

**Draft 12 Heritage Strategy**

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**Governance Paper No # – Heritage Strategy for Australian Parliament House**

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## Introduction

1 The aim of this Heritage Strategy is to achieve the conservation of the Australian Parliament House (**APH**) and maintain its cultural heritage significance consistent with the ongoing operation of the place as the home of the Parliament of Australia and as a key component of the Parliamentary zone.

2 In 2004, new heritage legislation came into effect which substantially changed and extended the obligations of Commonwealth agencies. The heritage provisions were included in the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. An overview of these new obligations can be found at the following website:

<http://www.environment.gov.au/heritage/publications/factsheets/index.html>

3 This Heritage Strategy has been prepared by the Department of Parliamentary Services (**DPS**) to fulfil its obligations under section 341ZA of the EPBC Act. The strategy has also been prepared in light of the guidelines issued by the Department of the Environment, Water, Heritage and the Arts (**DEWHA**), (2005, formerly the Department of the Environment and Water Resources), and is structured to address the specific requirements of the EPBC Act.

4 This strategy meets DPS's specific obligation to prepare a Heritage Strategy in relation to the places it owns or controls. It also provides a strategy to meet its general obligations under the EPBC Act to take no action that has, will have, or is likely to have, a significant impact on the environment unless approved by the Minister for the Environment, Heritage and the Arts and this includes heritage values on adjacent land.

5 An important point to note about the nature and structure of this strategy is that it attempts to provide brief *strategic* directions dealing with each component required in the EPBC Act and related regulations. A checklist indicating compliance with the EPBC requirements is also included at Appendix C.

6 DPS only controls one property, APH, Capital Hill, ACT. It also leases storage space in Queanbeyan and the ACT, but this is not considered to be in the control of DPS within the meaning of the EPBC Act.

7 This strategy has been prepared on the basis that APH has not yet been entered on the Commonwealth or National Heritage Lists although processes are underway which may facilitate one or both listings. The Australian Heritage Council has finalised assessments of APH which conclude that it has potential Commonwealth and National Heritage values. However, the Minister for the Environment, Heritage and the Arts is yet to formally recognise such values at APH.

8 The boundary of the APH area under the control of the Presiding Officers is defined in the *Parliamentary Precincts Act 1988* as follows:



- (1) The Parliamentary precincts consist of the land on the inner side of the boundary defined by subsection (2), and all buildings, structures and works, and parts of buildings, structures and works, on, above or under that land.
- (2) The boundary of the Parliamentary precincts is the approximately circular line comprising
  - (a) the arcs formed by the outer edge of the top of the retaining wall; and
  - (b) in places where there is no retaining wall—arcs completing the circle partly formed by the first-mentioned arcs.
- (3) In this section,
  - “inner” means nearer to Parliament House, and outer has the opposite meaning.
  - “retaining wall” means the wall of varying height that partly surrounds the perimeter of the site of Parliament House and is near the inner kerb of Capital Circle, but does not include any part of the road tunnel on Capital Circle.

9 This strategy is only required to address current or potential Commonwealth Heritage places, and the guidelines for such strategies are silent about the issue of National Heritage places. In practical terms, it seems sensible and appropriate for this strategy to recognise and address the possible National Heritage listing of APH as well. In this way, a better integrated strategic approach may be achieved.

### **Strategy 1—Statement of DPS objective for management of its heritage place**

#### *Background*

10 DPS is committed to the conservation of any Commonwealth Heritage and National Heritage values of its building, identified by the Australian Heritage Council and included in the DPS Heritage Register, and will reflect this commitment in its corporate planning documents and processes. This strategy, and any possible conservation management plan<sup>1</sup> for the place, will indicate DPS’s objectives for identification, protection, conservation, presentation and transmission to all generations of any possible Commonwealth Heritage values of the place.

11 The DPS corporate strategy is expressed in the *DPS Strategic Plan 2007-2010*. While the plan was prepared prior to any formal steps to heritage list the building, none the less it notes as one of the factors influencing DPS activities:

“Manage the heritage values of Parliament House and the Parliamentary precincts.” (point 12, page 9.)

How this will be done:

- “(a) Finalise the heritage strategy for Parliament House;
- (b) Develop and implement a heritage management plan in preparation for possible listing of Parliament House;
- (c) Develop and implement an administered funds works program;
- (d) Develop asset management plans for the building.”

<sup>1</sup> Conservation management plan is the industry-standard term for such documents. The EPBC Act refers to just management plans but the two terms are synonymous for cultural heritage places.

## Strategies

### Strategy 1.1

12 DPS is committed to managing and caring for the heritage values of APH, so as to identify, protect, conserve, present and transmit to all generations any Commonwealth Heritage and National Heritage values of the place, consistent with:

- (a) DPS's operational obligations arising from its role as the manager of the home of the Parliament; and
- (b) good practice in conservation and property management.

### Strategy 1.2

13 DPS will review and, if appropriate, make changes to its management documentation to help embed and implement this commitment, including in the:

- (a) Project Initiation Documents for Building and Security Projects;
- (b) Standard for Design Services and Project Documentation;
- (c) Systems which implement and report on the:
  - (i) Building Condition Index;
  - (ii) Furniture Condition Index;
  - (iii) Landscape Condition Index;
  - (iv) Design Integrity Index;
- (d) Design Integrity governance paper, including the Heritage Management Officer's evaluation and appeals guidelines; and
- (e) Art Services management systems.

14 When the opportunity arises, similar changes will also be made to the Design Integrity and Management of Change Guidelines.

## **Strategy 2—How the Heritage Strategy operates within the DPS corporate planning framework**

### *Background*

15 DPS has demonstrated a commitment to managing any Commonwealth Heritage and National Heritage values of its building in a manner consistent with the *Commonwealth Heritage Management Principles* and *National Heritage Management Principles* (see **Appendix A**). As such, its corporate planning framework will recognise and reflect DPS commitment to respect any values.

