QUEENSLAND HERITAGE ADVISORY PANEL

FINAL REPORT
September 2021

Table of Contents

Executive Summary

The Queensland Heritage Advisory Panel (QHAP) was established as a sub-committee of the Queensland Heritage Council in April 2021 at the request of the Honourable Meaghan Scanlon, Minister for the Environment and the Great Barrier Reef and Minister for Science and Youth Affairs (the Minister). QHAP's role is to provide advice to the Minister about how heritage places in Queensland can be better protected.

Queensland has a diverse range of heritage places that are a connection to our past and evoke special meaning for us. They reinforce our sense of local and regional identity. They help enhance the quality of our lives, improve our sense of wellbeing, and are catalysts for social and economic change.

Queensland's heritage places are not only valuable in their own right for what they offer people in the way of culture and enjoyment, but also for the significant contribution they make to the economy. Heritage conservation combined with business planning and innovative interpretation provides distinctive tourism offerings to unlock economic opportunities, especially in regional areas. Adaptive re-use and the rejuvenation of historic areas bring considerable opportunities to renew urban, regional and rural environments.

In 1992 the Queensland Government enacted the first comprehensive legislation to recognise, protect and manage Queensland heritage places. Today the Queensland Heritage Register (QHR) is the primary reference point for identifying and recognising Queensland's important heritage places. This register currently includes more than 1790 places and is complemented by lists of local heritage places maintained by local governments. The identification and conservation of Queensland's heritage is critical to ensuring these places can be enjoyed now and by future generations.

While the community gains much from the protection of its heritage, the potential impact of heritage listing on individual property owners can be considerable. The heritage management system must allow for continued use of heritage places where possible. This requires finding a balance between development and protection through the provision of clear standards and information, as well as ensuring controls are supported by heritage incentives.

In recognition of the multi-faceted values of Queensland's heritage and heightened community concern, QHAP has examined the effectiveness of the heritage protection system. Limitations of the current system, including those within the Heritage Act, have been brought to light through cases like "Home" (Lamb House) at Kangaroo Point and the Broadway Hotel at Woolloongabba. Both properties, included in the QHR and locally listed in the Brisbane City Plan 2014, have been at risk in recent years.

Linden Lea, an interwar period house in a Brisbane City Council (BCC) character area was demolished in March 2021 despite considerable community concern and a reactive heritage register application. This illustrates that approved development cannot be prevented by current Heritage Act provisions and that a strategic approach to, community heritage register applications needs to be encouraged.

The considerable community campaigns and media interest in the cases of Home, the Broadway Hotel and Linden Lea have made it clear that Queenslanders value heritage places, feel a strong attachment to them and want an effective heritage protection system, which safeguards heritage places for future generations. Given these recent high profile incidents involving heritage places and that the Queensland Heritage Act is now nearly thirty years old, an examination of the heritage legislative framework is timely.

Recommendations

QHAP's work has identified three areas of focus to better protect Queensland's local and State heritage places as outlined below. Actions on these three key areas would enable a revitalisation and refocusing of the Queensland Government's leadership in heritage.

Agreed recommendations made in response to the key themes analysed by QHAP are included below. The recommendations are not in order of priority. The need to develop a prioritised implementation plan for all recommendations based on feedback obtained through panel discussions should be a priority for the Queensland Government.

QHAP Topic Area	Recommendations
Legislative reform and strengthening Queensland's heritage framework	**State and local heritage** 1. Undertake a gap analysis of the QHR to determine under-represented place types. 2. Undertake focused thematic surveys to encourage a comprehensive and representative State heritage register. 3. Engage with local councils and key advocacy agencies to establish a more strategic heritage listing approach for State and local heritage places informed by gap analyses and thematic research data. 4. Update the statutory process to review existing QHR entries, to ensure currency of place information. 5. Engage with the community to encourage strategic community applications for local and State heritage places. 6. Explore legislative options that provide appropriate interim protection for places that are the subject of a QHR application, and align interim heritage protection with other jurisdictions across Australia. 7. Identify opportunities to improve the way State and local governments work together to recognise, protect and manage local heritage. 8. Explore legislative options to introduce or update local heritage place nomination processes under the Heritage Act, to provide certainty in the registration process for places that are proposed for entry in a register under the Heritage Act or for places proposed for identification in a Planning Scheme as part of a planning amendment process. 9. Explore legislative options to introduce interim heritage protections for local heritage places.
	Enforcement powers for local and State governments 10. Strengthen the Heritage Act's enforcement powers to provide a suite of modern regulatory tools as exists in comparable Queensland legislation, and protect heritage places from loss through deterioration or neglect. 11. Revise Heritage Act provisions relating to essential repair and maintenance work to meaningfully allow for the protection of at-risk State and local heritage places and align them with current standards across Australia. 12. Simplify the process for local governments to issue repair and maintenance notices.
Support for heritage stakeholders	13. Undertake a comprehensive review and update of heritage publications and resources to ensure these reflect current best practice and are user friendly for specialists and non-specialists alike. 14. Undertake a comprehensive survey of local governments across Queensland to: - establish a clear picture of local heritage place protection and management processes, and identify what support is required to facilitate improvements

