



# **The State Heritage Framework & Case Study: The Living Heritage Project**

**Geoff Ashley**

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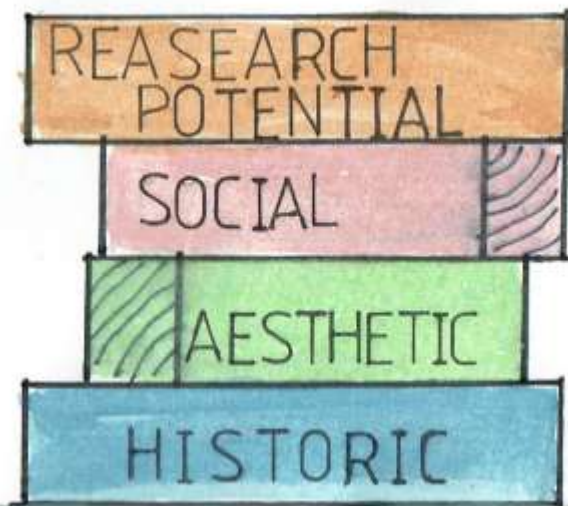


## ***Contents***

### **The State Heritage Framework**

- Heritage Significance: Nature, Degree and Level
- Layers of Statutory (& Non-Statutory) Protection in Australia
- State Heritage Listings
- State Heritage Approvals
- State Heritage Support

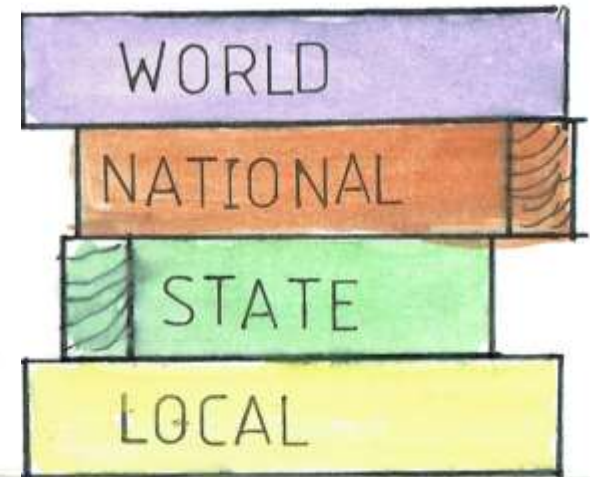
**Case Study: Heritage Victoria *Living Heritage Project* 2015**



Nature of Significance



Degree of Significance



Level of Significance

**Significance: Nature, Degree and Level**



## **The Layer Cake of Listings**





The top layer in the listing 'cake' are those places listed under the EPBC Act 1999 that include: 19 World Heritage Places (Willandra Lakes Region top); 103 National Heritage Places (Bondi Beach middle); and 397 Commonwealth Heritage List places (Sydney Airport, bottom)

**Listing under the EPBC Act 1999**




## **The State Heritage Framework**

<b>Heritage Act and functions</b>	Each State has a Heritage Act – There is a new Victorian Heritage Act 2017 and WA has Heritage Bill before Parliament. In most states Heritage Councils make decisions on listing, except NSW and NT that advise the Minister. In Vic the Minister can ‘call in’ the Registration process.
<b>Criteria and Listing</b>	<p>In NSW, SHR listing includes a thematic basis and more than one criteria must be meet. Most states have thresholds expressed in criteria and/or in guidelines – Queensland has a good web publication.</p> <p>Heritage Criterion are generally versions of the eight HERCON 1998 criteria. The ACT (like EPBC) requires ‘aesthetic characteristics valued by the community’ and TAS does not have an aesthetic criterion. WA has many sub-criteria.</p> <p>State Heritage listings include: 1400, Qld; 1650 NSW; 350 ACT; 2350 VIC; 11,977 TAS; 2.300 SA; 1400 WA; 296 NT.</p>
<b>Approvals and Exemptions</b>	NSW has Minimum Standards of maintenance and repair identified. NSW, QLD and other states have good exemptions regarding maintenance. VIC seems to require a Permit Exemption for maintenance. There are differences between states on maintenance and repairs guidelines and approvals.
<b>Support and information</b>	Many good technical guidelines are available – shop around. Most States have grants programs and provide technical support. Some have specific technical panels such as the Fire Access and Services Advisory Panel in NSW

## State Heritage Acts



A wide-angle photograph of a coastal town. In the foreground, a large, white, angular concrete structure, possibly a breakwater or part of a pier, extends into the ocean. Waves are crashing against its base, creating white foam. The ocean is a deep blue, with white surf visible further out. A sandy beach runs along the coast, with many people walking and swimming. In the background, a dense residential area with various colored houses and buildings is built on a hillside overlooking the sea. The sky is blue with scattered white clouds.