## Strategies

### Strategy 2.1

16 DPS's corporate planning and budgetary processes will be monitored and amended as necessary to indicate the DPS's objective to identify, protect, conserve, present and transmit to all generations any Commonwealth Heritage and National Heritage values of the place, and clearly identify and make

transparent the programs and budget components that relate to that objective. (See also Strategies 1.1 and 1.2)

*Strategy 2.2*

17 The Heritage Strategy will be used as one of the primary planning documents in the corporate planning framework.

*Strategy 2.3*

18 The DPS Annual Report will include a summary of programs and funding provided for:

- (a) the maintenance and conservation of any Commonwealth Heritage and National Heritage values; and
- (b) heritage studies, management planning and other activities relating to the identification, protection, conservation, presentation and transmission of any Commonwealth Heritage and National Heritage values of the place.

**Strategy 3—Positions within DPS which are responsible for heritage matters**

*Background*

19 The following table identifies DPS staff responsible at different levels for identifying and managing any heritage values, for works decisions, approvals and actions, and for implementing, reviewing and monitoring the strategy and reporting to the Minister for the Environment, Heritage and the Arts. It also notes the role of the Presiding Officers in controlling the Parliamentary precincts.

20 None of the positions listed in the following table currently require formal heritage expertise. However, all people in these positions will receive some level of training or information about heritage in accordance with the strategies at 9H.

<b>Table 1. Positions within DPS with Heritage-related responsibilities</b>	
<b>Position</b>	<b>Function in relation to the Heritage Strategy</b>
<b>Initial Point of Contact for Heritage Matters</b>	
Heritage Management Officer	<ul style="list-style-type: none"> <li>• Assesses and provides advice on projects potentially affecting any architectural elements of APH, while ensuring the building's ongoing functionality. Contact point for all heritage issues.</li> </ul>
Building Fabric Officer	<ul style="list-style-type: none"> <li>• Assistant to the Heritage Management Officer and Building Surveyor.</li> </ul>
<b>Other Positions</b>	
President of the Senate and Speaker of the House of Representatives	<ul style="list-style-type: none"> <li>• Control the Parliamentary precincts.</li> </ul>
Secretary DPS	<ul style="list-style-type: none"> <li>• Manages DPS and provides advice to the Presiding Officers on matters relating to DPS.</li> </ul>
Deputy Secretary DPS	<ul style="list-style-type: none"> <li>• Provides advice to the Secretary DPS on DPS management issues.</li> </ul>
Assistant Secretary	<ul style="list-style-type: none"> <li>• Responsible for day-to-day support to APH, building</li> </ul>

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**Table 1. Positions within DPS with Heritage-related responsibilities**

Infrastructure Services Branch	occupants and visitors, through maintaining the building and its systems.
Director, Maintenance Services	<ul style="list-style-type: none"> <li>• Maintains the building's services, fabrics and landscape to a specified level, taking into account the expected life of the building.</li> </ul>
Assistant Secretary, Product and Service Development Branch	<ul style="list-style-type: none"> <li>• Responsible for the delivery of all projects within DPS, including building and security projects, broadcasting and digital media projects, and IT projects.</li> </ul>
Director, Building and Security Projects	<ul style="list-style-type: none"> <li>• Manages building and security projects at APH.</li> </ul>
Assistant Secretary, Strategy and Business Services Branch	<ul style="list-style-type: none"> <li>• Responsible for the provision of strategic planning and business services that support DPS's operations and strategic aims.</li> </ul>
Director, Strategic Planning and Policy	<ul style="list-style-type: none"> <li>• Manages the provision of technical advice on building issues and development of long-term strategies for the preservation and effective operation of APH.</li> </ul>
Director, Art Services	<ul style="list-style-type: none"> <li>• Manages the Art Collection.</li> </ul>

## Strategies

### Strategy 3.1

21 DPS will ensure that those occupying all positions with responsibility for heritage matters, as identified in Table 1, are made aware of those responsibilities.

### Strategy 3.2

22 The Heritage Management Officer will be identified within DPS as the main source of advice on heritage matters, and this will be indicated in heritage information training programs and in heritage information on the DPS Intranet.

## Strategy 4—The process for consultation and liaison with other government agencies on heritage matters

### Background

23 APH is owned by the Commonwealth Government and is located within an area called the Parliamentary precincts as defined in the *Parliamentary Precincts Act 1988*. The Parliamentary precincts are essentially the area of land inside Capital Circle. The control and management of the Parliamentary precincts rests with the Presiding Officers, and is the day-to-day responsibility of DPS on their behalf.

24 In addition, the Parliamentary precincts are within the Parliamentary zone as defined in the *Parliament Act 1974*. This Act provides:

- (1) No building or other work is to be erected on land within the Parliamentary zone unless:
- (a) if the land is within the precincts as defined by subsection 3(1) of the *Parliamentary Precincts Act 1988*—the President of the Senate and the Speaker of the House of Representatives jointly have, or
  - (b) in any other case—the Minister has, caused a proposal for the erection of the building or work to be laid before each House of the Parliament and the proposal has been approved by resolution of each House. (Section 5)

25 Other key legislation relating to any potential heritage values of the place that applies to DPS are the:

- (a) *Environment Protection and Biodiversity Conservation Act 1999*; and
- (b) *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*.

26 Both Acts are administered by DEWHA.

27 The National Capital Authority (NCA) is the planning and development control agency for works affecting the land surrounding the Parliamentary precincts. The ACT Heritage Council, a statutory agency under ACT legislation, maintains a general concern for all heritage in the ACT, including that outside the control of the ACT Government.

28 DPS will ensure it undertakes appropriate consultation with DEWHA in relation to its operations as they involve heritage and environmental issues, and with the NCA with regard to planning and development issues.

29 DPS will include the ACT Heritage Council in its list of government stakeholders, as a matter of courtesy.

#### **Strategies**

##### *Strategy 4.1*

30 DPS will consult with the Minister for the Environment, Heritage and the Arts or delegate as required under the EPBC Act, in particular with regard to any management plan prepared under s341S of the Act.

##### *Strategy 4.2*

31 DPS will consult with the Australian Heritage Council regarding its Heritage Strategy before submitting it to the Minister for the Environment, Heritage and the Arts as required under s341ZA of the EPBC Act.

##### *Strategy 4.3*

32 DPS may consult informally with DEWHA regarding its Heritage Strategy, any management plan and actions that it considers have, will have, or are likely to have, a significant impact on APH if it becomes a Commonwealth Heritage or National Heritage place, noting that such consultation is not formally required under the EPBC Act.

