



TOOLKIT

Heritage Advisory Services: A guide for Councils

Heritage Victoria, Department of Transport, Planning and Local Infrastructure

Introduction and Purpose

This toolkit has been prepared to help a council establish a heritage advisory service for its municipality. It includes a standard consultancy brief and statement of duties for a heritage advisor.

1. What is a Heritage Advisory Service

A heritage advisory service is a program delivered by local government. A consultant heritage specialist is appointed by a local council to provide free advice to the local community on heritage matters and assist the council with heritage issues. The advisor is appointed by and reports to the council. The appointment is generally part-time, being one or two days per month in rural/regional areas or more frequently in urban areas. Several councils employ a full time heritage advisor/officer. At the commencement of a heritage advisory service or during times of heavy workload, more time may be allocated to the service.

Councils should prepare a Municipal Heritage Strategy which establishes a framework for the council's heritage management. This will identify actions that will address the identification, protection, management and/or promotion of a municipality's heritage. The appointment of a heritage advisor is an important part of implementing the Strategy.

Most Victorian local councils deliver a heritage advisory service program and it is one of the most popular and successful heritage incentive schemes adopted by local government. A list of current heritage advisors employed by local councils is published on the Department of Transport, Planning and Local Infrastructure's website.



Left: Ballarat provided a community demonstration on Heritage Trades. *Image courtesy City of Ballarat*

Right: Heritage Advisor Lorraine Huddle meeting with the owner of the Huon Post Office and residence to provide advice on alterations and extensions, for Indigo Shire Council, Victoria. *Photo by Jessie Briggs, courtesy Lorraine Huddle, Heritage Advisor.*

2. Role of heritage advisors

The primary role of the advisor is to provide expert advice and support to a council in achieving the maximum possible conservation and promotion of places of cultural significance within the local area, especially those heritage places subject to statutory protection under planning schemes.

Places of cultural significance may include buildings; structures; historic sites; gardens, trees and other landscape features; historic precincts and other areas; cemeteries; and archaeological sites.

Heritage advisors assist the general community by:

- Providing free consultation on heritage matters for owners and residents
- Educating the community on heritage issues,
- Raising awareness of the value of heritage places,
- Explaining relevant heritage legislation and policies, and
- Providing assistance with funding sources and applications.

Advisors assist local government by providing:

- A heritage and conservation resource for owners,
- Professional advice to assist Council deliver good heritage outcomes for the local area,
- Planning process input,
- Expert advice on development applications,
- Advice to council on heritage policies, and
- Advice to council on council owned heritage assets.



Left: Heritage Advisor Lorraine Huddle in the field with Parks Victoria rangers for East Gippsland Council and Parks Victoria, Victoria. *Image courtesy Lorraine Huddle, Heritage Advisor.*

Right: An inspection during a forum for planners and advisors in Port Phillip.

Several qualities are important to be an effective advisor:

- Adequate knowledge of heritage legislation, conservation policies and practice, and suitable experience in heritage conservation work,
- An ability to provide practical conservation design solutions,
- Good inter-personal and oral written communication skills and an ability to actively promote heritage conservation through education and management, and
- An ability to solve problems and negotiate acceptable solutions to issues involving heritage matters.

As an advocacy role, the advisor should also be able to lead, inspire and educate.

3. Provision of Heritage Advisory Services

Many Victorian councils fully fund a heritage advisory service or employ heritage officers or planners within council with heritage expertise.

Councils in rural and regional Victoria may benefit from the Department of Transport, Planning and Local Infrastructure (DTPLI) Rural Council Planning Flying Squad program ('the Flying Squad') to fund heritage advisory services programs in rural and regional Victoria from 2014-16.

Support from the Flying Squad can also be accessed for strategic heritage projects including, for example, regional heritage studies and amendment of planning schemes. Assistance can also be provided for specialist technical assistance on major projects and developments, long-term land-use issues and strategic planning, as well as immediate support with planning permit and amendment work. Information on the Flying Squad is available at www.dpcd.vic.gov.au/planning/projects-and-programs/rural-planning-flying-squad. The purpose of initial funding support is to build capacity in councils to fund their heritage incentive programs, including heritage advisory services.



