2017-18

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Contact Officer	Prepared by
Name: Meaghan Russell	Signature: 
Manager	Checked by
Name: Jennifer O'Connell	Signature: 
Director / Executive Director / Deputy Director - General	Approved by
Name: Daniel Inglesias	Signature: 

BUDGET ESTIMATES BRIEF

Portfolio: EPSDD

Budget Statement E Page 12-18

ISSUE: OUTPUT CLASS CHANGES IN 2018-19

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Output 1.3: Heritage		Transferred to Output Class 2 as Output 2.3: Heritage
Output Class 2: Environment <i>(Minister Gentleman)</i>	Output Class 2: Environment <i>(Minister Gentleman)</i>	
	Output 2.3: Heritage	Transferred from Output Class 1, Output 1.3: Heritage

Portfolio : EPSDD

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ISSUE: ACCOUNTABILITY INDICATOR CHANGES IN 2018-19

Talking points:

Accountability Indicator – New and Discontinued

- The new indicators for 2018-19 have been highlighted in green.
- The indicators that have been discontinued have been highlighted in red.
- The indicators that have targets changed in 2018-19 from 2017-18 have been highlighted orange.

Output 2.3: Heritage

	2017-18 Targets	2017-18 Estimated Outcome	2018-19 Targets
a. Notification on the legislation register of Heritage Council decisions within five working days of the decision	100%	100%	100%
b. Development application advice issued within 15 working days of referral by the ACT Land and Planning Authority	95%	88%	90%
c. Decisions about heritage registrations by the ACT Heritage Council made within statutory timeframes ¹	100%	100%	100%

Notes:

This indicator relates to the timeframe imposed on the ACT Heritage Council to make a decision on final registrations under the *Heritage Act 2004*.

Portfolio: EPSDD

ISSUE: BUDGET SUMMARY**Talking points:**

- The Environment, Planning and Sustainable Development Directorate (the Directorate) promotes the orderly growth of our city, strengthens the Territory's response to climate change, provides an integrated planning and land use system that contributes to the sustainable development and future of the ACT and manages the Territory's parks and reserves.

Key Information

The 2017-18 Budget provides \$157.379m in recurrent funding, adjusting for transfers and technical adjustments including rollovers, the estimated outcome is \$158.603m.

Recurrent funding reduces in the 18-19 year to \$133.079m, this is mainly due to funding required for the Public Housing Renewal Taskforce decreasing as the program moves away from the demolition into construction \$31.069m, although is partially offset by an increase in Budget Initiatives at [Attachment A](#).

The \$133.079m in 18-19 recurrent funding has been attributed to the output classes, as follows:



- Heritage \$2.061m (1.5%);



Cleared as complete and accurate: 15/06/2018
Cleared by: Director
Contact Officer Name: Karen Taylor