##### *Strategy 4.4*

33 DPS will consult with the NCA as the manager of land immediately adjacent to APH which has heritage values (ie the Parliament House Vista). The purpose of this consultation will be to achieve sympathetic conservation management which is, where operationally feasible, consistent with the high standards established by the EPBC Act.

##### *Strategy 4.5*

34 DPS will, as a courtesy, include the ACT Heritage Council as an interested stakeholder in any consultations undertaken regarding significant changes to APH.

*Strategy 4.6*

35 DPS will develop a mechanism to trigger external stakeholder consultation, including guidance on the threshold to be used.

**Strategy 5—Consultation and liaison with the community on heritage matters**

*Background*

36 Consultation with the community, including Indigenous stakeholders, is required where changes to a heritage place potentially impact on community interests. The strategies identify the ongoing process for consultation and liaison with the community on any heritage matters.

**Strategies**

*Strategy 5.1*

37 Where changes are proposed by DPS involving APH, and if APH becomes a Commonwealth or National Heritage place, then consultation will be guided by current national standards, namely:

- (a) *Commonwealth Heritage Management Principles*;
- (b) *National Heritage Management Principles*;
- (c) the provisions in *Ask First, a guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002) for Indigenous heritage places; and
- (d) Article 26.3 of the *Burra Charter* (Australia ICOMOS 2000) for cultural heritage places including both Indigenous and historic places.

*Strategy 5.2*

38 DPS will develop a procedure for triggering and facilitating consultation regarding APH, if it becomes a Commonwealth or National Heritage place.

*Strategy 5.3*

39 DPS will maintain a list of stakeholders and the scope of their interest relevant to APH, if it becomes a Commonwealth or National Heritage place.

**Strategy 6—Process for resolution of conflict arising from the assessment and management of Commonwealth Heritage values**

*Background*

40 There are at least two categories of conflict that may arise regarding heritage values and the management of APH:

- (a) in determining whether a heritage value exists or not; and
- (b) between managing any heritage values and managing for other purposes (eg operational activities).

41 It is noted that some conflicts may be irreconcilable.

42 In finding solutions to conflicts, it is important to bear in mind the obligation under s341ZC of the EPBC Act not to take an action that has an adverse impact on any Commonwealth Heritage values unless there is no feasible and prudent alternative, and all reasonable measures are taken to limit the impact. Depending on the possible impact, the issue may also be an action that is subject to Ministerial approval by virtue of s26 or s28 of the EPBC Act.

### **Strategies**

#### *Strategy 6.1*

43 To help avoid or resolve potential conflict, where an issue requires clarification of heritage values or policies, DPS will ensure that it seeks relevant expert heritage advice.

#### *Strategy 6.2*

44 Any conflict arising from the assessment or management of APH, if it becomes a Commonwealth or National Heritage place, should be resolved with regard to a conservation management plan, or where the management plan does not deal with the issue, by:

- (a) seeking advice from relevant heritage experts;
- (b) seeking advice from DEWHA;
- (c) seeking advice from the Australian Heritage Council (under s5(h) of the *Australian Heritage Council Act 2003*); and
- (d) by referring to the guidance provided in the *Burra Charter* (Australia ICOMOS 2000).

#### *Strategy 6.3*

45 If a conflict arises between managing any Commonwealth or National Heritage values, and managing for other purposes, the process for resolving this may involve one or more of the following:

- (a) application of the Heritage Management Officer's evaluation and appeals guidelines;
- (b) reference to the obligations imposed on DPS by the Presiding Officers (as reflected in the *DPS Strategic Plan 2007-10*);
- (c) reference to the obligations imposed on DPS by the EPBC Act (see DEWHA website for details <http://www.environment.gov.au/>);
- (d) reference to relevant standard heritage industry guidelines such as the *Burra Charter* (Australia ICOMOS 2000); and
- (e) seeking advice of relevant heritage experts, DEWHA or the Australian Heritage Council (under s5(h) of the *Australian Heritage Council Act 2003*).

46 The Heritage Management Officer's evaluation and appeals guidelines will appear in the Design Integrity governance paper. These guidelines should include reference to conflict over heritage matters. They currently specify the following, and may be modified to strengthen heritage conservation measures in accordance with Strategy 1.2:

- (a) Proposals for minor works (routine and non-routine) and administered capital and engineering works (including refurbishments and the modification, purchase or disposal of fittings and furniture) should be forwarded by a Departmental Service Officer (DSO) to the Director Customer Services and Communication. Proposals affecting any of the building's components, (including furniture, signage, landscape, artworks, changes to the use of a space or building maintenance procedures) will be assessed by the Director Strategic Planning and Policy (SPP) for design integrity principles.
- (b) The Director SPP will consult the Heritage Management Officer for investigation and evaluation of design integrity implications and to determine efficient and effective means of delivering the proposal.
- (c) If it is deemed the project will have no likely adverse effect on the design values, approval will be granted.
- (d) If the project is deemed likely to have an adverse effect on design values, the Heritage Management Officer will advise the DSO and attempt to establish a means of achieving the desired outcomes as well as meeting design integrity requirements.
- (e) If no appropriate solution can be determined the Heritage Management Officer will advise the DSO and refer the proposal to the Secretary DPS.
- (f) A DSO can appeal an adverse evaluation in writing to the Secretary DPS, including the DPS works project request, heritage management evaluation, the grounds of appeal and any other relevant documentation.
- (g) An adverse finding by the Secretary DPS may further be appealed in writing to the Presiding Officers.

47 Advice should be sought from relevant heritage experts, DEWHA or the Australian Heritage Council in those cases where a conflict cannot be resolved by other means.

### **Strategy 7—Processes for monitoring, reviewing and reporting on the implementation of the DPS Heritage Strategy**

#### *Background*

48 As DPS intends to review its Heritage Strategy and any conservation management plan at the same time (ie every three years) the monitoring, review and reporting for the Heritage Strategy and any management plan will be undertaken simultaneously.

