# Heritage Advisor’s Toolkit

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## This toolkit:

## This toolkit was prepared by Context Pty Ltd Heritage Consultants and commissioned by Heritage Victoria, the principal cultural heritage agency in the State of Victoria, Australia as a training resource for use by local government.

## The toolkit consists of PowerPoint slides (PowerPoint document) and speakers notes (this word document) which also contains explanatory notes on the kit and further web links and resources.

## It is suggested that Council’s heritage staff, such as heritage officers/planners or heritage advisors periodically present the material to council staff and councillors and use it as part of induction processes for Councils. While it is called an ‘advisors toolkit’ as a special resource for advisors it could be presented by any of Council’s heritage staff.

## The PowerPoint base template is designed to be used by Victorian local councils to train their staff in heritage. It is designed to be modified by local council to include relevant local planning information, such as local policies, municipal strategic statements and heritage studies and other information specific to your particular municipality. Photos of heritage places and objects intersperse the slides and these may be replaced with local examples as required.

## For any queries on the toolkit, please contact the Local government staff at Heritage Victoria, Department of Environment, Land, Water and Planning, [www.delwp.vic.gov.au](http://www.delwp.vic.gov.au/).

## Presenting to others:

This toolkit contains hints on presentation using plain English, and on tailoring a presentation to a particular situation.

In presenting the toolkit it is important to understand your audience and their level of knowledge in order to communicate its contents effectively.

The presenter’s notes are intended to be quite comprehensive, however additional comments on presentation are provided – these are in italics between square brackets.

| Time | Slide | Speaker’s Notes  *[additional comments on presentation in italics between square brackets]* | Resources (for reference) |
| --- | --- | --- | --- |
|  | 1 INTRODUCING THE TOOLKIT | |  |
|  | Heritage advisory services are delivered by local councils across Victoria. Councils contract a heritage specialist to provide free advice to the local community on heritage matters and to assist the council with heritage issues. Heritage advisory services continue to be one of the most popular and successful heritage incentive schemes adopted by local government. In 2013, seventy local councils provided heritage advisory services. | |  |
|  | 1.1 Purpose of the Toolkit | The toolkit has been developed to support the current roles and responsibilities of heritage advisors working within the existing Victorian system.  The heritage toolkit is designed to be used by local council heritage advisors for the purposes of explaining local government heritage practice and the role of an advisor to council staff and councillors.  **Purpose**   * Increase councils’ understanding of the role of the heritage advisor * Increase councils’ understanding of cultural heritage practice * Provide a broad overview of the ‘heritage system’ in Victoria.   **Objectives**   * De-mystify heritage * Build confidence in dealing with heritage issues * Improve access to information about heritage * Promote further understanding of heritage within councils * Promote the positive aspects of heritage * Promote local case studies about successful heritage outcomes. | Key website: <http://www.delwp.vic.gov.au/planning/heritage-victoria> |
|  | 1.2 Format of the Toolkit | The toolkit has been broken into four sections which can be utilised individually, in combination or all together, depending on the purpose of the presentation.  The four sections are as follows:   * Introducing the Toolkit * The Local Context. * The Role of the Heritage Advisor * Heritage Context and Legislative Background.   The toolkit has been designed to function in hard copy, as a PowerPoint presentation with links to (or hard copy) resources, and as a series of web pages as shown in the following table.     |  |  |  |  | | --- | --- | --- | --- | | **Content** | **Hard Copy** | **Presentation** | **Web based** | | **Sections -** | Printed PowerPoint slides | Powerpoint | Individual web pages | | **Narrative -** | Printed presenter’s notes | Spoken presenter’s notes | Web text | | **Resources -** | Printed references | Selected printed resources | Links to Resources | | ***[See contents page***] |
|  | 1.3 Presenting the toolkit | The target audience for the heritage toolkit is expected to be:   * Statutory and strategic planners * Councillors * Council staff, including property managers and senior management * Engineers * Parks and Recreational Staff * Staff involved in public relations, communications and tourism * Place managers. | ***[This toolkit contains guidance on how to present the toolkit to Council and include local content]*** |