Left: Lecturer David Young (right) at Gulf Station during a workshop on caring for timber in heritage buildings . Right: Part of the field trip in Ballarat during a 2013 forum for planners and advisors

Consultancy Brief and Statement of Duties

Councils undertaking a recruitment process to directly employ a heritage advisor may use the following consultancy brief and statement of duties in their contract or recruitment documents and may also have additional matters or requirements to include. Councils should promote the heritage advisory service to the local community and within the council and support the role. This model brief contains guidance on the conduct of advisors, qualifications and experience, duties and operation of the heritage advisory service program.

4. Conduct of Advisors

The Advisor is to act in accordance with the principles and guidelines of the *Australia ICOMOS Burra Charter 2013 ('Burra Charter')* including the Statement of Ethical Principles for ICOMOS members.

While the Advisor may work with a council to achieve the best outcomes in a particular situation, the Advisor must not compromise his/her advice for political or any other reasons.

The Advisor will provide advice on conservation issues as a contribution to the overall decision making processes, which are the ultimate responsibility of the council. The council will decide how to respond to this advice on the basis of any competing interests or policies which it is obliged to take into account.

The Advisor will respond appropriately to all requests for advice on conservation matters which are made by a council or its officers. The Advisor may raise issues with a council at his/her discretion, which in return should be responded to appropriately by the council.

Under no circumstances will the Advisor be required to support a council's decisions which are contrary to the Advisor's own views or advice (e.g. to appear before the Victorian Civil and Administrative Tribunal). Conversely, except under subpoena or a specific request from a tribunal, the Advisor will not publicly oppose a council decision.

5. Qualifications and experience

The Heritage Advisor should hold relevant qualifications in architecture, building, engineering and/or heritage conservation.

The Advisor shall have a proven interest and, ideally, experience in the conservation of buildings, areas and other places of cultural significance. Particular skills should include:

- a. The identification of important elements in the cultural environment and the assessment of their significance.
- b. Procedures and techniques of heritage conservation with emphasis on the practical aspects of undertaking such projects.

- c. A capacity to negotiate acceptable solutions and deal sensitively, with minimum of conflict, across the broad spectrum of the community including government and local council administration and property owners and occupiers.

The Advisor should also:

- a. Have a working knowledge of the *Burra Charter*, the *Planning and Environment Act 1987*, the *Heritage Act 1995* and related legislation.
- b. Meet the entry requirements for membership of Australia ICOMOS.
- c. Have completed at least one conservation management plan for a heritage site to an established format and professional standard
- d. Have a general appreciation of the planning procedures of councils, particularly in reference to the administration of heritage or conservation controls.
- e. Possess or acquire knowledge of the historical development of the area to which they are appointed .
- f. Possess a good understanding of current cultural heritage resource management issues including conservation philosophy, technology, procedures, legislation and current heritage debate, and be able to keep abreast of latest developments in the field.
- g. Be able to manage their own time and work load and meet deadlines. Advisors should be able to respond to issues quickly and effectively and document decisions.
- h. Be listed as a consultant on Heritage Victoria's Directory of Consultants and Contractors.
- i. Be a member of Heritage Victoria's email chat group HeritageChat and be prepared to participate.

6. Duties and Functions

The primary and additional tasks the Advisor may undertake are outlined below. Council should make the most of the heritage advisor and ensure that some time is also allocated to educational and strategic activities which can build capacity within a council to manage heritage matters.

The primary duties of the Heritage Advisor are:

- a. Liaise with the owners of buildings and places listed in the heritage overlay of a local planning scheme with respect to their requirements, and the requirements for achieving conservation of the cultural environment. This will involve:

- encouraging property owners to seek advice with respect to any development and conservation work to be undertaken to heritage items, ideally, prior to the lodging of planning applications,
- offering advice and, where necessary, preparing simple drawings or specifications for such work,
- giving advice and assistance as required in obtaining quotations for work, contacting appropriate tradespeople, or obtaining suitable material supplies,
- providing advice to builders and tradespeople on relevant conservation/restoration techniques and material sources for specific tasks, and
- assisting owners, where necessary, to apply for permit approvals from relevant authorities and to make applications for financial assistance from relevant sources.