What is significant – State thresholds and the attributes of significance? Is the listing accurate?

What area is significant - heritage curtilages

What exemptions are available?

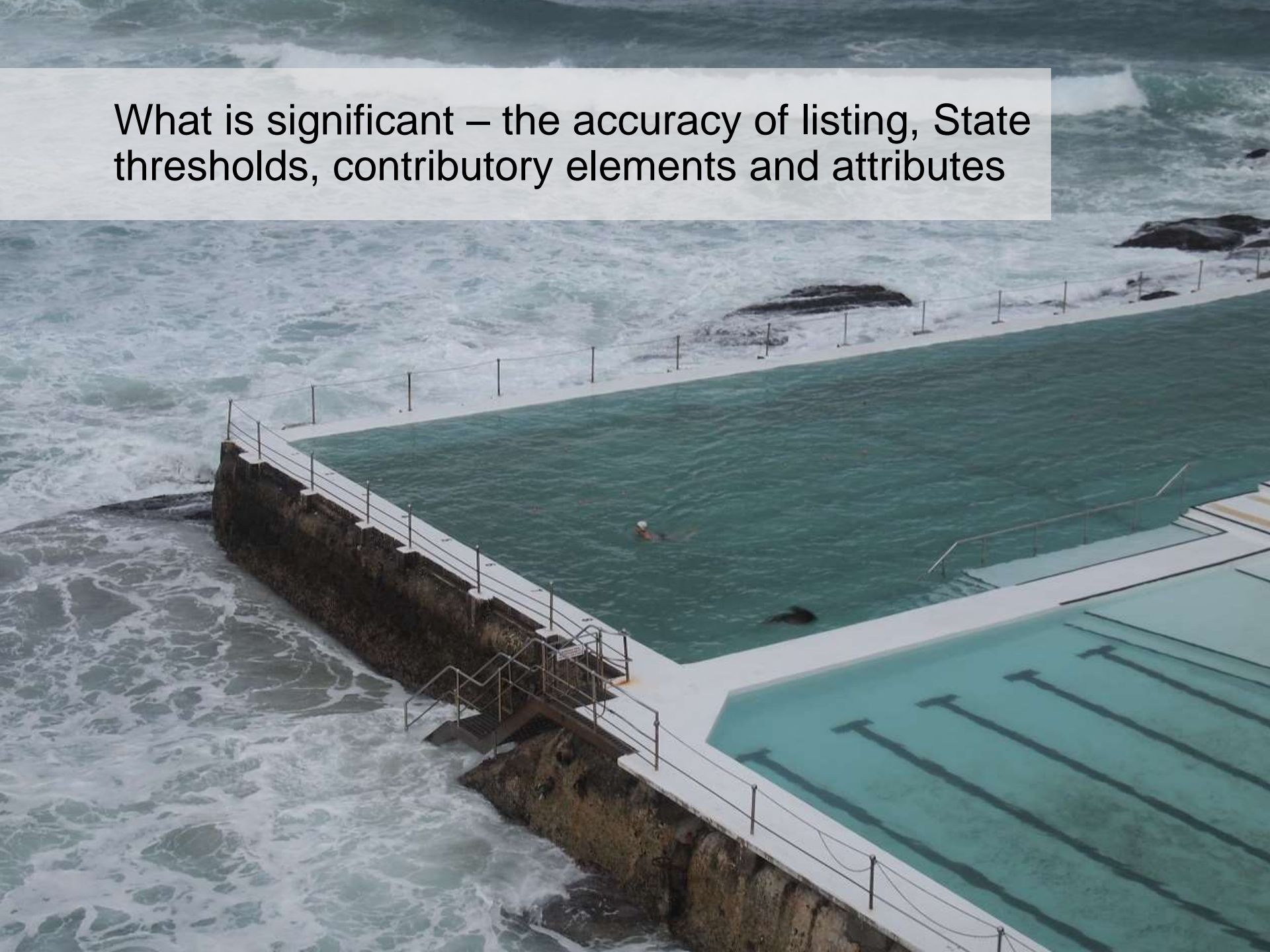
Who makes the decision on listing?

