

**Senate Standing Committee on Environment and Communications
Legislation Committee**

Answers to questions on notice

Sustainability, Environment, Water, Population and Communities portfolio

Supplementary Budget Estimates, October 2010

Program: Division or Agency: 5.2: HD

Question No: 96

Topic: Assessment of the Tarkine

Proof Hansard Page and Date 129 (18/10/10) and Written

or Written Question: Question

Senator Colbeck asked:

1. What is the schedule for the assessment of the Tarkine?
2. What meetings have officials had with stakeholders? Who? Where? When?
3. Which officials have been undertaking the assessment?
4. How many submissions were made to the assessment process?
5. What has been the cost of the assessment process? What is the anticipated final cost?
6. Has the Australian Heritage Council provided the Minister with its final assessment and recommendation, and if so, on what date was this provided?
7. If the assessment has not been provided, what is the reason for the delay given the Heritage Council indicated it would give its final recommendations to the Minister by September 30, 2010.
8. When will the Minister announce his decision regarding the Tarkine's future in terms of Heritage Listing?

Answer:

1. In December 2010 the Minister for Sustainability, Environment, Water, Population and Communities agreed to allow the emergency heritage listing of The Tarkine to lapse to enable more consultation. The Minister will request the Australian Heritage Council to consider The Tarkine in its 2011-12 workplan.
2. Officials met with:

Stakeholder	Location	Meeting
Venture mining representatives	Melbourne	15 June
Tasmanian Aboriginal Centre	Launceston	15 June
Aboriginal Land Council of Tasmania	Launceston	15 June
Circular Head Aboriginal Corporation	Smithton	16 June
Tasmanian Beekeepers Association representatives	Smithton	16 June
Arthur Pieman Conservation Area management committee representative	Smithton	16 June
Local Government representatives (Wynyard	Smithton	16 June

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Waratah and Circular Head Councils)		
Bass Metals representative	Launceston	16 June
Grange Resources representative	Burnie	16 June
Tasmanian Aboriginal Land & Sea Council	Hobart	17 June
Tasmanian Minerals Council	Hobart	18 June 2010
State Government representatives	Hobart	18 June 2010
Pitt & Sherry for Shree Minerals & Tas Magnesite	Hobart	18 June 2010
Forestry Stakeholders (FIAT, TCA, Forestry Tasmania)	Hobart	18 June 2010

3. Officers from the Natural and Indigenous Heritage Branch and Historic Heritage Branch of the Heritage Division, and of the Environmental Resources Information Branch in the Information Management Division.
4. As stated during the hearing (EC 129) '88 submissions were received in January 2010 and 160 submissions were received when we did the owner-occupier consultation'.
5. It is estimated that the cost of the assessment since emergency listing is approximately \$133,000. It is anticipated that the final cost may be approximately \$270,000.
6. The Australian Heritage Council provided the Minister with its assessment and recommendation on 29 October 2010.
7. Not Applicable.
8. The Minister will announce his decision once he has considered the Australian Heritage Council's advice on heritage listing The Tarkine.

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Supplementary Budget Estimates, October 2010

Program: Division or Agency: 5.2: HD **Question No:** 97

Broad Topic: Management plans for
Commonwealth Heritage List
sites

Proof Hansard Page and Date 131 (18/10/10)
or Written Question:

Senator Ludlam asked:

Senator LUDLAM—I understand that there are 337 places on the Commonwealth Heritage List and all of them are required to have management plans under the EPBC Act. Is that the case?

Mr Shevlin—The Commonwealth has to use its best endeavours to encourage the development of a management plan.

...

Senator LUDLAM—How many of those management plans have been finalised?

Mr Shevlin—Of the 89 places we have on the list, 40 have plans that are finalised under the EPBC Act itself and a further five have draft plans that currently we are reviewing. There are about 24 places that have plans in place that were not made under the EPBC Act but that we believe provide entirely adequate protection—they were just made under state or territory legislation. There are 12 places that at the moment have plans under state or territory legislation—but we do not think they provide full protection for national heritage values yet.

Senator LUDLAM—Could you table what you are reading or as much of it as you are able to? That might be helpful.