#### **Strategies**

##### *Strategy 7.1*

- 49 The implementation of the DPS Heritage Strategy will be monitored by:
- (a) annual evaluation of performance as reported in the DPS Annual Report. The nature and form of this evaluation will be developed



over the first year of operation of the Heritage Strategy, and may include reporting on Issues such as:

- (i) Building Condition Index;
- (ii) Furniture Condition Index;
- (iii) Landscape Condition Index;
- (iv) Design Integrity Index;
- (v) APH Art Collection management and maintenance (including maintenance, annual stock take condition assessment, preventative conservation program and outdoor sculpture program);
- (vi) maintenance and works expenditure on elements of the place with any heritage values;
- (vii) referrals made or advice sought under the EPBC Act; and
- (viii) review of any conservation management plan (at three-yearly intervals).

The monitoring and evaluation process will be implemented and overseen by the Assistant Secretary, Strategy and Business Services, with key input from the Heritage Management Officer;

- (b) an annual review of the DPS budget, as it relates to APH operations, and expenditure affecting the conservation of any elements of APH which are of heritage value; and
- (c) a three-yearly review of the Heritage Strategy (starting 2011), in accordance with ss341ZA(5) and (6) of the EPBC Act, which will monitor and evaluate DPS's performance on all elements of the strategy. The review must consider the range of matters specified in s10.03F of the *EPBC Amendment Regulations 2003*. The review will be initiated and directed by the Heritage Management Officer. A report on the review will be provided to the Minister for the Environment, Heritage and the Arts in accordance with the EPBC Act.

#### Strategy 7.2

50 This strategy will be subject to its first review in 2011, in accordance with ss341ZA(5) of the EPBC Act. The nature of the review is outlined in Strategy 7.1.

<b>Date</b>	<b>Action</b>
2008	Commencement of Heritage Strategy
2009	Annual evaluation of performance—reported in the DPS Annual Report
2010	Annual evaluation of performance—reported in the DPS Annual Report
2011	Annual evaluation of performance—reported in the DPS Annual Report Review of Heritage Strategy/preparation of 2011–14 Heritage Strategy

## **Strategy 8—The identification and assessment of Commonwealth Heritage values in DPS control and management**

### *Strategy 8A—The process for identifying and assessing the Commonwealth Heritage values of DPS property*

51 DPS controls only one property, APH in Capital Hill, ACT. It also leases storage space in Queanbeyan and the ACT, but this is not considered to be in the control of DPS within the meaning of the EPBC Act.

52 This strategy has been prepared on the basis that APH may at some stage be entered on either or both the Commonwealth and National Heritage Lists. This Heritage Strategy has been prepared by DPS in fulfilment of its obligations under section 341ZA of the EPBC Act.

53 APH has been nominated for both the Commonwealth and National Heritage Lists. DEWHA has undertaken research into possible heritage values, and the Australian Heritage Council has finalised assessments of these values. These assessments were put to the former Minister for the Environment and Water Resources for a final decision about listing. No such decision has yet been taken by the current Minister for the Environment, Heritage and the Arts.

54 In this context, no additional process to identify and assess potential Commonwealth Heritage values of APH is considered necessary. DPS will use the existing recent Australian Heritage Council assessments to satisfy this component of the Heritage Strategy.

55 Should DPS acquire or take control over any new property, then such property will be assessed for potential Commonwealth Heritage values in accordance with the strategies under 8B below.

### *Strategy 8B—Program to identify Commonwealth Heritage values*

56 As outlined in Section 8A, DPS will use the existing recent Australian Heritage Council assessments to satisfy this component of the Heritage Strategy with regard to APH. An additional strategy is provided below in the event DPS acquires or takes control of new property.

#### **Strategies**

##### *Strategy 8B.1*

57 The DPS Heritage Register will be completed within six months of the commencement of this Heritage Strategy.

##### *Strategy 8B.2*

58 A report to the Minister including details of the identification program and Heritage Register will be completed within six months of the commencement of this Heritage Strategy.

##### *Strategy 8B.3*

59 Where DPS acquires or takes control of new property, it will undertake an assessment of the possible heritage values of the property within six months (in accordance with ss341ZB(3) and 341Z of the EPBC Act). The assessment may comprise:

- (a) a desktop assessment undertaken by relevant heritage experts; or
- (b) any other suitable assessment method undertaken by relevant heritage experts.

60 Where heritage values are identified, the results of any such assessment will be reported in the DPS Annual Report.

61 Where the assessment finds Commonwealth Heritage values, the place will be entered into the DPS Heritage Register and the Minister for the Environment, Heritage and the Arts will be notified.

62 The Heritage Management Officer is responsible for ensuring this strategy is implemented.

### **Strategy 9—Management of Commonwealth Heritage values**

#### *Strategy 9A—Management of the DPS Heritage Register*

##### *Background*

63 DPS manages one property with heritage values, APH, although these values are yet to be formally identified as Commonwealth Heritage values. The Heritage Register information for that property, consistent with the EPBC Regulations (10.03G(2)), is maintained as an electronic document by the Heritage Management Officer.

##### **Strategies**

###### *Strategy 9A.1*

64 While APH remains the only heritage place controlled by DPS (see Section 8 above), the DPS Heritage Register will be maintained as an electronic document, a version of which is accessible to the public. If new places owned or controlled by the DPS are identified as having heritage values then separate Heritage Register entries will be created.

###### *Strategy 9A.2*

65 Maintenance of the DPS Heritage Register will be implemented and managed by the Heritage Management Officer.

###### *Strategy 9A.3*

66 If a conservation management plan is prepared in accordance with the EPBC Act sections 324S or 341S, the DPS Heritage Register data will also be reviewed and updated as necessary.

###### *Strategy 9A.4*

67 The DPS Heritage Register will be made accessible to the public through the Parliament of Australia website.

*Strategy 9B—Development of management plans for DPS Commonwealth Heritage places*

**Strategies**

*Strategy 9B.1*

68 A conservation management plan for APH will be prepared within two years of any formal listing on the National or Commonwealth Heritage Lists.

*Strategy 9B.2*

69 Until a conservation management plan is available, conservation management of APH will rely on the management framework provided by this Heritage Strategy and existing management documents noted at Strategy 1.2.

*Strategy 9B.3*

70 Should DPS acquire or take control of new property with Commonwealth Heritage values, a conservation management plan will be prepared for the property within two years of any formal listing on the Commonwealth Heritage List or within two years of acquisition, whichever is the latter.