Ext:
Ext: 54668

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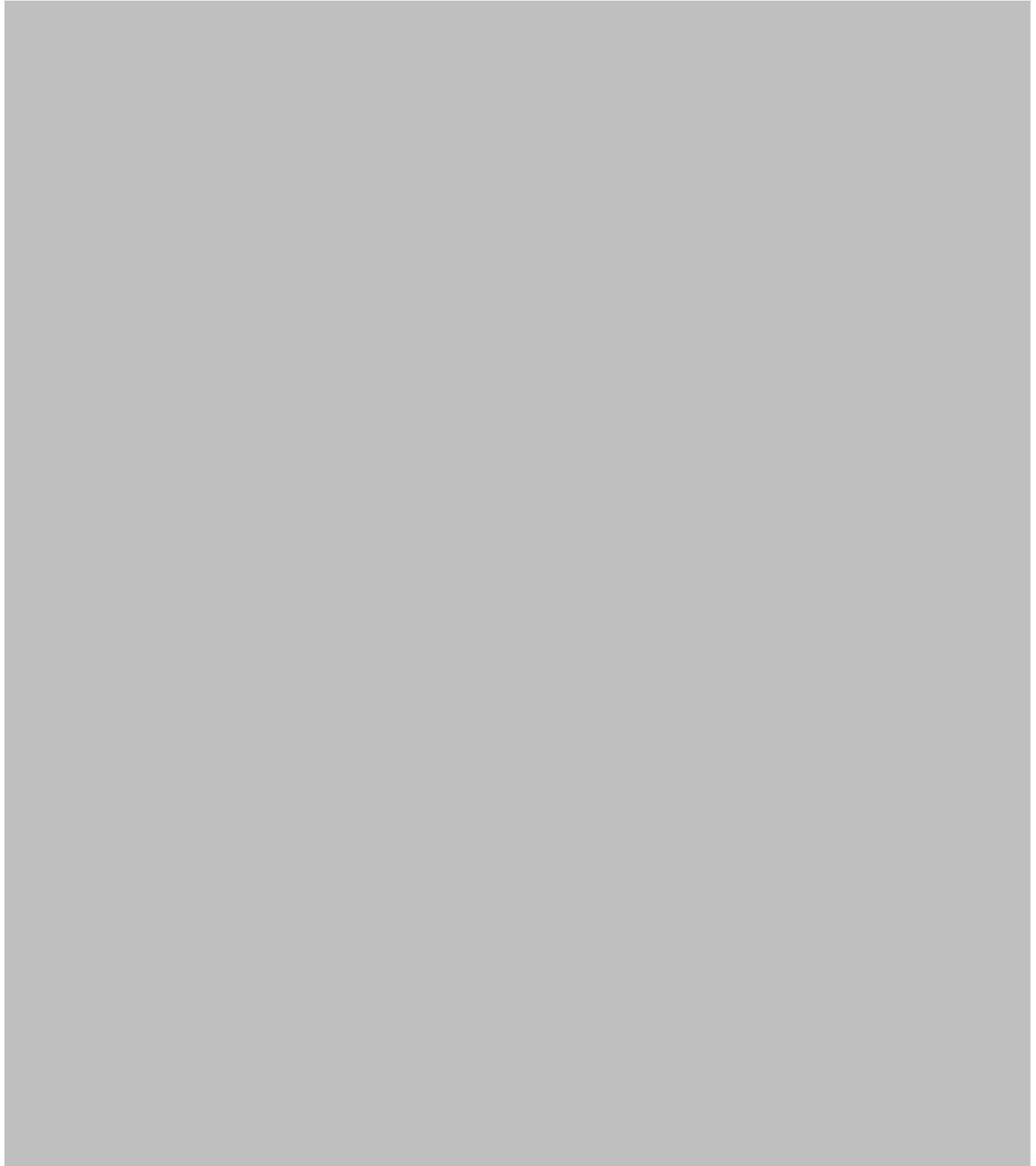
The 2018-19 Budget includes funding for Territorial programs including Office of the Commissioner for Sustainability and the Environment \$1.668m, Heritage Grants \$0.346m and Environmental Grants \$0.195m.



Portfolio: Environment & Heritage

ISSUE: COMMUNITY CONSULTATION OUTCOMES 2017-18

Talking points:



Heritage Register: Deakin

- The ACT Heritage Council provisionally registered 11 Northcote Crescent, Deakin as a way to indicate that it intends to make a decision on whether or not to permanently put it on the ACT Heritage Register.
- Between 10 April and 7 May 2018 (a period of 4 weeks as required by the *Heritage Act 2004*), community comments were sought on the provisional registration via a survey on Your Say.
- The Council will make a decision on the heritage listing in late 2018.
- No budget was allocated to this project for communications activities.

Portfolio: EPSDD

ISSUE: TRAVEL AND FLEET COSTS

Talking Points

- The Directorate has spent \$1.678 million on travel between 1 July 2017 and 31 May 2018.
- For the same period, the Directorate spent \$1.546 million on travel and fleet costs in 2016-17.
- The Directorate has a full year budget of \$0.391 million for travel and \$1.477 million for vehicle fleet costs, totalling \$1.868m.