Are Heritage Agreements available?

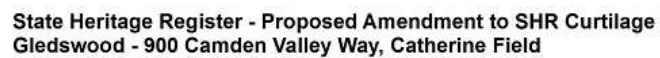
**The ‘carrots’ in State Heritage Listing**



What is significant – the accuracy of listing, State thresholds, contributory elements and attributes







 Land Parcels  
 Proposed SHR Curtilage  
 Existing SHR Curtilage  
 LGAs  
 Suburbs



Gledswood Estate, Catherine Field  
CMP supported a revised SHR curtilage





**Heritage Act Exemptions** – Standard and Site Specific (NSW) and other States

**Heritage Agreements** available in most States and can specify many things including exemptions, extent of public access and technical and financial support




Power Station B AMCOR  
Alphington Melbourne



**State Listing Decision Making** – the Heritage Council's role varies between States

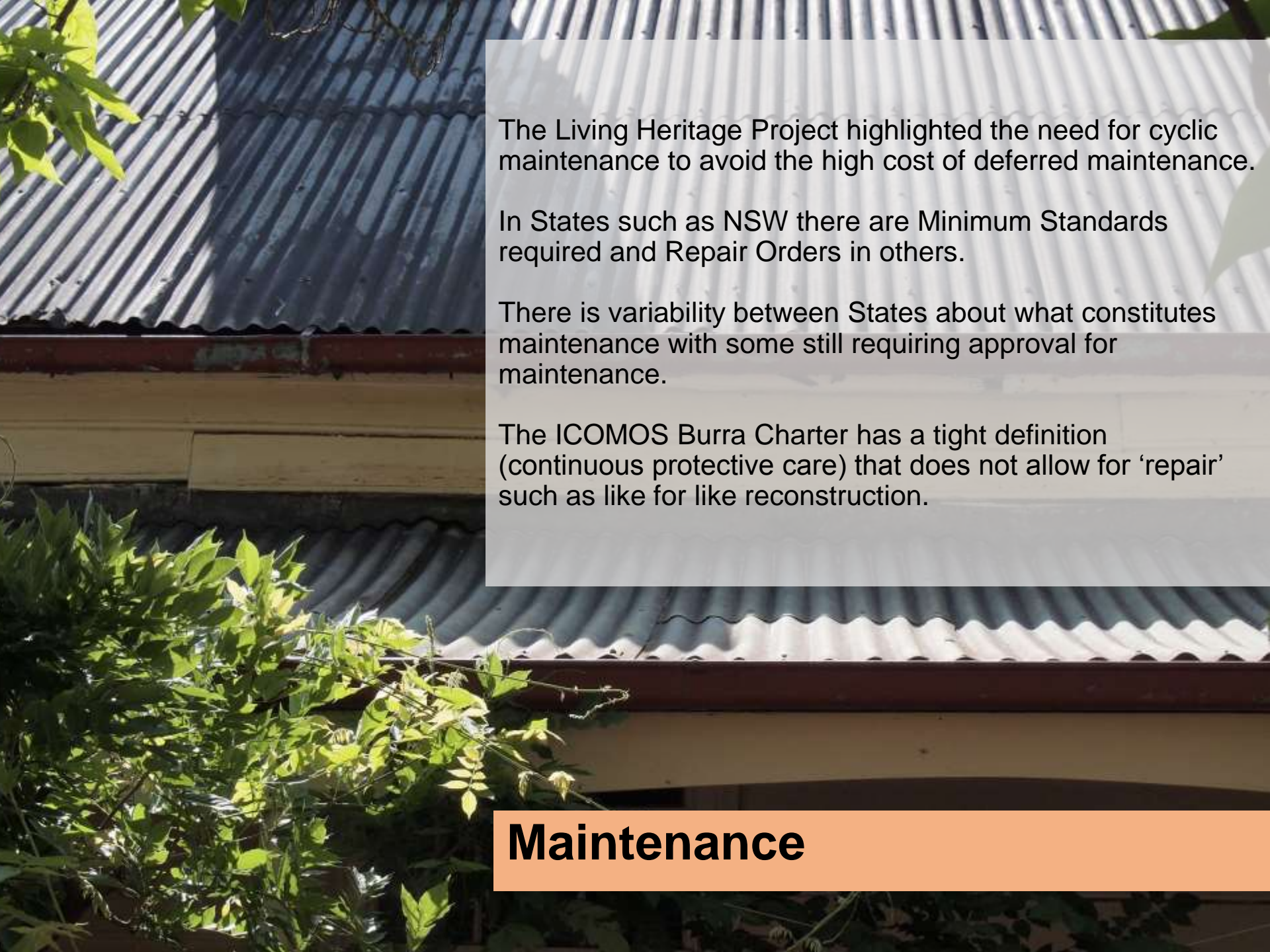




Generally there are four types of approvals:

