



Australian Government
Australian Sports Commission

AUSTRALIAN SPORTS COMMISSION
HERITAGE STRATEGY
2016-2019

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INTRODUCTION

In 2004, the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) was amended to include heritage provisions. These provisions substantially extended the obligations of Commonwealth agencies in relation to heritage on Commonwealth owned land. An overview of these obligations can be found at <http://www.environment.gov.au/node/19580>.

This heritage strategy (Strategy) has been prepared by the Australian Sports Commission (ASC) in fulfilment of its obligations under section 341ZA of the EPBC Act. The strategy has been prepared in accordance with guidelines issued by the Department of the Environment and is structured to address the specific requirements of the Act.

This Strategy meets both the ASC's specific obligations to prepare a Heritage Strategy in relation to the property it manages. The Strategy provides guidance to the ASC in meeting 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.

This Strategy attempts to provide brief *strategic* answers to the required components. Where longer, self contained components are sought, these are provided in appendices. A checklist indicating compliance with the EPBC Act requirements is included at Appendix E.

The ASC owns:

- a major campus, Bruce, ACT;
- a rowing facility, Yarralumla, ACT; and
- a sporting facility, Pizzey Park, Queensland.

At this time, none of these properties are on the Commonwealth Heritage List. A past study (Marshall & Pearson 2010) found that 5 properties within the ASC's properties have strong potential for Commonwealth Heritage values and a further 10 places may have potential Commonwealth Heritage.

The ASC expects over the period of this Strategy to formally assess the 5 properties that have been identified as having strong potential for Commonwealth Heritage values in the 2010 study and where they meet the requirements seek Commonwealth Heritage Listing.

In anticipation of any possible future statutory listings, this Strategy provides an important framework for the management of potential heritage places.

It should be noted that under the revised National Capital Plan, the AIS campus is to become a 'Designated' area. This will require a Heritage Assessment of the AIS campus and Moral Rights consideration of any building prior to capital works approval from the National Capital Authority.

1. STATEMENT OF THE ASC'S OBJECTIVE FOR MANAGEMENT OF ITS HERITAGE PLACES

Background

The ASC does not currently own or manage any Commonwealth Heritage listed property. If, at a future date the ASC does have Commonwealth Heritage value listed property under its control it will amend its Corporate Plan or Strategic Plan (whichever is more relevant) to reflect its commitment to its appropriate management.

Strategies

Strategy 1.1 ASC will maintain in its future Corporate or Strategic Plan a high level commitment to managing any future heritage places. Suggested wording is as follows.

‘To care for any heritage values of ASC property, so as to identify, protect, conserve, present and transmit to all generations any Commonwealth Heritage values of the place, consistent with:

- ASC’s operational obligations arising from legislation; and
- better practice in conservation and property management.’

Strategy 1.2 ASC will review and, if appropriate, make changes to its management documentation to help embed and implement this commitment.

2. HOW THE HERITAGE STRATEGY OPERATES WITHIN ASC'S STRATEGIC PLANNING FRAMEWORK

Background

The ASC is committed to managing any property identified as having Commonwealth Heritage values in a manner consistent with the *Commonwealth Heritage Management Principles* (see Appendix A). This commitment will be reflected in future strategic planning as required.

Strategies

- Strategy 2.1 ASC corporate planning and budgetary processes will be monitored and amended as necessary to indicate its objective to identify, protect, conserve, present and transmit to all generations any Commonwealth Heritage values of its property 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 The Heritage Strategy will be used as one of the primary planning documents in the corporate planning framework.
- Strategy 2.3 The ASC's Annual Report will include a summary of programs and funding provided for:
- the maintenance and conservation of any identified heritage property; and
 - any heritage studies, conservation management planning and other activities relating to the identification, protection, conservation, presentation and transmission of any Commonwealth Heritage values of a place.

3. POSITIONS WITHIN THE ASC WHICH ARE RESPONSIBLE FOR HERITAGE MATTERS

Background

The following table identifies the ASC positions responsible at different levels for identifying and managing heritage values, for works decisions, approvals and actions, for implementing, reviewing and monitoring the strategy and for reporting to the Minister.

Table 1. Positions within the ASC with heritage-related responsibilities	
Position	Function in relation to the Heritage Strategy
ASC Board	Responsible for oversight of the ASC
CEO	Responsible for management of the ASC
General Manager Corporate Services	Responsible to provide business capability and services to support all divisions of the ASC
Deputy General Manager, AIS Site Services	Initial Point of Contact for Heritage Matters Responsible for the management of the ASC's buildings and facilities and for compliance with heritage matters.
Heritage and Culture Committee (HACC)	A Committee comprising staff representatives from all ASC divisions and 2 external experts. The HACC acts on behalf of the General Manager, Corporate Operations Division as an advisory body. In this role it provides advice, policy and guidelines, education and expertise on matters relating to ASC cultural heritage.
Coordinator (Exhibits & Works)	Responsible for heritage assessments – the current employee in this role has graduate qualifications in Heritage, Museums and Conservation from the University of Canberra. Where possible the person in this role will maintain heritage qualifications.