|  | 2 THE LOCAL CONTEXT | |  |
|  | Your municipality – [can be tailored by advisors for specific municipalities]. | | |
|  | 2.1 Local examples | **What’s happening in …………….?**  ***[This is intended to be a snapshot of heritage management in the municipality, the advisor’s work and local heritage topics relevant at the time.]*** | ***[Insert material tailored to suit your municipality***  ***Heritage toolkit resources Local Example*** |
|  | 2.2 Municipal Heritage Strategy ***Choose which slide:***  ***If strategy completed, this:*** | **Our heritage strategy**  ***[The checklist in the HV guidelines is particularly helpful in gaining a snapshot of a council’s current position in relation to heritage]***  Actions undertaken if a heritage strategy has been completed.  This is intended to be a snapshot of the implementation of the heritage strategy. | Heritage Victoria 2012 [*Municipal Heritage Strategies – A Guide for Councils*](http://www.dtpli.vic.gov.au/heritage/local-government/municipal-heritage-strategies) |
|  | ***If not, this:*** | **Delivering a heritage strategy**  ***[Use this slide if there is no heritage strategy yet]***  A Municipal Heritage Strategy allows a council to:   * identify positive heritage measures already employed by the council; * identify and prioritise work to be done in the future; * appropriately manage and monitor the heritage assets of their community; and * report on and celebrate achievements.   A heritage strategy and the process through which it is developed, can support and prioritise the work of the heritage advisor. |  |
|  | 2.3 Local resources | Local organisations and resources are of great assistance in undertaking heritage projects. These organisations may include:   * Historical societies * Museums and archives * National Trust or other heritage organisations.   Support can also often be found through less obvious sources:   * Educational institutions * Community voluntary organisations such as Mens’ Sheds * Government initiatives such as the Green Army. | Royal Historical Society of Victoria: <http://www.historyvictoria.org.au/>  National Trust (Victoria): <http://www.nationaltrust.org.au/vic/Home>  Australian Men’s Shed Association:  <http://www.mensshed.org/home/.aspx>  Green Army:  <http://www.environment.gov.au/land/green-army> |
|  | 2.4 Heritage funding - external | **Places to go for heritage funding**  There are external funding bodies that provide monetary incentives to encourage the conservation of cultural heritage assets These may include:   * Heritage Victoria’s [Living Heritage](http://www.dtpli.vic.gov.au/heritage/about-heritage-in-victoria/living-heritage-program) program – included in the Victorian budget 2015-16 providing $30 million over four years to safeguard and reactivate the State’s key heritage resources. The program includes $7 million for a competitive community heritage grants program targeting ‘at risk’ State-listed heritage places. * Regional Development Victoria: <http://www.rdv.vic.gov.au/> * Vic Track heritage fund: <https://www.victrack.com.au/en/in-the-community/preserving-our-heritage/support-for-heritage-groups> * Museums Australia: <http://www.museumsaustralia.org.au/site/> |  |
|  | 2.5 Heritage programs - internal | **Council initiatives**   * Grants and loans programs – issues around running grants programs for smaller municipalities * Awards programs – either with the National Trust or alone * Community grants for programs or assets. | ***[Councils may have their own grants officer or a notification of upcoming grants on their website]*** |
|  | 2.6 Heritage policies | Good heritage policies underpin good heritage outcomes.  **State Planning Policy Framework**  Clause 15 covers built environment and heritage  **Municipal Strategic Statement**  The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality with related strategies and actions. Every planning scheme in the state has the same format with state and local planning policies.  **Local planning policy framework**  Local planning policies are tailored for individual municipalities.  **Urban design frameworks**  Other planning policies may provide additional information on specific places.  **Other relevant council planning documents**  Heritage studies and environmental histories. | ***[Insert links to local planning scheme heritage policies]*** |
|  | 3 THE ROLE OF THE HERITAGE ADVISOR | |  |
|  | Heritage advisors work in 70 municipalities throughout the state. Advisors come from different disciplinary backgrounds but have an in-depth knowledge of heritage legislation and practice in the local government context. | |  |