	- determine what mechanisms each local government has in place to protect local heritage places and support local heritage place owners - understand the support each local government requires to protect local heritage places effectively - implement tailored heritage specific training and education opportunities to build capacity within local government, heritage professionals and heritage place owners and managers. 15. Determine how regular and dedicated grant aid, including support for conservation works and conservation management plans (CMPs), can be provided to heritage place owners. 16. Determine how heritage support can be enhanced in regional Queensland.
Better communication, understanding and engagement	17. Revitalise the Queensland Government's heritage web presence to improve design and navigability, encourage positive engagement with heritage, and better communicate information about: - the value of Queensland's heritage - Queensland's heritage protection system for State and local heritage places - the intersection between heritage and planning frameworks established to protect local and State heritage places in Queensland, including jurisdictional roles and responsibilities - the difference between local heritage listings and character designations in planning schemes. 18. Create toolkits about heritage place management tailored for key stakeholders, including heritage place owners and managers and local government. 19. Investigate the establishment of a single searchable platform with accompanying interactive mapping tool for information about State and local heritage places in Queensland. 20. Review the Queensland Government's heritage web presence to promote the benefits of heritage. Additional content could include: - heritage tourism - adaptive reuse case studies - heritage interpretation. 21. Develop new heritage publications and resources to promote and support best practice heritage tourism, adaptive reuse and heritage interpretation. 22. Explore opportunities to build on existing events that raise the profile and facilitate engagement with and better understanding of Queensland's heritage places.

1. Introduction

Background

Since 2018, the responsible Ministers, the Department of Environment and Science (the department) and Brisbane City Council (BCC) have worked actively to enforce actions under the *Queensland Heritage Act 1992* (Heritage Act) or *Building Act 1975* to protect Home (also known as Lamb House) and the Broadway Hotel, two heritage places in the BCC local government area. These high-profile incidents have revealed limitations in Heritage Act enforcement powers (refer Appendix 1).

Prior to the 2020 State Government election, the Right Honourable the Lord Mayor of Brisbane and the former Minister responsible for heritage protection agreed to establish an advisory panel to investigate and report on options to improve protections for heritage-listed places like the Broadway Hotel and Home. These are just two cases that have highlighted the challenges that exist within the legislative framework for heritage and the need to strengthen powers to protect heritage places.

In a letter to the National Trust of Australia (Queensland) (NTA(Q)) on 30 October 2020, the Deputy Premier stated a re-elected Palaszczuk Government would consult further with the NTA(Q) and work with other stakeholders including local government, to continue supporting protection of heritage places.

On 1 March 2021 the Honourable Meaghan Scanlon, Minister for the Environment and Great Barrier Reef and Minister for Science and Youth Affairs (the Minister) declined a request to issue a stop order to prevent demolition of "Linden Lea", an Interwar period house in a BCC character area. The Minister was satisfied Linden Lea would likely satisfy the cultural heritage criteria for entry in the QHR. However, a stop order would not overturn existing approvals for demolition. In a media release the Minister stated the issue had reinforced the decision to establish a heritage advisory panel. The Minister also stated that the situation had highlighted the need for strategic community action to identify local and State heritage places to ensure their protection through planning and heritage mechanisms (refer Appendix 2).

On 22 March 2021 Minister Scanlon wrote to request that the Queensland Heritage Council (QHC) establish the Queensland Heritage Advisory Panel (QHAP). On 26 March 2021 the QHC resolved to establish the QHAP as a committee of the QHC under part 2, division 4 of the Heritage Act.

QHAP was created to provide a structured collaboration process to explore options for ensuring Queensland's heritage places are better protected. It comprises six members, facilitated by a QHC member:

- **Ms Debbie Best** - QHC Chairperson and QHAP Chairperson
- **Cr George Seymour** - QHC Deputy Chairperson and QHAP member
- **Ms Laura Listopad** – BCC nominated QHAP member
- **Mr Arthur Frame** – NTA(Q) nominated QHAP member
- **Mr Michael Scott** – Australian Institute of Australia (Queensland Chapter) nominated QHAP member
- **Mr Chris Buckley** – Planning Institute of Australia (Queensland) nominated QHAP member
- **Mr Stuart Lummis** – QHC member and QHAP facilitator.

QHAP Terms of Reference

The terms of reference specify that QHAP is required to provide advice about options to better protect significant heritage places. This includes advice about options to:

- ensure significant heritage places such as Home (Lamb House), the Broadway Hotel and other heritage places in Queensland generally can be protected for future generations;
- strengthen the legislative framework to better protect heritage-listed places; and
- apply best practice heritage principles to other State assets.

This report summarises QHAP's findings and recommendations for the QHC and Minister's consideration.