The extent of this function must be limited in order to avoid conflict with the practices of local architects, draftspersons, builders or other practitioners. The work is generally to be restricted to providing sufficient advice for the owner to proceed in a way which will have a positive outcome for the place concerned. However, a somewhat greater level of service may be provided where the building or place is owned by the council or a non-profit community group.

- b. Actively promote heritage conservation and the advisory service within the council area through mail-drops, public discussions, seminars, publications, local media interviews or other similar means.
- c. Assist the council in the administration of the planning scheme as it relates to the conservation of buildings, areas and other places of cultural significance. The Advisor may provide advice on permit applications, and on ways of achieving conservation aims within the scope of the local planning scheme, including the development of policies and guidelines, where requested by the council.
- d. Ensure that the town planning staff administering the planning scheme are kept informed on heritage issues and practice.
- e. Prepare a short report each year for presentation to the council on the heritage issues affecting the municipality.
- f. Where the council has no recent Heritage Strategy, assist in preparing a Municipal Heritage Strategy.
- g. With the support of the council continue to update skills and knowledge in heritage management, which might include attendance at local government heritage workshops.

A Heritage Advisor may also be expected to undertake the following additional functions as appropriate:

- a. Review the adequacy of heritage education in the area and take steps to correct deficiencies. Such a review should consider the heritage educational needs of local council staff, local councillors, local professionals, local tradespeople and the community generally.
- b. Organise, supervise and seek appropriate funding for public conservation or restoration projects, in conjunction with council officers as requested.
- c. Assist the efficient running of local heritage restoration funds where these are established, and submit brief reports to Restoration or Heritage Advisory Committee meetings on work in progress, works completed, and applications under consideration.
- d. Maintain lists of suitably qualified and experienced local architects, engineers, other conservation specialists, tradespeople and material suppliers who can offer appropriate advice to owners of heritage properties.
- e. Report on places included or being considered for inclusion on State or Commonwealth heritage registers, as required.
- f. Promote places of historic interest and enhance knowledge of the history and cultural significance of the local area and specific places. This may include advice on the interpretation of buildings and places of heritage significance, the development of heritage trails; the production of publications and other materials.
- g. Advise on places under threat needing urgent attention, and on appropriate conservation action.
- h. Formulate recommendations for conservation of the cultural environment under the *Heritage Act 1995*, the *Planning and Environment Act 1987*, or any other applicable means.
- i. Encourage the implementation of recommendations from existing heritage studies. Review the adequacy and encourage the preparation of heritage studies where appropriate.
- j. Establish the orderly collection of heritage resource material, including photographs, to assist local heritage conservation and promotion in association with relevant council departments, libraries and local historical societies.

The Heritage Advisor should be mindful of the need to seek or recommend other specialist heritage advice where it is beyond the expertise of the Advisor. For example, there may be instances where the Advisor should seek or recommend professional advice from arboriculturalists, engineers, archaeologists, materials conservators etc where appropriate to the circumstances.

7. Visits to Council Area

In most cases the work will involve regular visits to the client council's area, however where that area is remote, distance consulting through electronic information exchange can be a useful and economical approach.

Where this approach is adopted the Heritage Advisor should undertake at least two visits to the offices of the municipality each year. Where there are no scheduled appointments, the Advisor should be encouraged to work on strategic heritage projects and/or educational and/or promotional activities.

8. Appointment/Supervision/Reporting

The Heritage Advisor will report to (*generally, the council's Town Planner or an equivalent*). To achieve program objectives, the Advisor will be given reasonable freedom of operation, including direct negotiation with owners, developers, and government departments and in making recommendations to Council. Council will require that where consultations have occurred, adequate notes, memorandums or reports be prepared indicating the nature of advice that has been provided and discussions or negotiations that have taken place.

The Advisor shall keep a diary in relation to all work undertaken. It should record visit days, the work carried out on each day, persons seen and issues involved. This record is to be used as the basis for supplying regular reports to Council, and where required, annual reports to the Department of Transport, Planning and Local Infrastructure.