*Strategy 9C—DPS use of Heritage Places*

*Background*

71 APH is actively used for activities relating to the functioning of the Parliament of Australia, and DPS undertakes a key support role in these activities. There is a range of support facilities for these APH occupants as well as visitors.

**Strategies**

*Strategy 9C.1*

72 Any conservation management plan will consider the existing and any proposed uses of the place, and its policies and strategies will be used to resolve any conflict with heritage values.

*Strategy 9D—Current or expected development, works, disposal or other proposals that may affect Commonwealth Heritage values*

*Background*

73 DPS has identified a range of proposals that may affect heritage values. These will be considered in the context of EPBC Act obligations and in the development of any conservation management plan, consistent with the strategies below. Current known proposals are listed at **Appendix B**.

**Strategies**

*Strategy 9D.1*

74 Current or expected development, works, disposal or other proposals that may affect heritage values will be considered in the light of EPBC Act obligations, including to refer proposals for approval.

*Strategy 9D.2*

75 Current or expected development, works, disposal or other proposals that may affect heritage values will be considered in the development of any conservation management plan, and any revision of it.

*Strategy 9E—Ensuring that Commonwealth Heritage values are considered in DPS planning for future development, works, divestment or other proposals*

*Background*

76 The primary vehicle for ensuring the values of any Commonwealth Heritage and National Heritage places are considered in planning for future development, works, divestment or other proposals should be a conservation management plan. DPS undertakes works through a scheduled maintenance program and through projects. Some work is undertaken by staff with trade skills and the remainder is undertaken by contractors.

77 Proposals may be subject to the formal approvals which are required under the EPBC Act.

78 The only form of divestment that seems possible is the leasing of parts of the building to third parties.

**Strategies**

*Strategy 9E.1*

79 The Heritage Management Officer will review the five and one year scheduled maintenance programs, and proposed project documentation at a draft stage for proposals which might impact on heritage values of the place, and will apply policies and strategies from any management plan if available, or trigger strategies 9E.3 and 9E.4, to ensure that any Commonwealth Heritage and National Heritage values are given due weight in DPS planning.

*Strategy 9E.2*

80 DPS will review the work order system (on the SAP database) to ascertain whether the system may be modified to include heritage flags, triggers, decision or approval points, especially relating to particularly sensitive heritage aspects of APH. New project documentation currently being developed will also include heritage flags.

*Strategy 9E.3*

81 Any conservation management plan and its revisions will consider Commonwealth Heritage and National Heritage values in planning for future development, works, divestment or other proposals, as needed.

*Strategy 9E.4*

82 If future development, works, divestment or other proposals arise in a case where any available conservation management plan provides insufficient guidance, the existing plan will be reviewed and revised to guide the proposal. Where the timeframe for action precludes preparation/revision of the plan (as in the case of emergency stabilisation works), a process paralleling Strategy 6.3 will be followed.

*Strategy 9E.5*

83 If DPS divests by a lease, of part of APH, it will take action to ensure future conservation of the heritage values of the leased area by appropriate means. This may be required under s341ZE of the EPBC Act if the place is Commonwealth Heritage listed.

*Strategy 9E.6*

84 DPS will take no action that has an adverse impact on the place's Commonwealth Heritage values, if any, unless there is no feasible and prudent alternative and, if there are no alternatives, then all reasonable steps will be taken to minimise the adverse impact, in accordance with s341ZC of the EPBC Act.

*Strategy 9E.7*

85 DPS will refer to the Minister for the Environment, Heritage and the Arts for approval under the EPBC Act any proposal which has, will have, or is likely to have a significant impact on the heritage values of APH (s28). This obligation arises notwithstanding that the place has not been Commonwealth Heritage listed, because of the Australian Heritage Council assessments.

*Strategy 9F—Planning and budgeting for the maintenance and long-term conservation of Commonwealth Heritage values*

*Background*

86 DPS maintains an administered works program schedule. At a detailed level, annual project and maintenance planning may be guided in future by a conservation management plan, if prepared. DPS project and maintenance planning will have to factor in any conservation objectives of the works, as identified in Strategies 9E,1-4, that require funding and planning over and above standard operational needs. Clear identification of maintenance and conservation-related work will assist in the monitoring and reporting of the implementation of the DPS Heritage Strategy.

87 The annual reporting of funding for maintenance work is dealt with at Strategy 2.3. Monitoring and review of budgets is dealt with in Strategy 7.1.

**Strategies**

*Strategy 9F.1*

88 If prepared, the conservation management plan will consider and assist maintenance and project programming.

*Strategy 9F.2*

89 Maintenance and projects involving heritage components of the building will be included in the project documentation, and tagged to indicate they relate to components with heritage values. The works will be costed and prioritised with regard to both their operational and any additional conservation requirements, and a decision taken on the extent of the works that can be undertaken. The programs will be prepared under the direction of the Director, SPP. Cross-references to files detailing works will be included in the DPS Heritage Register.

*Strategy 9G—Monitoring and reviewing DPS success in conserving Commonwealth Heritage values*

**Background**

90 The EPBC Act and regulations require the review of a Heritage Strategy every three years, and, if prepared, a conservation management plan every five years. DPS has chosen to combine the review of the two documents, if a conservation management plan is prepared, and to apply a three-year review period to both.

91 The primary vehicle for monitoring the success in conserving Commonwealth Heritage and National Heritage values should be through a conservation management plan, in particular:

- (a) the requirement for monitoring and reporting on the condition of values in a management plan (EPBC Amendment Regulations, Schedule 7A, clause (h)(ix)); and
- (b) the review of a conservation management plan every three years which includes an assessment of the effectiveness of the plan in protecting and conserving values (EPBC Amendment Regulations, Schedule 7A, clause (k) and the DEH draft *Management Plans for Places on the Commonwealth Heritage List, a guide for Commonwealth agencies*, p 13).

92 Unless otherwise decided, the preparation of a plan is dependent on formal Commonwealth or National Heritage listing.

**Strategies**

*Strategy 9G.1*

93 DPS will introduce annual and three-yearly monitoring of performance in progressing the Heritage Strategy, and any conservation management plan policies and strategies if available.

*Strategy 9G.2*

94 The results of the Heritage Strategy review, and any conservation management plan review, will be consolidated and reported as part of the periodic report provided to the Minister for the Environment, Heritage and the Arts on the review of the DPS Heritage Strategy. This will include information about the effectiveness of the documents and processes they promote in protecting and conserving heritage values.