Mr Shevlin—There is a whole lot of other information in there as well.

Senator LUDLAM—Could you table whatever is directly relevant to the question—some kind of breakdown of the progress to date of management plans? That might be handy rather than reading them out one by one because time is fairly short. ...

Answer:

Yes, Commonwealth agencies are required under s.341S of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to prepare management plans for places on the Commonwealth Heritage List (CHL) which they own or control. All of the 337 places currently on the CHL are required to have management plans under the EPBC Act.

Of the 337 places currently on the CHL, 107 (or approximately one third) have prepared or are preparing management plans (see [Attachment A](#)). Of these:

- One is fully compliant (Mawson's Huts Historic Site).
- One has been gazetted but has not completed the final stage of registration as a legislative instrument (Old Parliament House, ACT).
- 18 Commonwealth agencies have management plans that have received the Minister's advice, which includes comments by the Australian Heritage Council (AHC) but now need to be gazetted and to complete the final stage of registration as legislative instruments.

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- Heritage Division has reviewed a further 38 management plans from the Department of Finance and Deregulation, Defence, this Department and a number of smaller Commonwealth agencies. These agencies are now required to submit the plans to the Minister.
- The Department of Defence has submitted 27 plans covering a total of 40 Commonwealth Heritage places to Heritage Division (some plans cover more than one listed place).
- Heritage Division has also received a draft management plan from the Australian Customs Service which is awaiting informal review.
- Heritage Division is working with Commonwealth agencies in the development of a further eight management plans.

Heritage Division will continue to work closely with key Commonwealth Government departments to ensure they prepare management plans to meet the standards of the EPBC Act.

The EPBC Act establishes two statutory heritage lists: the Commonwealth Heritage List (CHL) and the National Heritage List (NHL). Mr Shevlin provided information relating to the National Heritage List.

There are currently 89 places in the NHL (note that since October 2010, the Jordan River Levee (Tasmania) has been emergency listed and a separate emergency listing for The Tarkine (Tasmania) has now lapsed. Of these 89 places:

- 40 have plans made under the EPBC Act.
- 5 have draft plans made under the EPBC Act awaiting review.
- 23 have non-EPBC plans that are adequate.
- 12 have non-EPBC plans that do not adequately reflect NHL values.
- 9 have no plan in place. Of these:
 - 5 have some form of management arrangements;
 - 4 do not have management arrangements;
 - 2 are recently listed;
 - 1 is in preliminary discussions;
 - 1 has recently been contacted by the Department about preparing a management plan.

Further details are in [Attachment B](#).

Attachment A: Status of Management Plans for Places included in the Commonwealth Heritage List (CHL)

Stage	Place	Agency	No.
Management plan finalised as a legislative instrument (1) (only plans that have been through the entire process set out in the EPBC Act, including the final stage of being registered as legislative instruments)	Mawson's Huts Historic Site, EXT (Registered as a legislative instrument on 24/1/08)	DEWHA/AAD	1
Notice of finalised management plan has been entered in the Government Gazette (1)	Old Parliament House, ACT (Notice made on 5/3/08)	PM&C/OPH	1
Advice sought from Australian Heritage Council/Minister (18) (only plans that have been commented on by AHC and received the Minister's advice, but have not been gazetted or completed the final stage of registration as legislative instrument)	Mt Stromlo Observatory Precinct, ACT	ANU	18
	Drill Hall Gallery, ACT	ANU	
	Entomology Building, ACT	CSIRO	
	High Court and National Gallery Precinct, ACT	NCA	
	Institute of Anatomy Building, ACT	National Film and Sound Archive	
	Edmund Barton Building, ACT	Australian Federal Police	
	Lennox House, ACT	ANU	
	York Park, ACT	NCA	
	Lady Elliot Light station, EXT	GBRMPA	
	Reserve Bank, Sydney, NSW	RBA	
	Reserve Bank, Canberra, ACT	RBA	
	Cockatoo Island, NSW	DEWHA/SHFT	
	KAVHA, EXT	AG	
	National Carillon and Aspen Island, ACT	NCA	
	Brisbane Post Office, QLD	Australia Post	
	Lake Burley Griffin and Adjacent Lands, ACT	NCA	
	Villawood Hostel, NSW	Immigration & Citizenship	
	Australian War Memorial, ACT (reviewed Jan 09; revised draft received Oct 09)	AWM	
Department has informally reviewed draft management plan (38 including nested places)	Toad Hall, ACT (reviewed Jan 08)	ANU	
	Westridge House and Gardens, ACT (reviewed June 2010)	CSIRO	
	Changi Chapel, ACT (reviewed Feb 07)	NCA	
	General Bridges Grave, ACT (reviewed Feb 07)	NCA	
	Parliamentary House Vista (includes Anzac Parade), ACT (reviewed Jan 09)	NCA	
	Woolwich Dock, NSW (reviewed	DEWHA/SHFT	