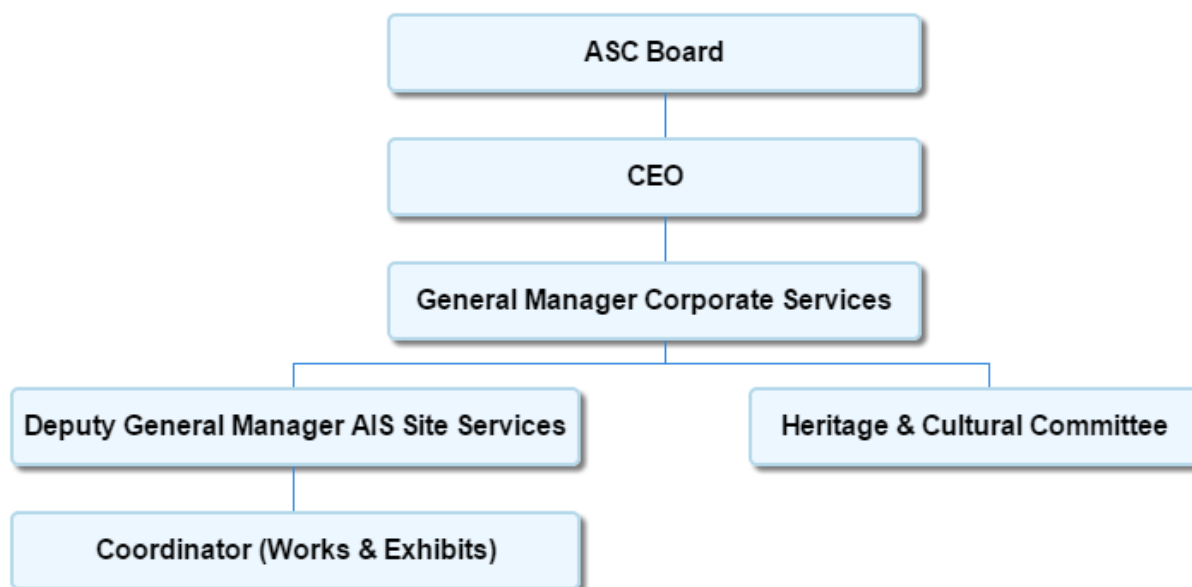


Table 2. ASC organisational structure (heritage)

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

- Strategy 3.1 The ASC 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 The Deputy General Manager, AIS Site Services will be identified within the ASC as the single initial point of contact for heritage matters.
- Strategy 3.3 The Heritage and Culture Committee will be identified as the body responsible for identifying and deciding on heritage matters on behalf of the General Manager, Corporate Operations Division.

4. THE PROCESS FOR CONSULTATION AND LIAISON WITH OTHER GOVERNMENT AGENCIES ON HERITAGE MATTERS

Background

The relevant State, Territory and Commonwealth legislation concerning the natural and cultural heritage environment, the administering agency and key contacts are detailed in Appendix B.

The ASC seeks to comply with the relevant requirements of other authorities and State or Territory agencies to the greatest extent possible. However, it is possible that on occasions it is necessary to override these requirements to achieve the direct legislative obligations of the ASC in relation to its operational activities.

The ASC ensures it undertakes appropriate consultation in relation to its operations at all of its sites.

Strategies

- Strategy 4.1 The ASC will maintain a list of relevant heritage legislation and points of contact.
- Strategy 4.2 The ASC will consult with the Minister for the Environment, or her or his delegate, as required under the EPBC Act, in particular with regard to any conservation management plans¹ prepared under section 341S of the EPBC Act.
- Strategy 4.3 The ASC will consult with the Australian Heritage Council regarding its Heritage Strategy as required under section 341ZA of the EPBC Act.
- Strategy 4.4 The ASC may consult informally with the Department of the Environment regarding its Heritage Strategy, conservation management plans and actions that it considers have, will have or are likely to have a significant impact on a Commonwealth Heritage place, noting that such consultation is not formally required under the EPBC Act. Such consultation is in addition to the formal requirements.
- Strategy 4.5 The ASC will consult with other government agencies and organisations, including private land owners, where these bodies own or manage land adjacent to ASC land and where both landholdings have heritage values. 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. This consultation will at least take place in the development or revision of a conservation management plan.
- Strategy 4.6 The ASC will consult with relevant government heritage agencies and local government regarding heritage issues.

These bodies will be consulted, where relevant, in the preparation or revision of any conservation management plans.

¹ 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.

5. CONSULTATION AND LIAISON WITH THE COMMUNITY ON HERITAGE MATTERS

Background

Consultation with the community, including Indigenous stakeholders, will primarily arise with regard to specific heritage places. The primary tool in managing such places will be a conservation management plan prepared in accordance with the EPBC Act. Consultation will arise in the context of preparing conservation management plans, in their implementation, and in circumstances where issues arise which fall outside a conservation management plan, for example in the case of a catastrophic event.