*Strategy 9H—Training and promotion*

**Background**

95 DPS will provide its staff and, as appropriate, contractors and lessees with appropriate training in heritage awareness and responsibilities.

**Strategies**

*Strategy 9H.1*

96 DPS will introduce a heritage awareness and Information training program for key staff and, as appropriate, contractors and lessees.

97 Personnel occupying the positions directly responsible for heritage matters (eg the Heritage Management Officer and the Building Fabric Officer) will receive:

- (a) initial awareness training during 2008; and
- (b) relevant training at least every three years.

98 This training is to provide an overview of Commonwealth Heritage and National Heritage obligations and best practice heritage management.

99 Any new personnel moving into these positions will receive awareness training within three months of commencement.

*Strategy 9H.2*

100 Other staff responsible more generally for heritage matters (including the others listed in Table 1) will receive presentations about APH heritage values and responsibilities, and Commonwealth Heritage and National Heritage obligations if appropriate. This process will be repeated at least every three years (possibly following the reviews of the strategy and any conservation management plan).

*Strategy 9H.3*

101 A heritage awareness component will be included in general staff induction training for all staff working in APH.

*Strategy 9H.4*

102 In-house training will be developed using heritage expertise.

*Strategy 9I—Program for promoting community awareness of Commonwealth Heritage Values*

*Background*

103 A conservation management plan, if available, should give primary direction for the interpretation of the significance of the place. APH already has substantial public programs and these may be extended to address this issue.

**Strategies**

*Strategy 9I.1*

104 DPS will recognise as part of its public program activities a strand that presents and interprets to visitors the heritage values of the building. The content of this information may be developed and enhanced on an ongoing basis, and will be reviewed formally with the Heritage Strategy every three years.

**Other Matters**

*Strategy 10A—Management of DPS property sympathetic to adjacent heritage places*

*Background*

105 APH is adjacent to the heritage listed *Parliament House Vista* which includes the Parliamentary zone and it has a special planning and landscape relationship with the Land Axis and Old Parliament House.



106 The policies in any conservation management plan should ensure that the building and immediate surrounds under the control of the DPS will maintain their integrity and condition as built elements in sympathy with the adjacent heritage area. A similar obligation lies with the National Capital Authority to ensure that the management of the adjacent area respects the surrounding heritage values including those related to APH.

### **Strategies**

#### *Strategy 10.1*

107 DPS will consider the impact of decisions concerning adjacent places with heritage values. The impact of external works, maintenance and ancillary activities and support structures will be assessed with these adjacent values in mind.

#### *Strategy 10.2*

108 DPS will liaise with the National Capital Authority to encourage appropriate management sympathetic to the surrounds and setting of APH to conserve the heritage values of both APH and the Parliament House Vista.

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## Appendix A: Commonwealth and National Heritage Management Principles

1 The following *Commonwealth Heritage Management Principles* are drawn from Schedule 7B of the regulations to the EPBC Act:

1. The objective in managing Commonwealth Heritage places is to identify, protect, conserve, present and transmit, to all generations, their Commonwealth Heritage values.
2. The management of Commonwealth Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on Commonwealth Heritage values.
3. The management of Commonwealth Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, any Commonwealth, state and territory and local government responsibilities for those places.
4. The management of Commonwealth heritage places should ensure that their use and presentation is consistent with the conservation of their Commonwealth Heritage values.
5. The management of Commonwealth Heritage places should make timely and appropriate provision for community involvement, especially by people who:
  - (a) have a particular interest in, or associations with, the place, and
  - (b) may be affected by the management of the place.
6. Indigenous people are the primary source of information on the value of their heritage and the active participation of Indigenous people in identification, assessment and management is integral to the effective protection of Indigenous heritage values.
7. The management of Commonwealth Heritage places should provide for regular monitoring, review and reporting on the conservation of Commonwealth Heritage values.

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2 The following *National Heritage Management Principles* are drawn from Schedule 5B of the regulations to the EPBC Act.

1. The objective in managing National Heritage places is to identify, protect, conserve, present and transmit, to all generations, their National Heritage values.
2. The management of National Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on their National Heritage values.
3. The management of National Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, any Commonwealth, State, Territory and local government responsibilities for those places.
4. The management of National Heritage places should ensure that their use and presentation is consistent with the conservation of their National Heritage values.
5. The management of National Heritage places should make timely and appropriate

provision for community involvement, especially by people who:

- (a) have a particular interest in, or association with, the place; and
- (b) may be affected by the management of the place.

6. Indigenous people are the primary source of information on the value of their heritage and the active participation of indigenous people in identification, assessment and management is integral to the effective protection of indigenous heritage values.
7. The management of National Heritage places should provide for regular monitoring, review and reporting on the conservation of National Heritage values.

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## Appendix B: Proposals which may affect Commonwealth Heritage Values

1 The following is a list of possible projects that may be undertaken by DPS in forthcoming years. It is not certain that all of these projects will be undertaken. These projects will be subject to the provisions of Section 9E should they proceed.

<b>Table 3 Details of proposals</b>		
<b>Project ID</b>	<b>Project Name</b>	<b>Year</b>
695	Update Building Data	2006-11
325	Landscape Refurbishment	2006-11
463	Removal of High Capacity Fire Hydrants	2006-07
212	Public Toilets	2006-09
414	Kitchen Ceramic Tiles and Ceiling Tiles	2006-09
425	Structured Soils	2006-08
183	Skylight Seal System Upgrade	2006-09
215	Contractor Accommodation and Storage	2006-07, 2008-10
749	Commissioned Furniture conservation	2007-08
745	Furniture Program	2006-11
694	Lighting improvements—Senate and House of Representatives ( <b>Reps</b> ) external entrances	2006-08
766	Disabled Access Modifications	2007-11
740	Modifications to Senate, Reps and Ministerial Steps	2006-07
715	Child Care Facilities	2006-08
705	Upgrade of Power Points in Ministerial Suites	2007-08
736	Artwork Preservation	2006-11
261	Metal Ceiling Tiles	2007-08
522	Artwork Acquisitions	2006-11
681	Ministerial Kitchens	2006-08
419	Plasterboard Ceiling Tiles	2007-09
648	Forecourt Water Feature OHS Issues	2007-08
707	Library South East Wing Refit	2007-10
381	Glazed Links	2007-08
416	Working at Heights	2007-08
456	Review of PH balustrades	2007-08
521	Review of PH facades	2007-08
713	Review of Reps Document Archive Storage	2007-08
723	Loading Dock Mail Sorting Upgrade	2007-08
133	Wall Corner Reinforcing	2007-08
701	Water Features New Membrane	2007-08
660	Refurbish luminaries—Public Areas and circulation spaces	2007-09
78	Accommodation for School Groups	2007-09
566	Suite Refurbishment	2006-07, 2008-11
589	Replace bollard lights	2008-10
200	Level 2 Dining Room PDRs	2006-07, 2008-10
661	Parliamentary Library Lighting Upgrade	2008-10
727	Signage review and upgrade at security screening entrance points	2008-09
606	Replace Footpaths on Parliament Drive	2008-10