Attachment A: Status of Management Plans for Places included in the Commonwealth Heritage List (CHL)

Stage	Place	Agency	No.
	Jan 07)		
	Macquarie Lightstation, NSW (reviewed June 07)	DEWHA/SHFT	
	Middle Head, NSW (reviewed Dec 06)	DEWHA/SHFT	
	Naval Offices, QLD (reviewed June 2010)	Finance & Deregulation	
	Royal Australian Naval Transmitting Station, ACT (reviewed July 08)†	Defence	
	RAAF Base Richmond, NSW (Base Richmond CH place and Base Trig Station CH places) (reviewed Oct 2004)	Defence & Defence Housing Australia	
	Kalgoorlie Post Office, WA (reviewed May 2007)	Australia Post	
	Perth General Post Office, WA (reviewed July 06)	Australia Post	
	Old Parliament House Gardens, ACT (reviewed July 06)	NCA	
	Defence Explosive Factory Maribyrnong, VIC (reviewed May 06)†	Defence	
	South Jervis Bay, ACT (Incorporating Royal Australian Naval College CH place) (reviewed Sept 07)	Defence & Defence Housing Australia	
	Duntroon House and Garden, ACT (Incorporating Duntroon House and Garden CH place) (reviewed Sept 07)	Defence	
	Lancer Barracks, NSW (Incorporating Lancer Barracks CH place and Lancer Barracks Precinct CH place) (reviewed June 07)	Defence	
	Randwick Barracks, NSW (Incorporating School of Musketry and Officers Mess CH place) (reviewed June 07)	Defence	
	Victoria Barracks, NSW (Incorporating Victoria Barracks Squash Courts CH place; Buildings VB13*, 15, 16 & 17 CH place; Victoria Barracks Precinct CH place; Buildings VB60 & 62 CH place; Building VB2 Guard House CH place; Victoria Barracks Perimeter Walls & Gates CH place; Buildings VB90*, 91*, 91A* & 92* CH place; Buildings VB83, 84, 85, 87 & 89* CH place; Buildings VB69, 75 & 76 including Garden CH place; Buildings MQVB16 & VB56 CH place; Building VB1 & Parade Ground CH place; and Buildings VB41, 45 & 53 CH place)	Defence & Defence Housing Australia	

Attachment A: Status of Management Plans for Places included in the Commonwealth Heritage List (CHL)

Stage	Place	Agency	No.
	(reviewed June 07)		38 (including all nested places)
	Gallipoli Barracks, QLD (Incorporating Remount Complex CH place) (reviewed June 07)	Defence	
	Keswick Barracks, SA (Incorporating Headquarters Building 32 CH place) (reviewed June 07)	Defence	
	Anglesea Barracks, TAS (reviewed June 07)	Defence & Defence Housing Australia	
	Artillery Barracks (Fremantle Barracks), WA (June 07)†	Defence & Defence Housing Australia	
	Geraldton Drill Hall Complex, WA (reviewed June 07)	Defence	
Draft management plan received by Department and awaiting completion of informal review (40 including nested places)	Russell Precinct Heritage Area, ACT (received Oct 09)	Defence	
	Amberley RAAF Base Group, QLD (received Oct 09)	Defence	
	Victoria Barracks, QLD (received Oct 09)	Defence	
	Macrossan Training Area, QLD (incorporating Macrossan Stores Depot CH place) (received Oct 09)	Defence	
	Murinbin House, NSW (incorporating Murinbin House Group CH place) (received Oct 09)	Defence	
	RAAF Base Williamtown, NSW (incorporating Williamtown RAAF Base Group CH place) (received Oct 09)	Defence	
	HMAS Watson, NSW (incorporating Barracks group – HMAS Watson CH Place) (received Oct 09)	Defence & Defence Housing Australia	
	Steele Point Battery, NSW (incorporating Shark Point Battery CH place) (received Oct 09)	Defence	
	Spectacle Island, NSW (incorporating Spectacle Island Explosives Complex CH place) (received Oct 09)	Defence	
	Chowder Bay Naval Fuel Installation, NSW (incorporating Navy Refuelling Depot and Caretakers House CH place) (received Oct 09)	Defence	
	Garden Island, Fleet Base, NSW (incorporating Garden Island Precinct CH place; Buildings 31 & 32 CH place; Rigging Shed & Chapel CH place; Residences	Defence & Defence Housing Australia	

