



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
Dr Marisa Paterson MLA (Chair), Ms Jo Clay MLA (Deputy Chair), Mr Ed Cocks MLA

Submission Cover Sheet

Inquiry into ACT's heritage arrangements

Submission Number: 042

Date Authorised for Publication: 4 April 2023



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY
Dr Marisa Paterson MLA (Chair), Ms Jo Clay MLA (Deputy Chair), Mr Ed Cocks MLA

Inquiry into the ACT's heritage arrangements

Terms of Reference

The Committee will inquire and report on the ACT's heritage arrangements, with particular reference to:

- a. the effectiveness and adequacy of the operations under the *Heritage Act 2004* including First Nations heritage, and approvals provided under the Act;
- b. the effectiveness of the structure, administration, and operation of the ACT Heritage Council, including the adequacy of governance arrangements between the ACT Heritage Council and ACT Heritage Unit;
- c. the adequacy of resourcing for the ACT Heritage Unit;
- d. the operation of heritage legislation in other Australian jurisdictions;
- e. how the ACT's heritage arrangements might be improved to guarantee the ACT Heritage Council achieves its statutory functions; and
- f. any other related matters with respect to the ACT's heritage arrangements.

Response - Cuppacumbalong

Throughout 2022, and the previous few years, it became incredibly disappointing, and increasingly frustrating that communication with the Heritage Directorate / Unit continued to be unsatisfactory and at times non-existent. Emails would go unanswered for days, weeks or receive absolutely no response at all - not even an auto-generated response indicating emails had been received. When questioned on this fact the response was that we should have looked at the Directorate's website for timelines for responses. This in itself is indicative of the poor communication from the Directorate - that the public are expected to source information for themselves rather than be given any guidance / information / support from a government department.

The property, though heritage listed and under the Directorates purview, was allowed to become incredibly rundown by the previous owner seemingly without the Directorate knowledge.

As a small business we are trying to abide by all the requirements associated with a historic property, but the directorate we are supposed to receive direction and support from fails us time after time. This costs us time and money and makes it incredibly difficult to function.

When we do get responses they are often ineffective, inaccurate or frustrating as they require new steps / processes that are only mentioned after a project has started, and when we request information / clarity / direction etc - never proactively from the Directorate even though they require new /varied processes. Again, the public are expected to know and / or source information for themselves.

When we have requested advice on suitable materials to be used for conservation works responses from the Directorate are usually totally ineffective. For example: when asked for advice on suitable hardwoods to use for replacing rotted fencing the response was 'hardwood'. Another example: was a report on the internal timbers on the property, undertaken and paid for by the Directorate through their chosen professional / expert identified supposed 'significant fabric' within the building. Upon further investigation some of this 'significant fabric' was discovered as actually being modern MDF. This calls into doubt the advice / information from the experts the Directorate engages, and uses public monies to engage.

The direction / advice we receive from the Directorate can be contradictory and / or confusing. We are required to keep records and inform the Directorate of changes to the Homestead but they themselves have limited records of what has been undertaken by previous owners. The property was in a very poor state when the current owners took ownership in 2017. Modifications / alterations to the site were done so without Building / Heritage approvals and limited records kept. To my knowledge those giving advice have not visited the property and thus are working from limited information.

We are expected to obtain approvals from the Directorate for works undertaken - the actual scope of what this means is unclear, and requests for clarification often go unanswered and / or their incredibly long response times affect our ability to operate, plan works, and to create timelines and budgets.

The Directorate requested an updated Conservation Management Plan (CMP), for which a grant was obtained. An initial updated CMP was produced, submitted and subsequently rejected. The reviewing of this document took 8 months from when it was submitted with absolutely no communication within that time from the Directorate.

These timeline delays not only affect the endorsement of the CMP and the subsequent management of the property within the guidelines, but also affect the payment of the professionals who were engaged to produce the document as final payment falls within the finalisation of then grant deed requirements which are obviously outstanding while these delays are ensuing. Again, this affects our functioning as a business and potentially our reputation due to delays in payments.

QUESTION

The Heritage Direction hold a yearly ACT and Regions Heritage Festival, and it appears, each year for at least the last 5 years the festival has been held, they are awarded an ACT Heritage Grant to undertake this festival. Why is this annual event not factored into the Directorate's Budget? How can an annual event arranged by the Directorate constantly receive ACT Heritage Grant Funding? Is this funding awarded after their application is subjected to the same unbiased / transparent approval processes and thus applied for each year?

Amanda Pollok
Business Manager, Cuppacumbalong