<b>Table 3 Details of proposals</b>		
<b>Project ID</b>	<b>Project Name</b>	<b>Year</b>
588	Upgrade main street lighting	2008-10
101	Window Films	2006-08
105	Bitumen Paths	2008-10
268	Track lighting upgrade - Area 5 exhibition area	2008-10
267	Artworks lighting - Areas 6 and 8	2008-10
94	External Inground Lights	2008-11

## Appendix C: Compliance with EPBC Act

1 The following tables note how this strategy complies with the various relevant provisions within the EPBC Act itself or its regulations.

<b>Table 4 Heritage Strategy requirements (Section 341ZA)</b>	
<b>Legislation</b>	<b>Comment</b>
(1) If a Commonwealth agency owns or controls one or more places, the agency must:	See Strategy 8A in Heritage Strategy
(a) prepare a written heritage strategy for managing the places to protect and conserve their Commonwealth Heritage values; and	Requirements satisfied by the development of this Heritage Strategy
(b) give a copy of the strategy to the Minister;	
as soon as practicable and in any event within two years after the later of:	
(c) the time the agency first owns or controls a place; and	
(d) the commencement of this section.	
Note: the heritage strategy will apply to every place the agency owns to controls.	
(1A) Before making a heritage strategy, the Commonwealth agency must consult the Australian Heritage Council and take into account any advice the agency receives from the Council.	
(2) The Commonwealth agency may, in writing, amend the heritage strategy or revoke and replace the heritage strategy. The Commonwealth agency must give the Minister a copy of the amended or replacement strategy within 20 business days of the amendment or replacement.	
(3) A heritage strategy must:	
(a) mention the period within which the Commonwealth agency must make a plan under section 341S; and	See Strategy 9B in Heritage Strategy
(b) mention the period within which the Commonwealth agency must do the things mentioned in subsection 341ZB(1); and	See Strategies 8A, 9A, 9B in Heritage Strategy
(c) address the matters prescribed by the regulations (if any); and	
(d) not be inconsistent with the Commonwealth Heritage management principles.	Minister's judgement following submission of the strategy
(4) The Minister must advise the Commonwealth agency whether or not the agency's heritage strategy (whether original, amended or replacement) is inconsistent with the Commonwealth Heritage management principles.	Minister's judgement following submission of the strategy
(5) At least once in every three year period after a heritage strategy is made, the Commonwealth agency concerned must cause a review of the strategy to be carried out.	See Strategies 7.1, 7.2 and 9G in Heritage Strategy

<b>Table 4 Heritage Strategy requirements (Section 341ZA)</b>	
<b>Legislation</b>	<b>Comment</b>
(6) The agency must give the Minister a written report of the review. The report must address the matters prescribed by the regulations (if any).	See Strategy 9G

<b>Table 5 Requirements for a Report about the Review of a Heritage Strategy (Section 341ZA, Regulation 10.03F)</b>	
<b>Legislation</b>	<b>Comment</b>
For subsection 341ZA (6) of the Act, a report about the review of a Commonwealth agency heritage strategy must include the following:	Not relevant until 2011 review, see Strategies 7.1, 7.2, 9G in Heritage Strategy
(a) an outline of consultation undertaken with relevant stakeholders in the review process;	
(b) a summary of the agency's achievements against its objectives for management of its heritage places;	
(c) an evaluation of the success of each of the matters included in a Commonwealth agency heritage strategy in achieving the identification, protection, conservation and presentation of Commonwealth Heritage values;	
(d) an update on the extent to which the identification and assessment of Commonwealth Heritage values of all agency property has been achieved, and the values included in an agency's heritage places register;	
(e) an update on the progress and timeliness of the preparation of management plans for Commonwealth Heritage places;	
(f) an outline of any physical and management changes that have occurred to the agency's Commonwealth Heritage places since the last strategy was prepared, and of any expected changes;	
(g) an update on progress with Commonwealth Heritage training programs;	
(h) a specification of the time-frame for updating the Heritage Strategy following the review;	
(i) an update on other heritage issues relevant to the agency's management of Commonwealth Heritage places in accordance with the Commonwealth Heritage Management Principles.	

**Table 6 Requirements regarding Heritage Strategies (Regulations Schedule 7C)**

Legislation	Comment
1. A strategy must include general matters, including the following:	
(a) a statement of the agency's objective for management of its heritage places;	See Strategy 1 in Heritage Strategy
(b) a description of how the heritage strategy operates within the agency's corporate planning framework;	See Strategy 2 in Heritage Strategy
(c) a list of key positions within the agency, the holders of which are responsible for heritage matters;	See Strategy 3 in Heritage Strategy
(d) an outline of a process for consultation and liaison with other government agencies on heritage matters;	See Strategy 4 in Heritage Strategy
(e) an outline of a process for consultation and liaison with the community on heritage matters, including, in particular, a process for consultation and liaison with indigenous stakeholders on indigenous heritage matters;	See Strategy 5 in Heritage Strategy
(f) an outline of a process for resolution of conflict arising from the assessment and management of Commonwealth Heritage values;	See Strategy 6 in Heritage Strategy
(g) an outline of processes for monitoring, reviewing and reporting on the implementation of an agency's heritage strategy.	See Strategy 7 in Heritage Strategy
2. A strategy must include matters relating to the identification and assessment of Commonwealth Heritage values, including the following:	See Strategy 8 in Heritage Strategy
(a) an outline of the process for identifying and assessing the Commonwealth Heritage values of all agency property;	See Strategy 8A in Heritage Strategy
(b) a statement of the time-frames for the completion of:	
(i) the agency's heritage identification and assessment program; and	See Strategy 8B in Heritage Strategy
(ii) the agency's register of places and their Commonwealth Heritage values; and	See Strategy 9A in Heritage Strategy
(iii) the agency's report to the Minister, that includes details of the program and a copy of the register.	To be submitted to the Minister
3. A strategy must include matters relating to the management of Commonwealth Heritage values, including the following:	Section Strategy 9 in Heritage Strategy
(a) a description of how the agency's heritage places register will be maintained, updated and made accessible to the public;	See Strategy 9A in Heritage Strategy
(b) a statement of the time frame for the preparation of management plans for the agency's Commonwealth Heritage places;	See Strategy 9B in Heritage Strategy
(c) an outline of the existing use, by the	See Strategy 9C in Heritage Strategy