Strategies

- Strategy 5.1 Conservation management plans will be the primary vehicle for undertaking and guiding community consultation, including with Indigenous stakeholders.
- Strategy 5.2 The process for developing conservation management plans will involve consultation with the community including relevant stakeholders consistent with the EPBC Act (subsections 341S (3) and (6)(b)). This consultation will be guided by current national standards, namely:
- Article 43 of the *Australian Natural Heritage Charter* (2002) for natural heritage places;
 - the provisions in *Ask First, a guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002) for Indigenous heritage places;
 - Article 26.3 of *The Burra Charter* (Australia ICOMOS 2000) for cultural heritage places including both Indigenous and historic places; and
 - the Commonwealth Heritage Management Principles.
- Strategy 5.3 Conservation management plans will be prepared in accordance with the requirements for such plans detailed in Schedule 7A of the *Environment Protection and Biodiversity Conservation Amendment Regulations 2003* (EPBC Regulations), including the requirement for policies regarding stakeholder and community consultation (Schedule 7A (h)(iii)).
- Strategy 5.4 Conservation management plans will list relevant stakeholders and provide for the ongoing maintenance of such a list.
- Strategy 5.5 Where issues fall outside of a conservation management plan, consultation will be undertaken in a manner consistent with Strategy 5.2 and the Commonwealth Heritage Management Principles.

6. PROCESS FOR RESOLUTION OF CONFLICT ARISING FROM THE ASSESSMENT AND MANAGEMENT OF COMMONWEALTH HERITAGE VALUES

Background

There are at least three categories of conflict that may arise regarding heritage places:

- in determining whether a heritage value exists or not;
- in determining how different and potentially conflicting heritage values will translate into management priority (e.g. prioritising management action regarding natural and historic heritage values at the same site); and
- between managing heritage values and managing for other purposes (e.g. operational activities).

It is noted that some conflicts may be irreconcilable. In finding solutions to conflicts, it is important to bear in mind the obligation under section 341ZC 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 under sections 26 or 28 of the EPBC Act.

Strategies

- Strategy 6.1 The ASC will ensure that it seeks relevant expert opinion in the assessment of the full range of heritage values for ASC properties where it appears a case for heritage values exists or is proposed by a reputable third party.
- Strategy 6.2 To help avoid or resolve potential conflict, where an issue requires clarification of heritage values or policies, the ASC will ensure that it seeks relevant expert heritage advice.
- Strategy 6.3 Any conflict arising from the assessment or management of ASC property, if it becomes a Commonwealth Heritage place, should be resolved with regard to the relevant conservation management plan, or where the conservation management plan does not yet exist or deal with the issue, then by:
- seeking advice from relevant heritage experts;
 - seeking advice from the Department of the Environment;
 - seeking advice from the Australian Heritage Council, under subsection 5(h) of the *Australian Heritage Council Act 2003*; and
 - by referring, as appropriate, to the guidance provided in the *Australian Natural Heritage Charter* (2002), *Ask First, a guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002) or *The Burra Charter* (Australia ICOMOS 2000).
- Strategy 6.4 If a conflict arises between the management of different heritage values, this will be resolved:
- with reference to the relevant standard heritage industry guidelines:
 - the *Australian Natural Heritage Charter* (2002), especially Article 7, for natural heritage places;
 - the provisions in *Ask First, a guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002)

- for Indigenous heritage places, noting that the overall management process may be the relevant process;
- *The Burra Charter* (Australia ICOMOS 2000), especially Articles 5.1 and 13, for cultural heritage places including both Indigenous and historic places; and
- through a negotiation process involving heritage conservation experts from the relevant different heritage sectors.

Where a place is on the Commonwealth Heritage List its management must be consistent with the Commonwealth Heritage Management Principles.

If the conflict cannot be resolved by this expert process, expert advice of either the Australian Heritage Council (under section 5(h) of the *Australian Heritage Council Act 2003* (Cth)) or the Department of the Environment will be sought.

Strategy 6.5

If a conflict arises between managing heritage values and managing for other purposes, the process for resolving this will involve:

- reference to the obligations on the ASC imposed by the *Australian Sports Commission Act 1989* (Cth);
- reference to the EPBC Act;
- reference to commitments within leasing arrangements, where these may exist;
- reference to the relevant standard heritage industry guidelines:
 - the *Australian Natural Heritage Charter* (2002) for natural heritage places;
 - the provisions in *Ask First, a guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002) for Indigenous heritage places;
 - *The Burra Charter* (Australia ICOMOS 2000) for cultural heritage places including both Indigenous and historic places; and
 - through a mediation process involving relevant heritage conservation experts and the manager/decision-maker responsible for the other management purpose giving rise to the conflict. The mediator will be the Deputy General Manager, AIS Site Services or his/her nominee.

If the conflict cannot be resolved by this process, the advice of the Australian Heritage Council will be sought and provided to the mediation process for consideration and possible resolution.

Depending on the possible impact of the outcome of the conflict, the issue may also be an action that is subject to approval under the EPBC Act. All efforts should be made to resolve the conflict to avoid the possibility of having to undertake a proposed action that is likely to have a significant impact on the environment (e.g. the heritage values of a place) and require the approval of the Minister for the Environment before the action can proceed.

