

**HR403****HERITAGE ACT 2018****INSTRUMENT OF DELEGATION—NATIONAL TRUST OF AUSTRALIA (WA)**

Pursuant to section 19 of the *Heritage Act 2018* (Act), the Heritage Council of Western Australia resolved to—

1. To revoke the delegation instrument, which was published in the *Government Gazette* on 24 September 2019 at page 3408; and
2. To delegate the provision of advice under s.74 of the Act to Senior Manager Asset Management (delegate) of the National Trust of Australia (WA) (Trust) for proposals for works located in any place acquired by, vested in, or under the control of the Trust.
3. To require the delegate to refer applications for the classes and in the locations specified in Schedule 1 to the Council for determination.
4. To require that the delegate have due regard to the Heritage Council Delegation Framework dated July 2023 as published by the Council on its website when exercising this delegation.
5. To declare that this resolution take effect when notice of it is published in the *Government Gazette*.

This delegation shall come into operation on 22 August 2023.

VAUGHAN DAVIES, Assistant Director General Heritage and Property Services, Department of Planning, Lands and Heritage.

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**Schedule**

This is the Schedule to the instrument of delegation as authorised by the Heritage Council of Western Australia pursuant to section 19 of the *Heritage Act 2018* (Act).

**Schedule 1****1. Contentious issues**

Proposals where, in the opinion or understanding of the delegate—

- (a) the impacts on the cultural heritage significance of a place are assessed as 'major' on the Impact Rating provided at Schedule 1 of the Heritage Council Delegation Framework dated July 2023;
- (b) there is substantial public, community commentary or media activity;
- (c) the Minister for Heritage is, or is likely to become, involved or interested;
- (d) there are significant stakeholder objections or concerns;
- (e) the recommended response would conflict with the direction or activity of any statutory authority or State agency;
- (f) the recommended response conflicts or is inconsistent with a previous Council resolution, or an adopted Council policy;
- (g) there is no consensus between the delegate and their reporting/supporting officer(s) or professional advisers;
- (h) a decision may have a negative impact on the reputation of the Council, the Minister or cultural heritage in general.

**2. State-wide interest**

Proposals for—

- (a) any State-wide or regional activity, policy, guidelines or strategy where there is an identified heritage matter to be raised
- (b) State legislation or policy that may impact on heritage places
- (c) projects that will have a broad impact on the economy or cultural heritage of the State or a region.

**3. Heritage Agreements**

Proposals that would commit the Council to entering a heritage agreement; unless it is consistent with the Council's policy 'Heritage agreement as a condition of Heritage Council support'.

**4. Places of strategic priority**

Proposals that relate to a place for which the delegate has received notice that, in the opinion of the Council, is a strategic priority.