|  | 3.1 Your heritage advisor | **How can your advisor assist?**  Heritage advisors are there to provide advice to residents and property owners and to council officers on heritage matters. Individual arrangements may be tailored to suit particular municipalities and usually include a combination of contact time and remote working. The extent of contact time will often depend on the remoteness of the locality or the type of work that the advisor is required to do.  **What are the skills of the advisor?**  ***[A list of duties/tasks is included in the Heritage Advisory Services Handbook document]***  An advisor should have a range of skills and knowledge, and the following is found to be helpful:   * A knowledge of heritage practice and the Australia ICOMOS *Burra Charter* * The Heritage Victoria resources available to assist advisors * Technical conservation skills – a basic level as a minimum, and to recognise the extent of one’s own knowledge * Where to access additional heritage resources * Architectural skills * Some heritage planning skills.   ***[Highlight the particular skills of the Heritage Advisor here].*** | ***[Insert example (your?) CV]***  Commonwealth of Australia for the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) [2000 *Heritage Advisory Services Handbook: a national guide for Government, Advisors and the Community*](http://www.dtpli.vic.gov.au/heritage/local-government/local-heritage-toolkit)  Heritage Victoria has published a guide to setting up a heritage advisory service, including the skills and qualifications of an advisor: [Heritage Advisory Services: A Guide for Councils](http://www.dtpli.vic.gov.au/heritage/local-government/heritage-advisors) |
|  | 3.2 Local knowledge | In working closely with council staff an advisor needs to quickly develop an in depth knowledge of the heritage of the particular municipality, including:   * The local Planning Scheme and its heritage policies, schedule and maps * The places on the Heritage Overlay * The detail of local heritage studies completed and any areas not as well documented * Historical archaeological heritage of the local area * Awareness of local collections and other aspects of heritage. | [Heritage Victoria, Local Heritage Toolkit:](http://www.dtpli.vic.gov.au/heritage/local-government/local-heritage-toolkit) |
|  | 3. 3 The advisor’s wider role | **Strategic role in heritage -**   * Input to strategic plans or planning reviews * Setting priorities for heritage in your area - sees Municipal Heritage Strategy * Identifying places for future assessment and protection * Facilitating heritage initiatives for council owned or managed properties.   **Communication and promotion of heritage**   * Membership on council committees involving management of heritage places * Getting to know and using local networks * Heritage interpretation may form part of the advisor’s role.   **Heritage Advisory Committees**  The heritage advisor is usually an ex-officio member of the Heritage Advisory Committee.  Advisors will generally report on matters of interest to the committee, seek assistance for certain projects or tasks, and rely on the committee for heritage promotional activities.  The advisor may be on other council advisory committees. |  |
|  | 3.4 Value of an independent expert | **The advisor and the council**  One of the primary purposes of the heritage advisor is to provide expert advice and support to the council in achieving the best conservation outcomes for heritage places, objects and collections.   * Provide free consultations on heritage matters * Input into the planning process – strategic and statutory in relation to heritage * Advice on council-owned heritage assets * Provide a second opinion on heritage advice received from other consultants. |  |
|  | 3.5 The heritage advisor as a facilitator | **The advisor and the community**  One role of the heritage advisor is as a conduit for heritage matters between Council and other heritage bodies or between Council and the community. Some tasks may include:   * Raising awareness of heritage in the community * Explaining heritage legislation and policies * Providing assistance with funding sources and applications. * Working with members of a Heritage Advisory Committee. | Commonwealth of Australia for the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) [2000 *Heritage Advisory Services Handbook: a national guide for Government, Advisors and the Community*](http://www.dtpli.vic.gov.au/heritage/local-government/local-heritage-toolkit) |
|  | 3.6 Participating in Council processes | **Useful skills and attributes of an advisor**  The heritage advisor is usually (but not always) responsible to the council planning department. Some of the key skills that are required of the role include:   * Negotiation and problem solving to achieve outcomes. * Lead, inspire and educate when required * Work both strategically and effectively with day to day issues and deadlines * Document site visits, meetings, phone conversations * Appreciate the boundaries of the role and when to involve, or defer to, council officers. |  |