Key information

- The breakdown of travel costs is as follows:

Type	2016-17 \$'000	2017-18 \$'000	Variance
Pay Parking	6	11	5
Taxi Hire/Cabcharge	34	24	-10
Travel (Domestic)	137	191	54
Travel (Overseas)	30	27	-3
Other Travel	2	2	0
Vehicle Fleet Costs	1,337	1,423	86
	1,546	1,678	132

- The increase in Travel expenditure is due to an increase in the size of the Directorate. Domestic travel contributed most to this increase.
- International travel costs breakdown:
 - Ben Ponton - \$23K (Prague and United States)
 - Neil Cooper - \$3K (Canada Fire Deployment)
 - Brian Levine - \$1K (Canada Fire Deployment)
 - Geoffrey Rutledge, travelled to Korea, however reimbursement sought from Conference organisers.

- The increase in Fleet expenditure is due to the replacement of numerous aged vehicles that were on lease extensions at a low cost with new vehicles on new leases at a higher cost. In addition the full year impact of replacement Fire Unit Response Vehicles has increased costs to the Directorate.

Portfolio: EPSDD

ISSUE: Agency Resource Management Plan**Talking points:**

- EPSDD set a 3% reduction target in electricity consumption for 2017-18. This was estimated to reduce carbon emissions by 2.8% compared with emissions at 1 July 2017.
- The target is subject to seasonal weather variations and climate change.
- This reduction was expected to come from the consolidation of staff in Dame Pattie Menzies House by the end of 2017 and would result in reduced overall heating load in winter which is the greatest driver of energy consumption.
- 2017-18 YTD electricity consumption is 6.5% higher than for the same period of 2016-17. Electricity consumption increased at Dame Pattie Menzies House and decreased at Stromlo Depot, Tidbinbilla Depot and Namadgi Visitors Centre. Consistently high temperatures in December 2017 (10th-24th) resulted in increased demand for air conditioning in all occupied buildings.
- Transport fuel consumption remained steady between quarter 1 and quarter 2 of 2017-18.

Key Information

- The ACT has the most ambitious greenhouse gas emissions reduction targets in Australia. The Resource Management Plan is a tool to support government to manage environmental resources more efficiently and reduce its greenhouse gas emissions. This is supported by an annual Energy Efficiency Target.
- EPSDD manages a large number of assets through the Environment Division and Suburban Land Agency as well as having its staff in a large number of buildings throughout the ACT for either operational reasons or due to the cost of moving staff following administrative arrangement changes. It is expected that staff currently located at Dame Pattie Menzies House, 221 London Circuit and 470 Northbourne Avenue will move to a new location in Dickson in 2020.
- When the target was set there was an anticipated consolidation of staff in DPMH by the end of 2017. This was expected to result in reduced overall heating load with winter, the greatest driver of energy consumption. This did not occur, rather EPSDD occupied an additional building, Macarthur House, for 3 months in 2017 which increased the overall energy consumption for the Directorate.

Background Information – may not be suitable for public disclosure

Estimated baseline energy consumption at 1 July 2017:	
Electricity (kWh)	1,406,796
Gas (MJ)	1,377,768
Baseline energy consumption (GJ)	6,442
Forecast EPSDD energy consumption as at 30 June 2018:	
Electricity (kWh)	1,323,864
Gas (MJ)	1,300,164
Forecast energy consumption (GJ)	6,066
Forecast reduction (%)	-5.8%
Efficiency target (%)	-3.0%

Portfolios: Planning & Land Management

Environment and Heritage

Urban renewal

ISSUE: EPSDD FEES AND CHARGES FOR 2018-19

Talking points:

- All fees and charges under the Disallowable Instruments below have been increased by WPI set at 2.5% with appropriate rounding, with exception to the Building Levy and the Water Abstraction Charge.

- Administrative fees and charges have been increased by 2.5%.

