

Australian Capital Territory

Heritage (Council Member) Appointment 2026 (No 2)

Disallowable instrument DI2026–39

made under the

Heritage Act 2004, s 17 (Members of council)

EXPLANATORY STATEMENT

Introduction

This explanatory statement relates to the *Heritage (Council Member) Appointment 2026 (No 2)* as made by the Minister for Heritage and presented to the Legislative Assembly. It does not form part of the instrument and has not been endorsed by the Legislative Assembly.

Overview

Section 16 of the *Heritage Act 2004* (the *Act*) establishes the ACT Heritage Council (the *council*). Members of the council are appointed by the Minister under section 17 of the Act. Subsection 17 (1) (d) of the Act specifies that six (6) members are to be appointed as experts.

Subsection 17 (4) of the Act specifies that each expert must adequately represent at least one of the following disciplines: Aboriginal culture; Aboriginal history; archaeology; architecture; engineering; history (other than Aboriginal history); landscape architecture; nature conservation; object conservation; town planning; urban design; and any other discipline if, in the Minister’s opinion, a person representing the discipline would have knowledge, skills or experience beneficial to, or necessary for, the exercise of the council’s functions.

In accordance with section 17 (6) of the Act, a person may be appointed as a member of the council for no longer than three (3) years.

Appointment

This instrument appoints Mr Alistair Henchman as a member of the council from 2 May 2026 until 30 April 2029. He is appointed as an expert member. Mr Henchman was previously appointed as a council member from 30 April 2023 to 1 May 2026. This appointment does not exceed the recommended maximum appointment term of six years, as per the ACT Government’s *Governance Principles: Appointments, Boards and Committees in the ACT*.

Mr Henchman is a qualified architect with experience with the ACT and NSW Governments in roles responsible for preservation and management of significant heritage sites in both metropolitan and regional areas. As an expert on nature conservation, town planning, and urban design as well as a landscape architect, Mr Henchman offers an extensive breadth of skills relevant to the council.

He worked for 25 years with NSW National Parks and Wildlife Service as the Regional Architect where he focussed on the adaptive reuse and conservation of heritage places, developed policy for heritage management, and determined the future of numerous heritage places, structures and landscapes throughout NSW.

Mr Henchman has experience on several boards. As the Chair of the statutory Lord Howe Island Board from 2008 to 2012, he managed social and natural heritage values of World Heritage listed site. He is the Community representative on the Ginninderry Conservation Trust Board

Mr Henchman is not a public servant.

Consultation with relevant Assembly committee

Division 19.3.3 of the *Legislation Act 2001* (the ***Legislation Act***) applies as Mr Henchman is not a public servant, is appointed for longer than 6 months, and will have functions beyond advising the Minister. In accordance with section 228 of the *Legislation Act*, the Standing Committee on Environment and Planning has been consulted and noted the appointment. The appointment is a disallowable instrument by operation of section 229 of the *Legislation Act*.

Regulatory impact statement

The instrument is not likely to impose appreciable costs on the community, or part of the community and therefore a regulatory impact statement (a ***RIS***) is not required (*Legislation Act*, section 34). Further, a *RIS* is unnecessary, in accordance with the *Legislation Act*, subsection 36 (1) (b), as the disallowable instrument does not operate to the disadvantage of anyone by adversely affecting the person's rights, or imposing liabilities on the person.

Remuneration

Remuneration for the council is set by the ACT Remuneration Tribunal under *Determination 13 of 2025, Part-time Public Office Holders (Amended)*, and is met by the City and Environment Directorate's budget.

Scrutiny Committee terms of reference

The instrument is consistent with the Standing Committee on Legal Affairs (Legislative Scrutiny Role) terms of reference. In particular, the instrument:

1. Is made under a ministerial power found in the Act (see section 17 of the Act).
2. Is in accordance with the general objects of the Act under which it is made.
The appointment of a member to the council is integral to the operation of the council and achieving the objects of the Act.
3. Does not unduly trespass on rights previously established by law.

4. Does not make rights, liberties and/or obligations unduly dependent on non-reviewable decisions. The instrument enables formal appointment of a member of the council.