7. PROCESSES FOR MONITORING, REVIEWING AND REPORTING ON THE IMPLEMENTATION OF ASC'S HERITAGE STRATEGY

Strategies

- Strategy 7.1 The implementation of the Strategy will be monitored by:
- annual evaluation of performance of the following areas in the ASC Annual Report:
 - the identification of heritage values;
 - development and maintenance of the ASC Heritage Collection;
 - preparation and review of conservation management plans for properties with heritage values;
 - maintenance and works expenditure on properties with heritage values;
 - referrals made under the EPBC Act; and
 - disposal or acquisition of property with heritage values.
 - the monitoring and evaluation process will be implemented and overseen by Deputy General Manager, AIS Site Services;
 - annual review of AIS Site Services and its budget, as they relate to the operation and expenditure on conservation of heritage properties;
 - three-yearly review of the Strategy, in accordance with subsection 341ZA(5) of the EPBC Act, which will monitor and evaluate the ASC's performance on all elements of the strategy.

The review must consider the range of matters specified in section 10.03F of the EPBC Regulations. The review will be directed by Deputy General Manager, AIS Site Services and may involve independent relevant heritage expertise specifically commissioned by the ASC to assist it. A report on the review will be provided to the Minister for the Environment in accordance with the EPBC Act.

8. IDENTIFICATION AND ASSESSMENT OF COMMONWEALTH HERITAGE VALUES UNDER ASC CONTROL AND MANAGEMENT

8A. The process for identifying and assessing the Commonwealth Heritage values of ASC property

Background

The ASC has undertaken a project to address the identification and assessment of heritage places under its control (Marshall & Pearson 2010). The study was undertaken by expert heritage consultants to identify any potential Commonwealth Heritage values of the buildings and property it owns or controls. The study provides a preliminary heritage assessment.

The study found that 5 properties have potential for Commonwealth Heritage values and a further 10 places may also have potential Commonwealth Heritage values.

Over the period of this Strategy, the ASC will undertake assessments of all 5 properties that have been identified as having strong potential Commonwealth Heritage values. The schedule for assessment of these properties is below.

Table 3. ASC Commonwealth Heritage Values Assessments		
Place	Assessment schedule	Assessor
AIS Arena	FY 2016/17	Coordinator (Exhibits & Works) or other person professionally qualified to undertake heritage assessments
Swimming Centre	FY 2017/18	Coordinator (Exhibits & Works) or other person professionally qualified to undertake heritage assessments
AIS High Performance Centre	FY 2018/19	Coordinator (Exhibits & Works) or other person professionally qualified to undertake heritage assessments
Bruce Campus	FY 2019/20	Coordinator (Exhibits & Works) or other person professionally qualified to undertake heritage assessments
GIO Stadium	FY 2020/21	Coordinator (Exhibits & Works) or other person professionally qualified to undertake heritage assessments

The assessments will be undertaken by ASC contractor or an ASC employee with relevant qualifications and skills in heritage management.

Should the ASC 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 Section 8B below.

8B. Program to identify Commonwealth Heritage values

Strategies

- Strategy 8B.1 The ASC will continue to maintain its Heritage Collection – The ASC Heritage Collection (ASCHC) is the ASC’s name for its Heritage Register.
- Strategy 8B.2 The ASC will seek to undertake heritage assessments on the 5 sites of strong potential heritage value over the period of this strategy. If necessary, the ASCHC will be updated also by this time. Responsibility for the program rests with Deputy General Manager, AIS Site Services.
- Strategy 8B.4 If further research identifies additional potential Commonwealth Heritage places, a report will be provided to the Minister for the Environment.
- Strategy 8B.5 Where the ASC acquires new property, it will undertake an assessment of the possible heritage values of the property within 6 months, in accordance with subsection 341ZB(3) and section 341Z of the EPBC Act. The assessment may comprise:
- a desktop assessment undertaken by relevant heritage experts, at least consistent with the assessment outlined at Section 8A; or
 - any other suitable assessment method undertaken by relevant heritage experts.

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

Where the assessment finds Commonwealth Heritage values, the place will be entered into the ASCHC and the Minister for the Environment notified.

The Deputy General Manager, AIS Site Services is responsible for ensuring this strategy is implemented.

9. MANAGEMENT OF COMMONWEALTH HERITAGE VALUES

9A. Management of the ASC Heritage Collection (ASCHC)

Background

At this time 5 ASC properties have been found to have potential Commonwealth Heritage values and accordingly a heritage register (collection) is required.

Strategies

Strategy 9A.1 The ASCHC will be maintained as an electronic database and information will be available to all staff and the public.

Strategy 9A.2 Maintenance of the ASCHR will be:

- undertaken by the ASC National Sport Information Centre; and
- managed by Deputy General Manager, AIS Site Services.

The Deputy General Manager, AIS Site Services will be responsible for initiating the addition or removal of places from the ASCHC, in accordance with ASCHC protocols.

Strategy 9A.3 The ASCHC will be updated as required and in a timely manner under the direction of the Deputy General Manager, AIS Site Services, based on information arising from:

- any conservation management plans prepared and updated in accordance with the EPBC Act;
- periodic and one-off site inspections;
- identification and assessment work undertaken in accordance with strategies in Section 8B; and
- acquisition, leasing and divestment activities.

Strategy 9A.4 When any conservation management plans are reviewed in accordance with section 341X of the EPBC Act, the ASCHC data for that place will also be reviewed and updated as necessary.

Strategy 9A.5 The ASCHC will be made accessible to the public through the ASC website.

Strategy 9A.6 ASCHC data may be withheld from public inspection if subject to any confidentiality requirements (e.g. sensitive rare species or Indigenous site information).