|  | 3.7 Negotiating good heritage outcomes | The role of the advisor is to try and facilitate good outcomes for Council through the use of a range of tools and resources available. Ideally the advisor is able to be involved prior to planning applications being lodged, and thereby to influence thinking about heritage at an early stage in the process.  **Pre-application discussion**  Pre-application consultations – getting all the stakeholders together is a good start to a development application process.  The art of negotiation is one of listening and putting forward options for evaluation.  Leveraging good outcomes is generally easier when heritage is part of a bigger process and all issues are on the table.  **Provide independent heritage advice**  **Support planning officers**  The advisor should be able to provide support for council planning officers.  **Do not let bad precedents become a model for future outcomes**  Bad precedents always exist, but moving into better heritage outcomes is the aim.  **Use established frameworks**  Reference to the materials published by Australia ICOMOS is a useful way of strengthening advice.  **Review applications after revisions have been made.** | [Heritage Victoria ‘Permit policies and decision making guidelines’](http://www.dtpli.vic.gov.au/heritage/apply-for-heritage-permits/permit-policies-and-decision-making-guidelines)  Australia ICOMOS *Burra Charter and Practice Notes:* <http://australia.icomos.org/publications/charters/>  A web-based toolkit of reference resources for heritage conservation:  [*Australia ICOMOS Heritage Toolkit:*](http://australia.icomos.org/publications/australia-icomos-heritage-toolkit/) |
|  | 3.8 Assessing applications for HO places | **Referrals**  Undertaking referral advice for places on the Heritage Overlay is a large part of the work for most heritage advisors.  The advisor’s role is to advise the council what is appropriate given the significance of the place, local policies and guidelines, and the nature of the changes proposed.  Heritage impact statements are a useful standard approach.  The advisor may also be required to peer review heritage reports prepared by others in order to ensure Council’s position is heard.  **Places on the Victorian Heritage Register (VHR)**  Permit applications for places on the VHR are directed to Heritage Victoria, but councils are given the opportunity to comment on VHR permit referrals and the advisor generally undertakes this role.  **Decision guidelines**  Referral reports by the advisor must consider the objectives and decision guidelines of any local heritage policy. | [Heritage Victoria 2009 *Heritage Impact Statements – Guidelines*](http://www.dtpli.vic.gov.au/heritage/apply-for-heritage-permits/how-to-apply-for-a-permit) |
|  | 3.9 What an advisor might recommend | Recommendations should be made in language that is as objective as possible, not considered to be inflammatory or overly value-laden. Advice and recommendations should provide alternative options and indicate support where appropriate, even if the overall recommendation is a refusal.  **Further work**  Where there are complex sites or major developments affecting heritage places, the advisor may recommend that further work be undertaken to accurately determine the related impacts.  Some form of conservation management plan may be recommended to assist in making decisions.  Ideally a management plan should be comprehensive and not just respond to a specific permit development proposal.  **Reference to local policies**  Heritage advice refers to local heritage policies and the statement of significance for referrals. Other helpful documents include Heritage Victoria’s *Heritage Overlay Guidelines*.  **Provide alternative options**  The development goals might be achieved by other means with less heritage impacts. The advisor should indicate what can be supported where this is appropriate.  **Permit conditions**  Advice should be in a structured format that provides clear direction for planning officers to use either in further negotiation, or in drafting suitable permit conditions. Advisors should not draft permit conditions themselves and they should be clear enough not to require reinterpretation by planning staff.  **Mitigation**  An advisor can provide advice on permit conditions in order to mitigate or lessen any heritage impact. Permit conditions can provide alternative ways to mitigate the impact of changes on a place. | Heritage Council of Victoria 2010 [*Conservation Management Plans: Managing Heritage Places*](http://www.dtpli.vic.gov.au/heritage/research-and-publications/conservation-management-plans) |
|  | 3.10 Good design outcomes | **Case studies**  ***[Provide case studies on a standard template]***  ***[Initially draw examples from those on Heritage Victoria website]***  ***[Advisors can build their own supply of case studies and add to templates for use]***   * Adaptation * Additions * Reconstruction * New buildings in heritage areas * Specific elements such as fences etc. | NSW Heritage Office and RAIA NSW Chapter 2005[*Design in Context Guidelines for infill Development in the Historic Environment*](http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/DesignInContext.pdf)  Heritage Council of Victoria, Building Commission & Heritage Victoria 2007[*What House is That?*](http://heritage.vic.gov.au/Heritage-places-objects/What-house-is-that/)  Australia ICOMOS 2013 *Burra Charter Article 22: New Work* <http://australia.icomos.org/publications/charters/> |