**Table 6 Requirements regarding Heritage Strategies (Regulations Schedule 7C)**

agency, of places with Commonwealth Heritage values;	
(d) an outline of current or expected development, works, disposal or other proposals that may affect Commonwealth Heritage values;	See Strategy 9D in Heritage Strategy
(e) an outline of the process to ensure that Commonwealth Heritage values are considered in the agency's planning for future development, works, divestment or other proposals;	See Strategy 9E in Heritage Strategy
(f) a plan and budget for the maintenance and long-term conservation of Commonwealth Heritage values;	See Strategy 9F in Heritage Strategy
(g) an outline of the process by which the success of the agency in conserving Commonwealth Heritage values will be monitored and reviewed.	See Strategy 9G in Heritage Strategy
4. A strategy must include matters relating to Commonwealth Heritage training and promotion, including the following:	
(a) a program for the training of agency staff about Commonwealth heritage obligations and best practice heritage management;	See Strategy 9H in Heritage Strategy
(b) a program for promoting community awareness of Commonwealth Heritage values, as appropriate.	See Strategy 9I in Heritage Strategy

**Table 7 Requirements for Heritage Assessments and Registers (Section 3412B)**

Legislation	Comment
(1) A Commonwealth agency must do all of the following within the period mentioned in its heritage strategy:	
(a) conduct a program to identify Commonwealth Heritage values for each place it owns or controls;	See Strategies 8A, 8B in Heritage Strategy
(b) produce a register that sets out, for each place it owns or controls, the Commonwealth Heritage values (if any) of that place;	See Strategy 9A in Heritage Strategy
(c) give the Minister a written report that includes:	
(i) details of the program; and	To be submitted to Minister
(ii) a copy of the register.	To be submitted to Minister
(2) The regulations may prescribe all or any of the following:	
(a) how Commonwealth heritage values may be identified of a place;	See Table 8
(b) matters a register must address;	See Table 8
(c) matters a report to the Minister must address.	See Table 8
(3) A Commonwealth agency must keep its register up to date.	
(4) A register may be kept electronically.	See Strategy 8A in Heritage Strategy

**Table 7 Requirements for Heritage Assessments and Registers (Section 341ZB)**

(5) If a report under paragraph (1)(c) indicates that a place owned or controlled by a Commonwealth agency may have one or more Commonwealth Heritage values, information from the report may be used or referred to in a nomination of the place for inclusion in the Commonwealth Heritage List.	See Strategies 8A, 8B in Heritage Strategy
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**Table 8 Requirements for Heritage Assessments and Registers (Section 341ZB, Regulation 10.03G)**

Legislation	Comment
(1) For paragraph 341ZB (2) (a) of the Act, Commonwealth heritage values for a place may be identified by:	
(a) considering all natural and cultural heritage values, recognising Indigenous people as the primary source of information on the significance of their heritage and their participation as necessary to identify and assess Indigenous heritage values; and	In a report and Conservation Management Plan (CMP) to be submitted to the Minister
(b) identifying values against the Commonwealth heritage criteria; and	
(c) using expert heritage advice to ensure that levels of documentary and field research are appropriate to best practice assessment and management of heritage values; and	
(d) using a comparative and thematic approach; and	
(e) consulting widely, as appropriate, with government agencies, stakeholders and the community.	
(2) For paragraph 341ZB (2) (b) of the Act, matters a register must include are the following:	
(a) a comprehensive description, and a clear plan showing the name and location, of each place that has Commonwealth Heritage values;	See Heritage Register
(b) a discrete heritage place identification number for each place;	See Heritage Register
(c) details of ownership, leases, licences, rental or other tenure arrangements, as applicable;	See Heritage Register
(d) a summary description of the significant physical characteristics and elements of the place;	See Heritage Register
(e) a sequential summary of the use of the place;	See Heritage Register
(f) a statement of significance for the place, identifying its heritage values and specifying any that are Commonwealth Heritage values;	See Heritage Register

<b>Table 8 Requirements for Heritage Assessments and Registers (Section 341ZB, Regulation 10.03G)</b>	
(g) a record of any other heritage listings, providing relevant register numbers;	See Heritage Register
(h) a record of the date and nature of any works, maintenance or other activity at the place that is relevant to conservation of its heritage values;	See Heritage Register
(i) a specification of any property or information access restrictions or requirements;	See Heritage Register
(j) an outline of any consultation requirements relating to the place;	See Heritage Register
(k) a list of relevant conservation documents or references;	See Heritage Register
(l) a record of when information has been updated;	See Heritage Register
(m) cross references to:	
(i) agency place records of any objects that are significant by association with the place, indicating their current location; and	See Heritage Register
(ii) archived records of particular importance to the heritage values of the place.	See Heritage Register
(3) For paragraph 341ZB (2) (c) of the Act, a report to the Minister must include the following:	
(a) an outline of the identification program;	To be in a report submitted to the Minister
(b) details of any surveys conducted, or expert advice obtained by, the agency to identify the Commonwealth Heritage values;	To be in a report submitted to the Minister
(c) a summary of the work undertaken with respect to each of the matters included in these Regulations for the identification and assessment of Commonwealth Heritage values.	To be in a report submitted to the Minister