Key Information

- Fees include: Architects (Fees) Determination 2018 (No.1); Building (Fees) Determination 2018 (No.1); Clinical Waste (Fees) Determination 2018; Community Title (Fees) Determination 2018 (No.1); Construction Occupations Licensing (Fees) Determination 2018 (No.1); Electricity Safety (Fees) Determination 2018 (No.1); Environment Protection (Fees) Determination 2018 (No.1); Fisheries (Fees) Determination 2018 (No.1); Gas Safety (Fees) Determination 2018 (No.1); Heritage (Fees) Determination 2018 (No.1); Nature Conservation (Fees) Determination 2018 (No.2); Planning and Development (Fees) Determination 2018 (No.1); Surveyors (Fees) Determination 2018 (No.1); Unit Titles (Fees) Determination 2018 (No.1); Stock (fees) Determination 2018 (No.1); Stock (Levy) Determination 2018 (No.1); Stock (Minimum Stock Levy) Determination 2018 (No.1); Water and Sewerage (Fees) Determination 2018 (No.1); and Water Resources (Fees) Determination 2018 (No.1)

Portfolio: Environment & Heritage

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ISSUE: Better Infrastructure Fund (BIF) – Improving our heritage

Project	Financing 2018-19 \$'000
<i>More services for our suburbs – Improving our heritage</i>	
Heritage Conservation – Conservation Management Plans for Aboriginal places, part two	43
Heritage Conservation – Canberra tracks	40

Question: *What heritage conservation projects are being funded?*

Answer:

- Heritage better infrastructure fund projects are focused on conserving the ACTs heritage and educating the public.
- \$83,000 has been allocated for heritage projects in 2018-19, including:
 - \$40,000 for Canberra Tracks; and
 - \$43,000 for Aboriginal heritage conservation within lands managed by ACT Parks and Conservation Service (PCS).

Key Information – Canberra Tracks:

- Canberra Tracks is an initiative of the ACT Government, and is recognised as enhancing the experience of visitors and locals while celebrating the Territory's built, Aboriginal and natural heritage.
- Since 2006, 174 interpretation signs and 15 track markers have been installed through the Canberra Tracks project.
- \$40,000 of funding for Canberra Tracks will provide for additional interpretive signs to be added to the network, and a further roll out of downloads available via the Canberra Tracks Augmented Reality App. The additional content to the App will include oral histories, digital stories, holograms and digital tours; which will enhance access to information on the ACT's heritage and broaden the demographic of interest.

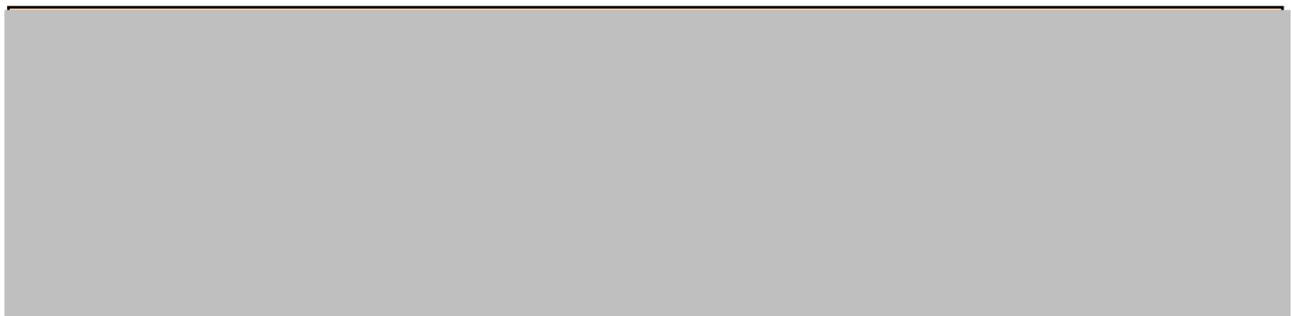
Key Information – PCS Aboriginal heritage conservation project:

- Thousands of Aboriginal places occur in lands managed by PCS, and a cultural heritage management system (CHMS) is currently being developed to manage these places in partnership with Traditional Custodians and in accordance with Heritage Act 2004 obligations.
- The CHMS project aims to provide PCS with a better understanding of the Aboriginal heritage assets they manage, and provide clear guidance on management requirements for those sites.
- \$43,000 of funding for the CHMS will allow continued development of conservation policies and protocols in consultation with Traditional Custodians, for a range of Aboriginal place types such as ceremonial places, culturally modified trees, grinding grooves, quarries and stone artefact sites.

MINISTER FOR THE ENVIRONMENT AND HERITAGE

ESTIMATES 2018-19 BRIEFS
 28 JUNE 2018
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12.	Heritage Council Meeting decisions
13.	Railway Historical Society 1210 Locomotive



ISSUE: HERITAGE NOMINATION LIST**Talking points:**

- Assessing nominations and making heritage decisions on nominated places and objects is one of the core business responsibilities of the ACT Heritage Council (the Council).
- ACT Heritage, ESPDD, provides administrative support to the Council. 1.6 FTE are allocated to assessing nominations.
- The Council decides on its priority list of nominated places and objects to be assessed at its first meeting of the financial year.
- The Council bases its priority list on development pressures, internal resourcing, community and political expectation, and thematic research synergies and efficiencies.
- Overall, the Council has substantially reduced the nominations list. Since reaching a peak of 320 in 2008, the list of nominations is currently 96.
- In 2016-17, the Council reduced the nomination list by 32 nominations (a single decision can combine multiple nominations).
- Any member of the community can nominate a place or object to the ACT Heritage Register (the Register), so the long nomination list reflects community interest in heritage matters.
- In some cases, nominations may be straightforward and can be easily and quickly assessed. In others – such as with precincts – a single nomination may take many months to assess, due to increased complexities involved.
- Provisions of both heritage and planning legislation establish a process where development at nominated heritage places is referred to the Council for conservation advice.
- Under the *Heritage Act 2004*, applications can be made for the Council to urgently assess nomination applications, as well as applications to amend an existing register listing.
- For urgent nomination applications, once the application is made and the fee paid, the Council must, as far as practicable, make a decision within 20 days for an individual place and within 60 working days for a Precinct.

Key Information

	2015-16	2016-17	2017 to date
Nominations accepted	9	7	5
Nominations dismissed	2		1
Provisional registration decision (including decisions to not provisionally register)	16	10	16
Registration decision (including further registration decision)	14	6	4

Background Information – may not be suitable for public disclosure

Throughout 2017 the Council received media attention concerning the current list of heritage register nominations, and how the Council intends prioritising assessing these nominations.

ISSUE: Heritage Nomination – Kingston Hotel

- At its meeting of 8 February 2018, the Council accepted a nomination for the Kingston Hotel.
- The place was nominated by the Canberra and District Historical Society (CDHS), who assert the place is significant for its social values and for its association with 20th century espionage.
- The Council has not formed a view on the significance of the place.
- ACT Heritage has been in contact with the owner and lessees of the place. The owner has indicated he does not support the nomination.
- The nomination has attracted some media attention. Some attention has been positive, while another feature in the Canberra Times interviewed the owner of the place, who criticised CDHS for putting forward the nomination without consulting him.
- CDHS contacted my office in early March regarding a rumour that the place is to be knocked down. ACT Heritage investigated the matter and concluded there is no Development Application (pending or current) for the place, and I have relayed this information to CDHS.

Key Information:

- Under the Act, anyone may nominate a place or object to be included in the ACT Heritage Register.
- Once the Council accepts a nomination, some provisions of the Heritage Act are applicable to the nominated place, for example:
 - the Council gives advice to the planning and land authority about the effect of a development on the likely heritage significance of a place if the development application is referred to the council; and
 - the Council may also give certain parties a Heritage Direction (to do or not do something to conserve the place) if immediate protection of the place is justified because a serious and imminent threat exists that would harmfully affect the heritage significance of the place.
- EPSDD and the Heritage Council have agreed that the Manager, ACT Heritage will make the decision (under delegation) whether or not to accept or dismiss a nomination application. This will ensure provisions of the Heritage Act for nominations are activated without delay.