|  | 3.11 Relationships to other disciplines, and when to enlist assistance/support | **Other advice required**  It may be necessary to enlist the support of other disciplines to provide inputs to the management of heritage places, or to recommend that a development proponent do so.  These disciplines may include the following:  **Historical Archaeology**  Any heritage place can have archaeological potential - that is the potential to contain material that, if subjected to archaeological investigation, could provide additional information about the place’s heritage values. The Heritage Act also confers blanket protection on all significant historical archaeological material of over 50 years in age, regardless of whether it is included on a statutory list. Heritage Victoria’s Archaeology team can provide advice on these matters and Heritage Victoria maintains a register of qualified archaeological consultants.  **Cultural landscapes**  Many heritage places comprise created landscapes, for example parks or cemeteries, whereas other places are often located within a wider setting of designed landscape elements and deliberate plantings. The management of these places may require the advice of landscape architects, horticulture specialists and arborists. As with archaeology, Heritage Victoria has specialists who can advise on this requirement. Large cultural landscapes are likely to require the input of a number of disciplines.  **Indigenous heritage**  Potential impacts on Indigenous cultural heritage are usually identified by statutory planning officers through the prescriptions of the Aboriginal Heritage Regulations 2007. However, some Indigenous heritage places feature on local Heritage Overlays such that heritage advisors may occasionally be asked to advise on their management. In all instances these queries should be referred to the Department of Premier and Cabinet’s [Aboriginal Victoria.](http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-affairs-overview)  **Structural works**  Depending on their specific requirements, the management of historic structures may require the involvement of structural engineers and perhaps practitioners of traditional trades. Heritage Victoria maintains registers of contractors in each of these areas.  Other advice may also be required in the following areas:   * Planning and urban design * Landscape and horticulture * Museums and collections. | Heritage Council of Victoria & Heritage Victoria 2008: [*Guidelines for Conducting Historical Archaeological Surveys*](http://www.dtpli.vic.gov.au/__data/assets/pdf_file/0018/219150/SurveyGuide.pdf)  [Heritage Victoria 2014: *Guidelines for Investigating Historical Archaeological Artefacts and Sites*](http://www.dtpli.vic.gov.au/heritage/historical-archaeology-and-heritage-inventory/archaeology-and-heritage-inventory-forms-and-guidelines)  [Heritage Victoria, Consultant and Contractor Directory:](http://www.dtpli.vic.gov.au/heritage/consultant-and-contractor-directory/find-a-consultant-or-contractor)  [Heritage Victoria, Technical Information:](http://www.dtpli.vic.gov.au/heritage/research-and-publications/technical-guidance)  [Heritage Victoria, ‘Heritage Chat’:](http://www.dtpli.vic.gov.au/heritage/local-government/heritagechat)  [Aboriginal Victoria](http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-affairs-overview) |
|  | 3.12 Getting the most from your Heritage Advisor | How can councils help the advisor to do their job?   * Supply the advisor with sufficient information for each referral – i.e. correct address, photos, current citation etc. * As far as possible avoid using all of the advisor’s time for permit processing, in order to enable pro-active assistance and other productive activities. * Use the advisor to educate the planners: Do they already handle routine items? Are there specific types of application that do not need to be referred to the advisor? * Assist advisors to be positive, proactive, enabling and encouraging rather than negative, reactionary and discouraging.   For ‘quiet’ councils:   * Ensure that the advisor spends a couple of days each year at the council rather than working remotely. * Ask the advisor to help develop a Municipal Heritage Strategy and assist in delivering it. * Organise and promote a regular “Heritage Clinic” when council officers, property owners and community groups can drop-in and seek advice. |  |
|  | 3.13 Constraints to advisor’s role | What type of constraints limit the effectiveness of the advisor’s role and how might these be improved?   * Financial, time, other constraints about the role of advisor. * Need for adequate time for site visits * Lack of feedback on outcome of applications – not knowing how advice is followed up * Support from Council when decisions get tough * Recognising the limitations of the role, and managing expectations * Managing conflicts of interest. | Model heritage advisor brief in Heritage Victoria 2014 [*Heritage Advisory Services: A Guide for Councils*](http://www.dtpli.vic.gov.au/__data/assets/pdf_file/0010/244864/HERITAGE_ADVISORY_SERVICE_BRIEF_2014_August.pdf) |