- 1 Approval already provided for - in an Agreement or (in NSW) a Site Specific Exemption (s57(2))
- 2 Works such as some forms of maintenance that have an exemption under some State Acts and do not require approval via application
- 3 Works that require application and delegated approval. (Some Standard Exemptions in NSW and maintenance via a Permit Exemption in Victoria)
- 4 Works (including major works, change of use and subdivision) that require application supported by heritage documentation, such as an HIS or CMP

**The Need for Approval**



The Living Heritage Project highlighted the need for cyclic maintenance to avoid the high cost of deferred maintenance.

In States such as NSW there are Minimum Standards required and Repair Orders in others.

There is variability between States about what constitutes maintenance with some still requiring approval for maintenance.

The ICOMOS Burra Charter has a tight definition (continuous protective care) that does not allow for 'repair' such as like for like reconstruction.

## Maintenance





## **Tips for approvals**

Try to prepare a CMP to obtain a Standard Exemption for policy in an CMP; Site Specific Exemptions or as the basis for an Agreement. Example - Bondi Beach Cultural Landscape SHR item that provides for Council to approve works not involving heritage impacts.

Talk to a specialist in the heritage agency first

Be aware of the application and delegated approvals that are still required for some exemptions

# **Approvals Processes**



Grants: for CMPs and conservation works, emergencies, local heritage grants and advisors