9B. Development of conservation management plans for ASC Commonwealth Heritage places

Background

At this time no ASC property has been found to have Commonwealth Heritage values and accordingly no conservation management plans are formally required under the EPBC Act. If such values are formally identified, then steps will be taken to develop conservation management plans in a timely fashion.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

- Strategy 9B.1 The ASC will complete conservation management plans for any Commonwealth Heritage places (i.e. places entered in the Commonwealth Heritage list) within 2 years of listing.
- Strategy 9B.2 For any newly acquired property already on the Commonwealth Heritage List, a conservation management plan will be prepared within 2 years of acquisition.
- Strategy 9B.3 Deputy General Manager, AIS Site Services is responsible for the program for the completion and approval of conservation management plans referred to in Strategies 9B.1 and 9B.2.
- Strategy 9B.4 If major works or changes are proposed for Commonwealth Heritage places without an up to date conservation management plan, every effort will be made to re-arrange the priority for plans to enable the completion of a plan to guide the works or change.
- Strategy 9B.5 Conservation management plans for Commonwealth Heritage places will be reviewed and revised within the statutory 5 year timeframe or:
- whenever major changes to the place are proposed or occur by accident (such as fire or natural disaster);
 - when the management environment changes to the degree that policies are not appropriate to or adequate for changed management circumstances; or
 - the plan is found to be out of date with regards to significance assessment (for example when new information is located).
- Strategy 9B.6 Where an adjacent property has heritage values, the conservation management plan for the ASC property will be developed:
- mindful of the heritage values of the adjacent property and the ASC's obligations under section 28 of the EPBC Act; and
 - to achieve complimentary conservation management which is consistent with the high standards established by the EPBC Act.

9C. ASC use of heritage places

Background

At this time, no ASC property has been formally identified as having Commonwealth Heritage values although 5 properties have been identified as having strong potential for such values

(Marshall & Pearson 2010). Details related to these properties are provided in the following table.

Table 5. Use of Heritage Places	
ASC Property	Use
ASC-AIS Bruce Campus	Sports development, scientific research, office accommodation, residential accommodation, sporting activities, secondary/supporting activities (e.g. food outlets), function hire
GIO Stadium (Canberra Stadium) (Building 1)	Sporting activities, secondary/supporting activities (e.g. food outlets), function hire
AIS Arena (Building 7)	Sports development, office accommodation, sporting activities, secondary/supporting activities (e.g. food outlets), function hire
Swimming Centre (Building 10)	Sports development, scientific research, office accommodation, sporting activities, secondary/supporting activities (e.g. food outlets), function hire
AIS High Performance Centre (Sports Science & Sports Medicine) (Building 19)	Sports development, scientific research, office accommodation

In general, all ASC property is actively used for its core activities related to the development of sport in Australia. In one case, GIO Canberra Stadium, the property is leased and managed by the ACT Government for sporting activities. In addition:

- a number of leases have been granted on ASC property for secondary or supporting activities (e.g. food outlet); and
- some facilities are available for third-party hire.

The following strategy will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

Strategy 9C.1 Conservation management plans for any identified ASC heritage places will consider the existing and proposed use of the place and any conflict with heritage values.

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

Background

At this time, no ASC property has been formally identified as having Commonwealth Heritage values.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

Strategy 9D.1 Current or expected development, works, disposal or other proposals that may affect Commonwealth Heritage values of Commonwealth Heritage places will be considered in the development of the conservation management plan for the relevant place. Such proposals may also be subject to approval under the EPBC Act.

Note: If proposals arise prior to the availability of a conservation management plan, and time allows, Strategy 9B.4 regarding the accelerated development of a plan will be invoked.

Strategy 9D.2 Where proposals involve places in the ASCHC, but not yet in the Commonwealth Heritage List, the ASCHC information will specify the attributes of the place having potential Commonwealth Heritage values, and the principles of the *Australian Natural Heritage Charter, Ask First, a guide to respecting Indigenous heritage places and values* and *The Burra Charter* will apply to any development at the site.

Note: Any such development may trigger section 28 EPBC Act notwithstanding a place is not yet on the Commonwealth Heritage List,.

9E. Ensuring that Commonwealth Heritage values are considered in ASC planning for future development, works, divestment or other proposals

Background

The primary vehicle for ensuring the values of Commonwealth Heritage places are considered in planning for future development, works, divestment or other proposals will be any conservation management plan developed for each Commonwealth Heritage place. Where a conservation management plan has been developed and the proposal has been anticipated, no further strategic guidance seems necessary given the statutory requirements for plans.

The situation requiring additional guidance is when either no plan exists, as in places in the ASCHC but not in the Commonwealth Heritage List, or the proposal is not anticipated (see Strategies 9E.3 and 9E.5 below).

In addition, strategic guidance is required for proposals which might arise in a broader context and affect a range of places, such as a long term operational or strategic plan.

If the ASC disposes of a heritage place on land it owns, section 341ZE of the EPBC Act applies, and the ASC has to ensure that the place's heritage values will be protected by other means, or to include a covenant in any sale or lease contract to protect the heritage values.