Attachment A: Status of Management Plans for Places included in the Commonwealth Heritage List (CHL)

Stage	Place	Agency	No.
	Group CH place; Factory CH place; Naval Store CH place; Office Building CH place; and Chain & Anchor Store CH place) (received Oct 09)		
	Holsworthy Barracks, NSW (incorporating Old Army/Internment Camp Group Holsworthy CH place) (received Oct 09)	Defence	
	Hunter River Lancers Training Depot, NSW (received Oct 09)	Defence	
	St Kilda Drill Hall, VIC (incorporating Artillery Orderly Room/Drill Hall CH place) (received Oct 09)	Defence	
	Fort Gellibrand, VIC (incorporating Fort Gellibrand Commonwealth Area CH place) (received Oct 09)	Defence	
	HMAS Cerberus, VIC (incorporating HMAS Cerberus Central Area Group CH place) (received Oct 09) (Supersedes 2004 plan)	Defence & Defence Housing Australia	
	Fort Queenscliff, VIC (received Oct 09)	Defence	
	RAAF Williams, Point Cook, VIC (incorporating Point Cook Air Base CH place) (received Oct 09)	Defence	
	Irwin Barracks, WA (incorporating Army Magazine Buildings – Irwin Barracks CH place) (received Oct 09)	Defence	
	Victoria Barracks, VIC (incorporating Victoria Barracks Precinct CH place; Victoria Barracks Guardhouse CH place; Victoria Barracks C Block CH place; Victoria Barracks J Block CH place; Victoria Barracks F Block CH place; Victoria Barracks, The Keep CH place; Victoria Barracks G Block CH place; Victoria Barracks A Block CH place) (received Oct 09)	Defence	
	Puckapunyal Military Area, VIC (incorporating Puckapunyal Army Camp CH place) (received Oct 09)	Defence	
	Paterson Barracks, TAS (incorporating Paterson Barracks Commissariat Store CH place) (received Oct 09)	Defence	
	Customs House (Portland), VIC (received June 09)	Australian Customs Service	

Attachment A: Status of Management Plans for Places included in the Commonwealth Heritage List (CHL)

Stage	Place	Agency	No.
	Mulwala Explosives Factory, NSW (incorporating Mulwala Homestead Precinct CH place) (Received Oct 09) (Supersedes plan reviewed in May 05)	Defence	
	Fort Wallace, NSW (Received 09)†	Defence	
	North Penrith Defence Site, NSW (incorporating Thornton Hall and Surrounds CH place) (Received 2010)†	Defence	
	Former Moorebank Ammunition Depot, NSW (incorporating Defence National Storage and Distribution Centre CH place) (Received 2006)†	Defence	
Draft management plan in preparation (8)	Mawson Station, EXT	DEWHA/AAD	
	National Library of Australia, ACT	National Library of Australia	
	Yarralumla and Surrounds, ACT	Official Secretary to the Governor-General	
	Acton Conservation Area, ACT	ANU	
	High Court of Australia, ACT	High Court of Australia	
	North Head School of Artillery, NSW	DEWHA/SHFT	
	National Rose Gardens, ACT	NCA	
	Fortuna Villa, VIC	Defence	
Total number of places that have plans in preparation or in place			40 (including all nested places)
			8
			107 (as at 08/02/11)