|  | 3.14 Professional development | Professional development for people interested in cultural heritage is available through a variety of formats in short or long courses, including the following:   * Heritage Advisor Workshops * PLANET courses through the Planning Institute of Australia (see program for 2016 courses). * Longford Academy: <https://aptaustralasia.wordpress.com/tag/longford-academy/> * University of Canberra Summer School: <http://www.canberra.edu.au/faculties/arts-design/courses/heritage-conservation-summer-schools/heritage> * ANU Institute for Professional Practice in Heritage and the Arts (IPPHA): <http://ippha.anu.edu.au/> * Deakin University – Cultural Heritage Centre for Asia and the Pacific (CHCAP): <https://www.deakin.edu.au/arts-ed/chcap/> * Single subjects at other universities eg. Latrobe * Australia ICOMOS: <http://australia.icomos.org/> | Heritage Victoria on behalf of the Heritage Chairs and Officials of Australia and New Zealand: [‘Heritage Trades and Professional Training Project’](http://www.environment.gov.au/resource/heritage-trades-and-professional-training-project) |
|  | 4 HERITAGE CONTEXT AND LEGISLATIVE BACKGROUND | |  |
|  | Heritage is both tangible and intangible and is the full range of our inherited traditions, monuments, objects, and culture. Most importantly, it is the range of contemporary activities, meanings and behaviours that we draw from them. Heritage is, or should be, the subject of active public reflection, debate and discussion. Heritage is an essential part of the present we live in--and of the future we will build. | | ***[Illustrate with State-wide examples]*** |
|  | 4.1 Why is heritage important? | * Heritage is at the heart of community identity * Heritage contributes to ‘sense of place’ * Heritage provides continuity within our environment (built and natural) * Heritage places provide tangible reminders of our place and history * Heritage contributes to tourism and economic regeneration. |  |
|  | 4.2 Heritage at the local level | One of the objectives of planning in Victoria is:   * To conserve and enhance those buildings, areas and other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value”.   Councils have a duty under the *Planning and Environment Act 1987* to implement this objective.  It is also state planning policy that planning should, among other things:   * Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme. * Provide for the conservation and enhancement of those places which are of aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value. * Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations. | [Clause 15 of the Victorian Planning Provisions, ‘Built Environment and Heritage’](http://planningschemes.dpcd.vic.gov.au/schemes/vpps/15_SPPF.pdf) |
|  | 4.3 Heritage listings | **World heritage**  1 in Victoria and 20 across Australia  **National heritage**  24 in Victoria and 100 across Australia  43 Commonwealth heritage places and 397 across Australia  NHL places are protected under the Commonwealth Environment Protection and Biodiversity Conservation Act (EPBC Act)  **State heritage**  Approximately 2300 places on the Victorian Heritage Register  **Local heritage**  Approximately 160,000 properties covered by individual or precinct Heritage Overlays.  95% of Victoria’s historic heritage is managed by local government.  Approximately 7,500 sites on the Heritage Inventory.  **Not all heritage places are documented**  If a place is not on a particular register this does not mean that it is not significant. Many places remain unassessed and their heritage values are not yet documented. There is blanket protection for all historical archaeological sites in Victoria.  **Heritage Inventory**  The Heritage Inventory is a listing of all known historical (non-Indigenous) archaeological sites in Victoria.  For consents of information contact Heritage Victoria's Archaeology Team at [archaeology.admin@dtpli.vic.gov.au](mailto:archaeology.admin@dtpli.vic.gov.au) | ***[Local schedule to the Heritage Overlay]***  [Heritage Victoria, ‘Heritage listings explained’](http://www.dtpli.vic.gov.au/heritage/about-heritage-in-victoria/heritage-listings-explained)  [Commonwealth *Environment Protection and Biodiversity Conservation Act* (EPBC Act)](http://www.environment.gov.au/epbc)  [Historical archaeology - Heritage Inventory](http://www.dtpli.vic.gov.au/heritage/historical-archaeology-and-heritage-inventory/archaeology-and-heritage-inventory-forms-and-guidelines) |
