



## ACT Heritage Council

Phone: 13 22 81

Ms Sandra Lambert AM  
Chair, ACT Remuneration Tribunal

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Dear Ms Lambert

### **ACT Heritage Council Submission to the ACT Remuneration Tribunal 2025 Spring Review**

Thank you for the opportunity to make a submission to the Remuneration Tribunal regarding the remuneration arrangements for the Deputy Chair of the ACT Heritage Council.

The ACT Heritage Council recommends that the Deputy Chair be remunerated by annual salary, set between that of the Chair and the *per diem* payable to ordinary members. This reflects the Deputy Chair's formal leadership duties, delegated statutory functions, and regular and ongoing workload.

#### **1. Context and Statutory Role of the ACT Heritage Council**

The ACT Heritage Council is a statutory decision-making and advisory body established under the Heritage Act 2004. Its primary functions include identifying, protecting, conserving, and promoting heritage places and objects in the ACT.

The Council is a Level 1 public office holder entity, as defined by the Tribunal's classification model. It exercises significant decision-making powers under enabling legislation, its determinations have legal effect, and its work may affect environmental, social and economic outcomes in the ACT.

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Members are appointed based on their expertise or community representation and are accountable for high-quality decisions under statutory timeframes. Key functions include:

- maintaining the ACT Heritage Register
- making statutory decisions on registrations, cancellations, development approvals and conservation plans
- issuing heritage directions under the Heritage Act
- advising the Minister and Territory Planning Authority on development, planning and Aboriginal heritage matters

The Council's decisions are appealable to the ACT Civil and Administrative Tribunal and poor decisions carry a medium-to-high risk of legal, environmental and community consequences.

## **2. Delegated Authority and Leadership Role of the Deputy Chairperson**

While the Heritage Act 2004, section 17(2) establishes the position of Deputy Chair, the officeholder derives operational authority through statutory delegation of Council powers.

Since 2017, the Council has delegated a range of decision-making functions to the Director-General, who has sub-delegated them to the Chairperson and Deputy Chairperson. These delegations (currently in NI2022-674) authorise the Deputy Chair to make decisions under more than 40 specific provisions of the Act, including:

- Statements of Heritage Effect
- Conservation Management Plans
- Excavation permits
- Development and planning referrals
- Tree and environmental impact consultations

Taskforces of the Council (Development, Register, Aboriginal, Conservation Management Plans) review and provide advice, but final determinations are made solely by the Chair or Deputy Chair under delegation. Where neither is available, a senior ACT Heritage officer may act under separate delegation—but this is the exception, not the norm.

The Deputy Chair also assumes the Chair’s responsibilities under regulation 6(2) of the Heritage Regulation 2006 in the Chair’s absence, including presiding over Council meetings and representing the Council in external and statutory forums.

This role goes well beyond that of an ordinary member, involving independent statutory decisions and visible leadership responsibilities.

### **3. Time Commitment and Workload**

In the 2024–25 financial year:

- The full Council met 8 times
- Taskforces met:
  - Development Taskforce – 12 times
  - Register Taskforce – 4 times
  - Aboriginal Taskforce – 2 times
  - 857 pieces of statutory advice or approvals were issued under delegation (up from 680 in 2023–24)

The Deputy Chairperson supports these functions by:

- Reviewing and approving taskforce decisions under delegation
- Signing off on documents for planning referrals and permit assessments
- Providing leadership support to Council staff and members
- Contributing to urgent matters between formal meetings

The Deputy Chair would be expected to contribute on average 6–8 hours per week, or 24–32 hours per month, depending on taskforce workloads and development referrals. This includes reviewing papers, exercising delegation, attending meetings, and fulfilling strategic leadership functions.

This regular and predictable workload meets the Tribunal’s criteria for salary-based remuneration, as opposed to a per diem model.

#### 4. Comparative Analysis

The Tribunal has previously recognised structured remuneration for Deputy Chairs where they exercise leadership, decision-making authority, and regular commitments.

Comparable ACT boards and committees include:

Board / Committee	Chair (Annual)	Deputy Chair (Annual)	Member (Per Diem)
Long Service Leave Authority	\$46,350	\$30,900	\$670
Suburban Land Agency Board	\$84,440	\$67,560	\$45,255
Cultural Facilities Corporation	\$31,505	\$15,770	\$11,055
ACT Heritage Council (current)	\$41,200	–	\$670

#### 5. Recommendation

The ACT Heritage Council recommends that the Deputy Chairperson be remunerated via an annual salary of \$30,000–\$35,000. This aligns with:

- The permanent and delegated statutory functions of the role
- The leadership and acting responsibilities under the Heritage Act and Regulations
- The regular and predictable time commitment
- The increasing scope and complexity of the Council’s statutory responsibilities
- Comparator bodies determined by the Tribunal

This remuneration structure will support the Council’s continued effectiveness and help attract and retain qualified leadership with the necessary independence, capacity, and integrity.

We thank the Tribunal for its consideration and would be pleased to provide further information as required.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "C Skippington".

Catherine Skippington  
Chairperson, ACT Heritage Council

14 July 2025