These provisions are in addition to the formal advice and approvals which may be required under the EPBC Act.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

- Strategy 9E.1 Deputy General Manager, AIS Site Services will review any plans/programs at a draft stage for proposals which might trigger strategies 9E.3 to 9E.9, to ensure that Commonwealth Heritage values are considered in ASC planning.
- Strategy 9E.2 Conservation management plans will consider Commonwealth Heritage values in planning for future development, works, divestment or other proposals.
- Strategy 9E.3 If future development, works, divestment or other proposals for a Commonwealth Heritage place arise prior to the availability of a conservation management plan, Strategy 9B.4 regarding the accelerated development of a plan will be invoked.
- Strategy 9E.4 If future development, works, divestment or other proposals for a Commonwealth Heritage place arise in a case where the available conservation management plan provides insufficient guidance, the existing plan will be reviewed and revised to guide the proposal. Where the time-frame for action precludes preparation/revision of a plan, as in the case of emergency stabilisation works, an approach similar to that in 9E.6 will be followed.
- Strategy 9E.5 When ASC disposes by sale or lease of a Commonwealth Heritage place it owns, it will take action to ensure future conservation of the heritage values of the place by covenant or other means, as required in section 341ZE of the EPBC Act.
- Strategy 9E.6 If future development, works, divestment or other proposals for a place in the ASCHC, but not on the Commonwealth Heritage List, arise where a conservation management plan is not available or provides insufficient guidance, then the proposal will be formally reviewed in the light of:
 - the potential Commonwealth Heritage values and attributes;
 - the relevant general conservation guidance available in the *Australian Natural Heritage Charter, Ask First, a guide to respecting Indigenous heritage places and values* and *The Burra Charter*; and
 - independent and relevant expert heritage advice that may be commissioned by the ASC in such cases.

Where a place has an existing but out-of-date conservation management plan, the ASC will review and revise the plan if proposed works potentially have a substantial impact on heritage values.

The advice of the Department of the Environment may also be sought, separate to the formal advice that may be sought under the EPBC Act.

The review will be undertaken under the direction of Deputy General Manager, AIS Site Services.

- Strategy 9E.7 Where future development, works, divestment or other proposals arise in a broader policy or strategic context and the proposal may or will have an affect on places having Commonwealth Heritage values, then the proposal will be formally reviewed in the light of:
 - the Commonwealth Heritage values;

- the relevant general conservation guidance available in the *Australian Natural Heritage Charter*, *Ask First, a guide to respecting Indigenous heritage places and values* and *The Burra Charter*;
- the specific conservation guidance provided in relevant conservation management plans; and
- independent and relevant expert heritage advice that may be commissioned by the ASC in such cases.

The advice of the Department of the Environment may also be sought, separate to the formal advice that may be sought under the EPBC Act.

The review will be undertaken under the direction of Deputy General Manager, AIS Site Services.

Strategy 9E.8 The ASC will take no action that has an adverse impact on the place's Commonwealth Heritage values 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 section 341ZC of the EPBC Act.

Strategy 9E.9 The ASC will refer to the Minister for the Environment for approval under the EPBC Act any proposal which has, will have, or is likely to have a significant impact on the Commonwealth Heritage values of a place, consistent with section 28.

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

Background

The annual reporting of funding for maintenance work is dealt with at Strategy 2.3. Monitoring and review of budgets is dealt with in Strategies 2.1 and 7.1.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

Strategy 9F.1 Conservation management plans for ASC property that are Commonwealth Heritage places will consider and guide maintenance and capital works.

Strategy 9F.2 Maintenance and capital works, identified through conservation management plans or otherwise, will be consolidated into AIS Site Services projects, and tagged to indicate they relate to places with Commonwealth 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 program will be prepared under the direction of the Deputy General Manager, AIS Site Services. Cross-references to files detailing works will be included in the ASCHC.

9G. Monitoring and reviewing ASC success in conserving Commonwealth Heritage values

Background

The primary vehicle for monitoring the success in conserving Commonwealth Heritage values will be through conservation management plans, in particular:

- the requirement for monitoring and reporting on the condition of values in conservation management plans (EPBC Regulations Schedule 7A, clause (h)(ix)); and
- the review of the conservation management plan every 5 years which includes an assessment of the effectiveness of the plan in protecting and conserving values (EPBC Regulations, Schedule 7A, clause (k) and *Australia's Commonwealth Heritage, Developing Management Plans*, 2008, p. 14).

In addition, the heritage strategy itself must be reviewed every 3 years.

Strategies

Strategy 9G.1 The results of the ASC Heritage Strategy review, and any conservation management plan reviews will be consolidated and reported as part of the periodic report provided to the Minister for the Environment on the review of the ASC Heritage Strategy. This will include information about the effectiveness of plans in protecting and conserving values.

9H. Training and promotion

Background

If an ASC property is formally identified as having Commonwealth Heritage values the ASC will provide its staff and, as appropriate, contractors and lessees with appropriate training in heritage awareness and responsibilities.

The ASC currently employs a heritage qualified staff member to undertake its heritage assessments program.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

Strategy 9H.1 The ASC will introduce a heritage awareness and information training program for key staff and, as appropriate, contractors and lessees.