ATTACHMENT B

STATUS OF MANAGEMENT PLANS FOR NATIONAL HERITAGE LIST PLACES

KEY POINTS

There are currently 89 places in the NHL (note that since October 2010, the Jordan River Levee (Tasmania) has been emergency listed and a separate emergency listing for The Tarkine (Tasmania) has now lapsed. Of these 89 places:

- 40 have plans made under the EPBC Act.
- 5 have draft plans made under the EPBC Act awaiting review.
- 23 have non-EPBC plans that are adequate.
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 - 2 are recently listed;
 - 1 is in preliminary discussions;
 - 1 has recently been contacted by the Department about preparing a management plan.

Places with finalised plans made under the EPBC Act

- 40 places have finalised plans made under the EPBC Act that will provide for the protection of the National Heritage values and other heritage values. There are a further seven places with plans made under the EPBC Act that are in a draft stage (see below).

Places with draft plans made under the EPBC Act, awaiting review

- 5 places have draft plans made under the EPBC Act that are awaiting review or amendment and finalisation. These are:
 1. *Australian War Memorial and the Memorial Parade*: Heritage Division has provided comment on a revised draft management plan for Campbell Precinct received in October 2009. The Australian War Memorial has released a draft plan for public comment.
 2. *Batavia Shipwreck Site and Surveyor Camps*: Heritage Division provided comment on a draft plan that addresses the National Heritage values in July 2007. The revised plan was due in 2008 but not yet received by Heritage Division.
 3. *High Court of Australia Former*: A draft plan addressing National Heritage values was prepared in 2005. Recent building editions necessitate revisions to this draft plan to satisfy EPBC Act requirements.
 4. *ICI Building Former (VIC)*: A non-EPBC Act plan is in place. An updated plan that addresses National Heritage values was received in March and reviewed by Heritage Division in August 2009. An amended plan is yet to be received.
 5. *Point Cook Airbase*: Currently under review.

Places with non-EPBC plans that are adequate

- 23 places do not have finalised plans made under the EPBC Act but do have plans made under State or Territory legislation which Heritage Division believes are generally adequate for the protection of the National Heritage values. Of these, two places also have draft plans made under the EPBC Act that are awaiting review or amendment and finalisation.

Places with non-EPBC plans that do not adequately reflect NHL values

ATTACHMENT B

STATUS OF MANAGEMENT PLANS FOR NATIONAL HERITAGE LIST PLACES

- 12 places have plans in place that were made under State or Territory legislation and which Heritage Division believes do not adequately provide for the protection of the National Heritage values.

Places with no plans

- 9 places have no plan in place. However, five of these do have management arrangements in place.
 1. *Dampier Archipelago (including Burrup Peninsula)*: Conservation Agreements made under the EPBC Act with industry are currently in place. The Western Australian (WA) Government is developing an Aboriginal Heritage Management Plan that will also protect heritage values.
 2. *Dinosaur Stampede National Monument*: Management arrangements were agreed at the time of listing. These will protect the National Heritage values.
 3. *Ediacara Fossil Site – Nilpena*: Management arrangements have been agreed with owners to protect the listed heritage values.
 4. *Flora Fossil Site – Yea*: The values are naturally highly protected as they are subterranean, embedded in rock strata. Management guidelines were developed in 2007 to protect the heritage values.
 5. *Myall Creek Massacre and Memorial Site*: Management arrangements are in place that protect the National Heritage values.

Places with no management arrangements:

6. *Glenrowan Heritage Precinct*: The site managers have recently been contacted again about preparing a management plan.
7. *Wave Hill Walk Off Route*: A preliminary discussion regarding management arrangements is underway with community stakeholders and the Northern Territory Government.
8. *Cheetup Rock Shelter*: This is recently listed and a plan is being prepared by the WA Govt that will address the listed heritage values.
9. *Jordon River Levee*: This is recently listed and the Tasmanian government is currently developing a Cultural Heritage Management Plan for the site as part permit conditions for the construction of the Brighton Bypass.