|  | 4.4 Key heritage legislation | In Victoria, cultural heritage is managed under two broad categories: ‘Aboriginal’ or ‘Indigenous’ heritage and ‘non-Indigenous’ heritage.  **Indigenous heritage**  Aboriginal Victoria within the Department of Premier and Cabinet works in partnership with Aboriginal communities and government departments and agencies to promote knowledge, leadership and understanding about Victoria's Aboriginal people. The *Aboriginal Heritage Act* *2006* provides for the protection and management of Victoria's Aboriginal heritage with processes linked to the Victorian planning system. The [Aboriginal Heritage Amendment Act 2016](http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-heritage-amendment-act-2016) introduces new provisions and changes to the *Aboriginal Heritage Act 2006.*  **Non-Indigenous heritage**  The *Victorian Heritage Act* *1995* is administered by Heritage Victoria. It is the Victorian Government’s key legislation for the management of non-Indigenous cultural heritage. The Act identifies and protects heritage places and objects that are of significance to Victoria, including:   * Historic archaeological sites and artefacts * Historic buildings, structures and precincts * Gardens, trees and cemeteries * Cultural landscapes * Shipwrecks and relics * Significant objects.   The Act establishes the Victorian Heritage Register, the Heritage Inventory and the Heritage Council of Victoria.  Shipwrecks are protected in Victoria under the Victorian *Heritage Act 1995* and the *Commonwealth Historic Shipwrecks Act 1976*.  The *Planning and Environment Act* *1987*, provides the legislative framework for all planning at the local level, including heritage conservation. | Parliament of Victoria *Planning and Environment Act 1987*  Parliament of Victoria *Victorian Heritage Act 1995*  Parliament of Victoria *Aboriginal Heritage Act 2006*  Parliament of Victoria *Aboriginal Heritage Regulations 2007* |
|  | 4.5 Identifying heritage places | Identification of heritage places or objects relies on both local and expert knowledge. Heritage Victoria has developed a framework of historic themes to assist in structuring a broad dialogue about the history, environment and culture of Victoria. The framework allows for local variations to assist communities in identifying historic themes of importance to their region, and the places or objects that best represent them.  **Undertaking a heritage study**  Nearly all municipalities will have completed a heritage study or studies of their area. For some municipalities there may be a number of studies that together cover the whole geographic area. There may also be studies of particular types of places (typological studies), key themes of a locality (thematic studies) or of small areas (gap studies).  The development industry also commissions heritage investigations as part of due diligence procedures. These add to the sum of heritage knowledge.  Doing a heritage study involves gathering information about the heritage values and determining the heritage significance of a place. The methods for doing a heritage study outlined below can be used for a large geographic area, an individual place, or for a group of places linked by a common theme.   * Define the objectives of the study * Define geographical boundaries * What assistance can be obtained, e.g. from local historical societies? * Is assistance from other cultural heritage or natural heritage specialists required? * Identify existing information * Documentary research * Field study * Gather community knowledge   There will usually always be a need to do further studies, to fill gaps or gain more comprehensive information. It should be recognised that perceptions about what is valued and should be protected change over time – for example there is now an increasing appreciation for the heritage of the late 20th century. | [Victoria’s Framework of Historic Themes](http://www.dtpli.vic.gov.au/heritage/research-and-publications/framework-of-historical-themes)  [Australian Heritage Commission 1999 *Protecting Local Heritage Places, A Guide for Communities.*](http://www.environment.gov.au/system/files/resources/be929b43-5367-454a-9294-5c807713df7e/files/protecting-local-heritage-places.pdf) |
|  | 4.6 Assessing heritage places | Heritage professionals have developed ways of formally assessing the significance of natural and cultural heritage places. Interested communities should also be involved as they may bring a different perspective or additional information. Assessment involves:   * Establish historic context and themes * Establish the history of the place * Investigate the place * Describe associations with individuals or groups * Use established assessment criteria * Undertake a comparative assessment * Establish a level of significance * Write a statement of significance   What is significant about a place needs to be well defined before any statutory protection is given.  The *Planning and Environment Act* *1987* and the *Heritage Act* *1995* require criteria to be used when assessing the cultural heritage significance of places and objects. Criteria have been developed that assist in determining whether a place is likely to satisfy the local or state level threshold. Criteria refer to historic, aesthetic, technical or social value. The Victorian Planning Panels Practice Note *Applying the Heritage Overlay* requires the use of model heritage criteria  **Interim Protection Order**  In Interim Protection (IPO) may be granted under the Heritage Act in circumstances where a place has not been properly assessed, and is under threat.  **Interim heritage controls**  Interim heritage controls may be applied to protect places whilst a heritage amendment to the planning scheme is being prepared. | Heritage Council of Victoria 2014 *[Assessing the cultural significance of places and objects for possible state heritage listing. The Victorian Heritage Register Criteria and Guidelines](http://www.dtpli.vic.gov.au/heritage/heritage-registration-and-certificates/registration/criteria-for-assessing-cultural-heritage-significance)* [and](http://www.dtpli.vic.gov.au/heritage/heritage-registration-and-certificates/registration/criteria-for-assessing-cultural-heritage-significance)  [Heritage Victoria, ‘](http://www.dtpli.vic.gov.au/heritage/heritage-registration-and-certificates/registration/criteria-for-assessing-cultural-heritage-significance)*[Criteria for assessing cultural heritage significance’](http://www.dtpli.vic.gov.au/heritage/heritage-registration-and-certificates/registration/criteria-for-assessing-cultural-heritage-significance)*  Heritage Victoria and Heritage Council of Victoria 2012 [*Matters to be Considered in the Making of an Interim Protection Order Under Section 56(1) of the Heritage Act 1995*](http://www.dtpli.vic.gov.au/heritage/heritage-registration-and-certificates/interim-protection-orders) |
|  | 4.7 Managing heritage at the local level | **Heritage Overlay**  A heritage place may be an individual site, a precinct, a landscape, an object or a tree. A Heritage Overlay is applied to land, not just the buildings that may be on it. The extent of the Heritage Overlay might be the title boundary, or for larger sites a specific area might be mapped. The Heritage Overlay provides a trigger for a planning permit.  Typical works requiring a permit include:   * Subdivision of land * Demolition or removal of a building * Externally altering a building * Constructing a building * Displaying a sign * Painting an unpainted external surface   **What is controlled?**  The controls may include external painting, trees, and in rare cases, interiors. There is also an ability to allow prohibited uses for a heritage place.  The Heritage Overlay cannot compel an owner to restore or return his or her property to its original appearance. Some changes can be made without the need for a permit.  **Places within precincts**  Within a heritage area or precinct, the main objective is to ensure conservation of elements that contribute to the area’s significance. Not every building or landscape element will contribute to the significance of the precinct, and removing, altering or developing non-contributory elements is not usually a major concern. | Victorian Department of Planning and Community Development Melbourne [2012 *Practice Note 1; Applying the Heritage Overlay*](http://www.dtpli.vic.gov.au/heritage/local-government/heritage-overlays) |
|  | 4.8 Heritage databases | **Where do I find information on heritage places and objects?**  Aside from the schedule to the heritage overlay, information on heritage places can be accessed via several databases.  **Victoria’s Heritage Database (HERMES)**  HERMES is a secure, repository for information on all recorded heritage places in the State. It is managed on behalf of the heritage community and local government by Heritage Victoria. Councils and Government agencies who use HERMES to store their own data - or consultants employed on their behalf – are the only ones able to edit a record that they own. HERMES is not publicly accessible.  HERMES Interactive utilises the Victorian government’s mapping platform to present spatial information on places recorded on the HERMES database. This mapping system represents the best way to locate such places, especially when they are outside the urban areas and have no accurate street address – for example rural archaeological sites.  **Victorian Heritage Database**  The Victorian Heritage Database is a publicly accessible database of places on the Victorian Heritage Register municipal Heritage Overlays Victorian Heritage Inventory and Register of the National Trust (Vic).  **Australian Heritage Database**  The Australian Heritage Database is maintained by the Department of the Environment and includes up-to-date heritage information on National and Commonwealth listed places as well as a large archive of documentation on places that were on the now defunct Register of the National Estate. | [Heritage Victoria, ‘HERMES database](http://applications.doi.vic.gov.au/hermesv6/Login.html)  [Heritage Victoria, ‘HERMES Interactive’](http://services.land.vic.gov.au/maps/hermes.jsp)  [Victorian Heritage Database](http://vhd.heritage.vic.gov.au/vhd/heritagevic)  [Australian Heritage Database](http://www.environment.gov.au/cgi-bin/ahdb/search.pl) |