9. Administration/Management

It is essential for the success of the Heritage Advisory service that the Council set aside from its funding, any additional monies to allow for the administration and staff support of the Heritage Advisor.

The Council will provide the Advisor with access to the following (*delete or add as appropriate*):

- office space, computer, phone, photo-copying, and
- access to council vehicle.

10. Contract management

Where council employs the advisor directly, both the council/the Advisor should ensure that there is a valid (current) contract between the council and the Advisor and that the method of referral to the Advisor is understood by all parties. The extent of the services provided by the council should be agreed upon between the council and the Advisor prior to appointment. The council will keep appointment books for the Advisor, and make appointments for interviews in advance.

11. Remuneration/Operational Expenses

Where directly employed by council, the Advisor will be paid by the council on a consultancy basis. Remuneration will be per visit, either full day, or half day (or longer period if necessary) which will be fully inclusive of all expenses. An allowance may be agreed upon between the council and the Heritage Advisor where distance may require the Advisor to undertake extended travel and/or an overnight stay.

A rate or fee may also be agreed upon between the council and the Heritage Advisor for additional time requested by the council outside the Advisor's normal hours. This should be specified in the letter of engagement.

It will be the responsibility of the Advisor to provide for professional indemnity insurance (unless funded or provided by the municipality) and other expenses incurred. The Advisor will not undertake any work that is not covered by the terms of the professional indemnity insurance.

The council will not be required to pay for workers compensation, superannuation, annual leave etc or any costs in addition to the agreed fees.

12. Conflicts of Interest

The Advisor shall inform the council of any possible conflict of interest as soon as this is known.

Whilst working in the capacity of Heritage Advisor, the appointee, or persons or firms with which the appointee has a formal and/or financial association, may not undertake other paid work on any heritage place in the council area except as follows:

- a. Continuation of architectural services to completion on a heritage project which had commenced prior to the Advisor's appointment.
- b. Work commissioned by the council as an extension of the existing consultancy.
- c. Where, at the council's discretion, the Advisor is best equipped to undertake a project on the council's behalf.

13. Terminations

Where directly employed by council, either party may terminate the appointment as Heritage Advisor on one month's written notice. The Advisor should only be dismissed by the council on grounds of a clear dereliction of duty or incompetence.

SUGGESTED DRAFT LETTER OF ENGAGEMENT FOR HERITAGE ADVISOR

(add or delete as appropriate)

Dear _____

HERITAGE ADVISOR CONSULTANCY FOR _____

In reference to your application for the position of Heritage Advisor with this Council, I am pleased to advise that you have been selected to undertake this role.

This consultancy is offered subject to the basic terms and conditions outlined in the attached "Consultancy Brief and Statement of Qualifications and Duties".

In addition to the attached "Consultancy Brief and Statement of Qualifications and Duties", the following specific terms and conditions shall apply:-

Supervision arrangements

As Heritage Advisor, you shall report to _____.

Support services

The Council will provide you with access to the following (*delete or add as appropriate*):- office space / telephone / word-processing-typing / photo-copying / photographic supplies etc.

(NB Specify any limitations as to the extent of services to be provided and include additional matters as appropriate)

Remuneration/expenses

During the term of this appointment, you will be expected to provide _____ day visits to this municipality.

Payment will be at the rate of \$_____ per day visit which will be fully inclusive of all expenses. You are to meet all personal costs incurred on these occasions.

Where you are required to undertake additional work outside normal hours, this shall be at the rate of \$ _____.

Commencement/termination

This is a _____ year contract, subject to annual review and annual budgetary allocations. This consultancy shall apply from ___/___/___ to ___/___/___. It is required that you commence duties on ___/___/___.

If you wish to accept this consultancy in accordance with these terms and conditions, you should sign and date the attached copy of this letter, then return it to the Council by ___/___/___.

Yours sincerely

I accept the terms and conditions of the consultancy as specified in this contractual letter and in the "Consultancy Brief and Statement of Qualifications and Duties".

Signature _____ Date _____