Strategy 9H.2 All personnel occupying the positions directly responsible for implementing heritage matters (see Section 3), will receive in-service training at least every three years, providing an overview of Commonwealth Heritage obligations and best practice heritage management. Any new personnel moving into these positions will receive induction training within three months of commencement. Training in relation to this strategy will be developed by ASC Heritage and Culture Committee under the direction of Deputy General Manager, AIS Site Services.

Strategy 9H.3 The ASC will promote any heritage places within the agency by:

- making the ASCHC accessible in accordance with Strategy 9A.5; and
- further measures undertaken following the development of a simple heritage interpretation plan. This plan will be completed within 12

months of the first Commonwealth Heritage listing, and will be prepared under the direction of Deputy General Manager, AIS Site Services.

9I. Program for promoting community awareness of Commonwealth Heritage values

Background

Any conservation management plans, if available, should give primary direction for the interpretation of the significance of properties. The ASC already has substantial public programs and these may be extended to address this issue.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

- Strategy 9I.1 The ASC will promote any heritage places within the community by:
- making the ASCHC publicly accessible in accordance with Strategy 9A.5;
 - further measures undertaken following the development of a simple heritage interpretation plan. This plan will be completed within 12 months of the first Commonwealth Heritage listing, and will be prepared under the direction of Deputy General Manager, AIS Site Services.

9J Management of heritage objects and archives

Background

If any ASC property is formally identified as having Commonwealth Heritage values, a conservation management plan will be prepared, including consideration of any potentially significant objects and records that may be associated with the property.

The following strategies will commence once the ASC has places that are formally identified as having Commonwealth Heritage values.

Strategies

- Strategy 9J.1 Potentially significant objects and records that may be associated with identified Commonwealth Heritage places will be identified through the development of conservation management plans for such places.
- Strategy 9J.2 Should heritage objects and archives be identified, the ASC will make arrangements for the:
- cataloguing of these materials;
 - provision of adequate storage;
 - conservation of the materials, as necessary; and
 - identification of these materials within the ASCHC.

APPENDIX A: ASC HERITAGE PLACES (as identified in Marshall & Pearson 2010)

Places identified as having strong potential Commonwealth Heritage value
AIS Bruce Campus
GIO Stadium Canberra (Canberra Stadium, Building 1)
AIS Arena (Building 7)
AIS Aquatic and Fitness Centre (Swimming Centre (Building 10))
AIS High Performance Centre (Sports Science & Sports Medicine (Building 19))
Other places/items that may have potential Commonwealth Heritage value
AIS Rowing Centre
Artworks (including statues)
AIS Athletes Village (ASC Residences & Reception (Building 16))
Basketball and Netball Centre (Building 13)
Football Fields (Facility 15)
Frank Stewart Sport Training Facility (Building 14)
Gymnastic Centre (Building 12)
Multi-Purpose Playing Fields (Facility 24)
FIFA 2 Star Synthetic Field (Outdoor Synthetic (Facility 23))
Tennis Courts (Facility 8)
Throwing Field (Facility 9)
Track & Field Facility (Facility 2)

APPENDIX B: COMMONWEALTH HERITAGE MANAGEMENT PRINCIPLES

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.

APPENDIX C: RELEVANT STATE, TERRITORY AND COMMONWEALTH LEGISLATION CONCERNING THE NATURAL AND CULTURAL HERITAGE ENVIRONMENT

The main relevant State, Territory and Commonwealth legislation concerning the natural and cultural heritage environment, the administering agency and key contacts are detailed below.

Table 4. Relevant Legislation, Agencies and Contacts		
Legislation	Administering Agency	Key Contact
Commonwealth		
<i>Environment Protection & Biodiversity Conservation Act 1999</i>	Department of the Environment	02 6274 1111
<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Department of the Environment	02 6274 1111
Australian Capital Territory		
<i>Heritage Act 2004</i>	ACT Government - Environment and Planning Directorate	13 22 81
<i>Tree Protection Act 2005</i>	ACT Government - Environment and Planning Directorate	13 22 81
<i>Nature Conservation Act 1980</i>	ACT Government - Environment and Planning Directorate	13 22 81
Queensland		
<i>Nature Conservation Act 1992</i>	Queensland Parks and Wildlife Service	1300 130 372
<i>Aboriginal Cultural Heritage Act 2003</i>	Cultural Heritage Coordination Unit, Regional Services, Department of Environment and Heritage Protection	07 3239 6055
<i>Torres Strait Islander Cultural Heritage Act 2003</i>	Cultural Heritage Coordination Unit, Regional Services, Department of Environment and Heritage Protection	07 3239 6055
<i>Queensland Heritage Act 1992</i>	Department of Environment and Heritage Protection	1300 130 372

APPENDIX D: ASC POTENTIAL HERITAGE PLACES SCHEDULED FOR DISPOSAL

Nil

APPENDIX E: PROPOSALS WHICH MAY AFFECT COMMONWEALTH HERITAGE VALUES OTHER THAN DISPOSAL

Table 5. Proposals affecting Places	
ASC Place	Proposal
<ul style="list-style-type: none"> • ASC-AIS Bruce Campus; • GIO Stadium (Canberra Stadium) (Building 1); • AIS Arena (Building 7); • Swimming Centre (Building 10); and • AIS High Performance Centre (Sports Science & Sports Medicine) (Building 19). 	NIL