Technical advice and publications

Conservation and development advice including from LGA Heritage Advisors

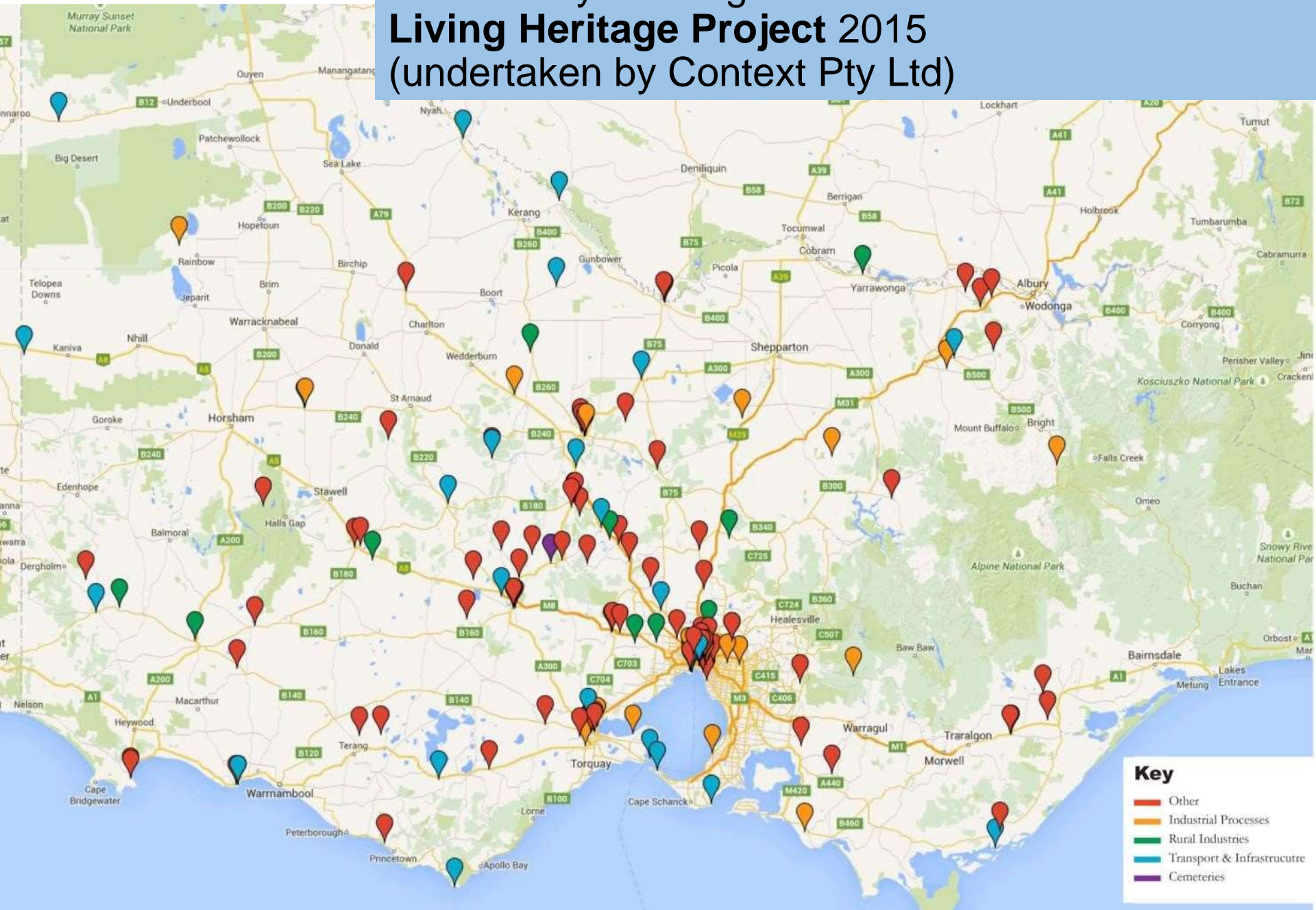
Valuations for tax

Former Ararat Sub Treasury & PO

**State Heritage Agency Support**



# Case Study: Heritage Victoria Living Heritage Project 2015 (undertaken by Context Pty Ltd)







Barwon Paper Mill, Geelong

## **Public Benefit – Private Places Lost Processes**

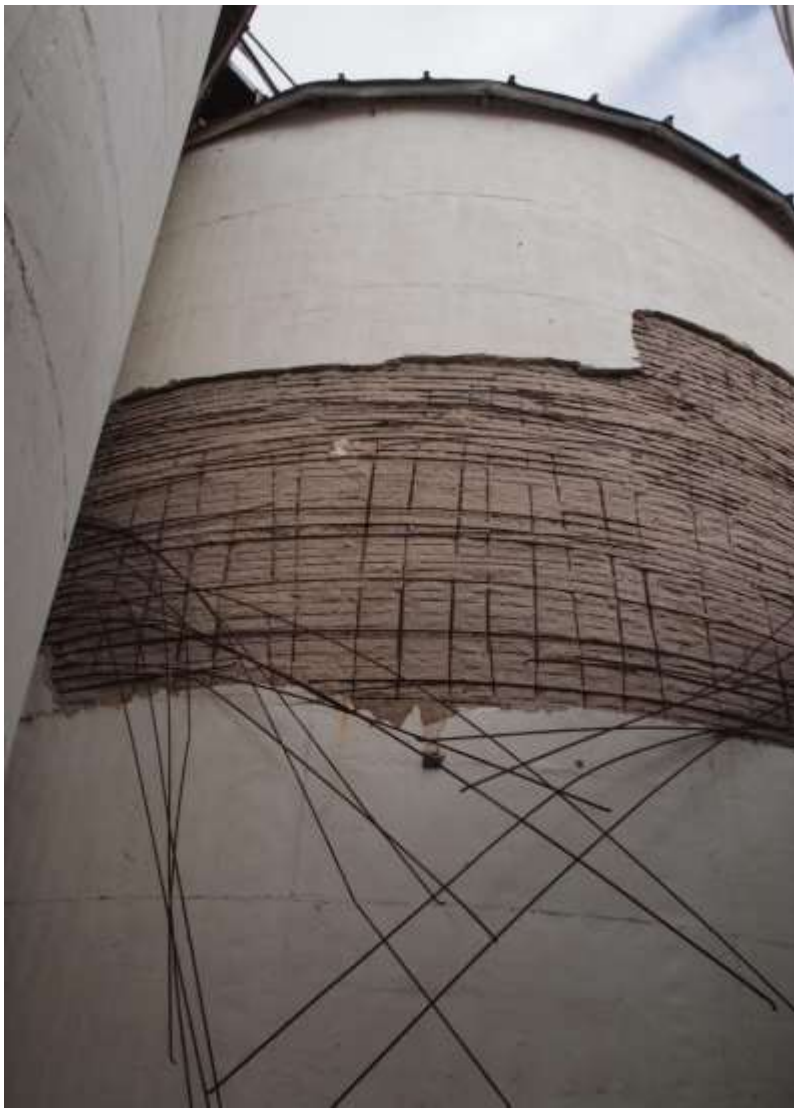




### **Former Elmore Water Tower, Elmore (H1678)**

The project included numerous examples on private lands representing lost pastoral and agricultural processes and associated structures no longer required for those pastoral and agricultural uses.