Portfolio Environment & Heritage

ISSUE: HERITAGE COUNCIL MEETING DECISIONS**Talking points:**

The ACT Heritage Council (the Council) will meet on 31 May 2018 and make the following decisions:

1. Decisions to provisionally register:
 - Red Hill Historic Plantings, Red Hill
 - Signadou and Blackfriars Precinct, Watson
2. Decision on nominations:
 - 'Trettes,' Jervis Bay

Key Information

Red Hill Historic Plantings are a unique response to environmental, conservation and city design challenges, resulting in the innovative plantings realised by the then Officer in Charge of Afforestation, Thomas Charles George Weston. The plantings are amongst the earliest plantings in Australia that were undertaken for the reason of landscape restoration.

The extraordinary vision expressed by the Griffin's to paint Canberra's hills with coloured flowering plants was a unique and no longer practiced arboricultural process, which reflected both a desire to revegetate the denuded hills, and their desire that Canberra should 'unite nature and culture'.

Signadou and Blackfriars Precinct has made an important contribution to the educational development of the ACT since the 1960s, providing the rapidly growing national capital with teaching staff during a time of unprecedented growth of the Catholic school system in the ACT and region. The opening of the Blackfriars Priory and Signadou Teaching College occurred during a formative period of educational development in Canberra when the Catholic Church was making considerable investments in the sector. The place represents a distinct phase of ACT history, wherein different orders within the Catholic Church were consolidating and uniting with increased presence within the ACT.

Since the Precinct's nomination in 2016, the Council has remained in contact with the Catholic Archdiocese of Canberra and Goulburn, and the Australian Catholic University about the progress and implications of the nomination. Sections of the Precinct have been subject to upgrade and development, however the Council has continued to work with stakeholders to facilitate sound heritage outcomes in the context of change.

'Trettes' is a small fibro homestead located in Jervis Bay Territory. The *Heritage Act 2004* is not applicable to the Jervis Bay Territory as the Act's terms specifically relate to the ACT. It is likely the Council will make a decision to dismiss the nomination on the basis of it being misconceived.

ISSUE: RAILWAY HISTORICAL SOCIETY 1210 LOCOMOTIVE**Talking points:**

- In late 2017 valuable fittings were stolen from the premises of the Canberra Railway Museum where Locomotive 1210 is stored.
- Locomotive 1210 is listed on the ACT Heritage Register.
- ACT Policing is investigating the theft.
- The locomotive has been on loan from the Commonwealth to the Australian Railway Historical Society (ARHS, ACT Division) since 1984, who had dismantled much of the Locomotive for restoration works before going into liquidation early 2017.
- With agreement from the Commonwealth, it is proposed that the asset is transferred to the ACT Government.
- EPSDD Law Reform will advise on the document of transferral.
- AHRS is currently reforming, following the 2017 liquidation.
- EPSDD is exploring options for formalising a loan agreement between the ACT Government and the newly formed ARHS.
- Although AHRS is in the process of reforming, liquidator Deloitte is currently managing the Canberra Railway Museum yards.
- To increase security measures at the premises, volunteers from the AHRS occupy the museum yards during the week to perform general maintenance tasks such as mowing and cleaning

Key Information

- EPSDD Law Reform have confirmed that the Commonwealth still owns the Locomotive, as there is no reference either particularly or by class to the locomotive in the instruments of transfer under section 5 of the *ACT (Self Government) Consequential Provisions Act 1988*.
- After transfer, unless an alternative Directorate is able to assume ownership of the Locomotive, it is likely the Locomotive will be placed on the EPSDD asset register.