APPENDIX F: COMPLIANCE WITH EPBC ACT

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

Table 6. Heritage Strategy Requirements (Section 341ZA)	
Legislation	Comment
(1) If a Commonwealth agency owns or controls one or more places, the agency must:	See 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 2 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 9B in Heritage Strategy
(b) mention the period within which the Commonwealth agency must do the things mentioned in subsection 341ZB(1); and	See 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 judgment 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.	Ditto
(5) At least once in every 3 year period after a heritage strategy is made, the Commonwealth agency concerned must cause a review of the strategy to be carried out.	See 7.1, 7.2 and 9G in Heritage Strategy
(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 9G

Table 7. Requirements for a Report about the Review of a Heritage Strategy (Section 341ZA, Regulation 10.03F)

Legislation	Comment
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 2013 review, see 7.1, 7.2, 9G in Heritage Strategy
(a) an outline of consultation undertaken with relevant stakeholders in the review process;	Ditto
(b) a summary of the agency's achievements against its objectives for management of its heritage places;	Ditto
(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;	Ditto
(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;	Ditto
(e) an update on the progress and timeliness of the preparation of management plans for Commonwealth Heritage places;	Ditto
(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;	Ditto
(g) an update on progress with Commonwealth Heritage training programs;	Ditto
(h) a specification of the time-frame for updating the Heritage Strategy following the review;	Ditto
(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.	Ditto

Table 8. 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 1 in Heritage Strategy
(b) a description of how the heritage strategy operates within the agency's corporate planning framework;	See 2 in Heritage Strategy
(c) a list of key positions within the agency, the holders of which are responsible for heritage matters;	See 3 in Heritage Strategy
(d) an outline of a process for consultation and liaison with other government agencies on heritage matters;	See 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 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 6 in Heritage Strategy
(g) an outline of processes for monitoring, reviewing and reporting on the implementation of an agency's heritage strategy.	See 7 in Heritage Strategy
2. A strategy must include matters relating to the identification and assessment of Commonwealth Heritage values, including the following:	See 8 in Heritage Strategy

Table 8. Requirements regarding Heritage Strategies (Regulations Schedule 7C)	
Legislation	Comment
(a) an outline of the process for identifying and assessing the Commonwealth Heritage values of all agency property;	See 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 8B in Heritage Strategy
(ii) the agency's register of places and their Commonwealth Heritage values; and	See 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 Minister
3. A strategy must include matters relating to the management of Commonwealth Heritage values, including the following:	Section 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 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 9B in Heritage Strategy
(c) an outline of the existing use, by the agency, of places with Commonwealth Heritage values;	See 9C in Heritage Strategy
(d) an outline of current or expected development, works, disposal or other proposals that may affect Commonwealth Heritage values;	See 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 9E in Heritage Strategy
(f) a plan and budget for the maintenance and long-term conservation of Commonwealth Heritage values;	See 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 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 9H in Heritage Strategy
(b) a program for promoting community awareness of Commonwealth Heritage values, as appropriate.	See 9I in Heritage Strategy

Table 9. Requirements for Heritage Assessments and Registers (Section 341ZB)	
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 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 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

Table 9. Requirements for Heritage Assessments and Registers (Section 341ZB)	
Legislation	Comment
(2) The regulations may prescribe all or any of the following:	
(a) how Commonwealth heritage values may be identified of a place;	See below
(b) matters a register must address;	See below
(c) matters a report to the Minister must address.	See below
(3) A Commonwealth agency must keep its register up to date.	
(4) A register may be kept electronically.	See 8A in Heritage Strategy
(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 8A, 8B in Heritage Strategy

Table 10. 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, recognizing 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 Report and any CMP to be submitted to Minister
(b) identifying values against the Commonwealth heritage criteria; and	In Report and any CMP to be submitted to Minister
(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	Ditto
(d) using a comparative and thematic approach; and	Ditto
(e) consulting widely, as appropriate, with government agencies, stakeholders and the community.	Ditto
(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, if established
(b) a discrete heritage place identification number for each place;	See Heritage Register, if established
(c) details of ownership, leases, licences, rental or other tenure arrangements, as applicable;	See Heritage Register, if established
(d) a summary description of the significant physical characteristics and elements of the place;	See Heritage Register, if established
(e) a sequential summary of the use of the place;	See Heritage Register, if established
(f) a statement of significance for the place, identifying its heritage values and specifying any that are Commonwealth Heritage values;	See Heritage Register, if established
(g) a record of any other heritage listings, providing relevant register numbers;	See Heritage Register, if established
(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, if established

Table 10. Requirements for Heritage Assessments and Registers (Section 341ZB, Regulation 10.03G)

Legislation	Comment
(i) a specification of any property or information access restrictions or requirements;	See Heritage Register, if established
(j) an outline of any consultation requirements relating to the place;	See Heritage Register, if established
(k) a list of relevant conservation documents or references;	See Heritage Register, if established
(l) a record of when information has been updated;	See Heritage Register, if established
(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, if established
(ii) archived records of particular importance to the heritage values of the place.	See Heritage Register, if established
(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 Report submitted to Minister
(b) details of any surveys conducted, or expert advice obtained by, the agency to identify the Commonwealth Heritage values;	To be in Report submitted to 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 Report submitted to Minister