## **Public Benefit – Private Places Lost Processes**



Former Wimmera Flour Mill Rupanyup - one of the earliest reinforced concrete structures in Australia designed by Sir John Monash  
 Top right, Hawthorn Bank, rare wattle and daub  
 Bottom right, Notched Log Cottage, Poowong



## Public Benefit – Private Places

### Rare Construction





Rare historic periods, historical associations and social history and reflected by, from top left: Job Warehouse, Bourke St Melbourne, a pre Gold Rush commercial building; John Kelly's Former House where Ned Kelly spent his early years; and the remains of the Herrnhut Utopian Community, Peshurst.

**Public Benefit – Private Places**  
Historic Rarity





Stanisowsky's Lime Kiln, Pella  
(H1959)

**The need for innovative governance -  
Tapping into a huge latent community interest**





Dunolly Railway  
Station, Dunolly

**Innovative governance**  
Community involvement in Vic Rail places





Warrock, Casterton (H0295)  
has nearly fifty structures.  
Trades training  
opportunities?

**The need for innovative governance**  
Developing 'targeted' governance models





Day's Flour Mill, Murchison (H1523), top & bottom left, could benefit from multi-layered public and private involvement and the Lyrebird Hop Kiln Harrietville (H0070) could benefit from a partnership with a university archaeology school

**The need for innovative governance**  
Developing multi-layered and other governance models

**Improve communication with owners of VHR places including:**

Reviewing the accuracy of Victorian Heritage Register citations.

Updating contact details and identifying a 'go to' person in Heritage Victoria.

Identifying sources of technical support in the local area (heritage advisors) and more e-newsletters.

Developing live data records for works to places that is accessible to and can be updated by owners.

Alternative methodologies to CMPs (such as the focussed inspections undertaken for this project) to identify conservation needs.

Clearer communication on Heritage Victoria expectations for maintenance, permits and exemptions.

**Communication, Planning and Support**  
**Communication**





Master-planning for large sites such as the Former Bendigo Gas Works. Ensuring that large development sites have conservation planning and works implemented early.

Communication, Planning and Support: **Planning**



Examples of the sorts of advice and support needed: advice on timber replacement Eucalyptus Still Ingelwood; advice on rare interiors at Reedy Creek Homestead and unfinished grant works, Former Police Stables, Mansfield.

Communication, Planning and Support  
**Support**



Flour Mill, Echuca



Mount Ophir Winery, Rutherglen



**Finding a Use**

The lack of cyclic maintenance leads to water ingress and then the need for structural repairs. 'Deferred maintenance' is becoming a huge issue



**Maintenance & Structural Repair**





The Clifton Mineral Springs site near Geelong on Port Philip. Top left pier and bathing enclosure remains, interpretation and an eroding brick surface

**Interpretation - public values – public places**



Potential interpretation places: Herrnhut Utopian Community; Warrock, and Lime Burning Kiln beside a main road, Waurin Ponds.

**Interpretation - public values – private places**



There are lots of 'carrots' for private owners to find in the pile of protection 'sticks' within State Heritage listings and approvals: clarity on significance, curtilages, exemptions and Agreements.

Undertake conservation planning and a review of listings to assist you getting the most out of the 'carrots' of State heritage agency support.

The findings most relevant for private owners of State listed heritage properties from the Heritage Victoria *Living Heritage Project*:

- The importance to the Australian story of State listed heritage places and the public benefit contribution made to that story by privately owned places – stories of great perseverance as well as the changing patterns of industry, pastoralism and agriculture that were the bedrock of our States' histories.
- The need for governance models that change the public-private divide in the management of heritage places to tap into a huge latent community interest
- The need for improved communication with owners, for more conservation planning and support at both agency and local levels
- The need to find uses for heritage places;
- The need to maintain heritage places and be supported and encouraged to do so; and
- The potential to communicate to the public the heritage values of private places

## Conclusions