QHAP Scope

In scope

The focus of QHAP is to investigate and report on options to improve protections for heritage places in Queensland, including:

- registration processes for State and local heritage places
- mechanisms to identify and protect local heritage places
- existing protection measures, including those for managing change at heritage places, and compliance and enforcement powers
- the increasing trend of community 'campaign' style nominations and an increasing number of stop order requests for places where development has been approved or development applications are being assessed.

Out of scope

QHAP's scope does not include a comprehensive examination of:

- local government planning schemes and heritage-related provisions established under the *Planning Act 2016* (Planning Act)
- the protection framework for First Nations cultural heritage under the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Act 2003*
- matters relating to natural heritage
- matters relating to cultural heritage places with levels of significance beyond State and local significance, including places on the Commonwealth Heritage List, National Heritage List or World Heritage List.

QHAP process

QHAP met on three occasions between April and September 2021. Engagement with external parties occurred during the QHAP process, including the Toowong Residents Group, Local Government Association of Queensland, Heritage Council of Victoria Secretariat, Heritage Victoria, Heritage New South Wales and Heritage South Australia (refer to Appendix 3). Further, the department presented research findings to QHAP on the heritage protection system and associated matters, including comparative analysis with other Australian jurisdictions.

Three key themes emerged through the QHAP process, and the key issues and recommendations for each theme are captured in the report. The key themes are:

1. **Theme 1: Legislative reform and strengthening Queensland's heritage framework** – to improve the existing mechanisms to protect heritage places.
2. **Theme 2: Support for heritage stakeholders** – obtain a clear picture of cultural heritage protection and management arrangements across the State through community consultation with local government and the wider public to determine the support required to improve local cultural heritage management.
3. **Theme 3: Better communication, understanding and engagement** – improve resources and messaging so there is better understanding about the frameworks and processes established to protect heritage places for the community, local governments, heritage owners and practitioners.

The Issues

The following provides a summary of the key issues identified through the QHAP process:

Theme 1: Legislative reform and strengthening Queensland's heritage framework

Heritage registers and register processes – State and local

- Additions to and removals from the QHR rely on applications from the public or place owners, resulting in an ad hoc approach to which places are considered for entry in the QHR, and leading to under-representation of Queensland's diverse heritage places.

- An increasing number of stop order requests and community-led QHR applications are seeking to prevent approved development or development applications proceeding; however, the QHR application process cannot override an existing development application or approval.
- The QHR review program has undefined timeframes that confound efforts to make statements of significance and place boundaries for existing entries fit-for-purpose.
- The range of local heritage processes provides flexibility for local governments, but has resulted in an inconsistent approach across Queensland and created confusion.
- Several local governments do not have representative local heritage registers or planning scheme protections, with a number identifying no or very few heritage places.

Interim heritage protection and stop orders

- There are no provisions in the Heritage Act for interim protection of potential heritage places.
- The QHR registration process and stop orders cannot overturn existing development approvals or change the outcome of development applications, despite community expectations to the contrary.
- There are no provisions in the Heritage Act for interim protection of potential local heritage places.
- Neither the local heritage register amendment process, nor the planning scheme major amendment process, is designed to rapidly protect a local heritage place.
- Limitations around Temporary Local Planning Instruments prevent them from being a highly effective tool for interim protection of potential local heritage places.
- Queensland's lack of interim protection for heritage places at State and local levels is not best heritage practice and puts it well behind other Australian jurisdictions.

Enforcement

- Existing repair and maintenance notices in the Heritage Act cannot be used to require more than minor work on a heritage place, and could be strengthened and modernised to better protect at-risk heritage-listed places.

Theme 2: Support for heritage stakeholders

- Publications, resources and guidance material is not always easily accessible, current or written for a broad audience.
- The range of local heritage processes provides flexibility for local governments but has resulted in an inconsistent approach across Queensland and created confusion.
- Heritage place owners are the custodians of an asset of importance to past, present and future generations. However, good heritage management often requires financial resources and specialist advice.
- Local government is responsible for the identification of local heritage places and their management, principally through its planning function. Heritage practice and resourcing varies considerably among local governments in Queensland.

Theme 3: Better communication

- Clear, concise information about Queensland's heritage protection system is not provided online.
- There is no consistent approach at local government level to the provision of information about local heritage places, leading to confusion for stakeholders trying to access the information.
- There is a common misconception that heritage places cannot be changed and statutory heritage protection stifles development opportunity.
- The Queensland heritage places website currently focuses on regulatory processes in heritage conservation.
- Improved education and communication are required to foster a more positive and realistic view of heritage place management.

2. Heritage place protection in Queensland

2.1. Queensland's heritage place protection framework overview

To improve Queensland's heritage protection system, it is important to understand the context. In Queensland, heritage is protected and conserved using a framework which includes legislation, policies, and guidelines. Places in Queensland are identified and managed at four levels, according to the level of their cultural heritage significance:

- **International:** Sites are natural and cultural places of 'outstanding universal value' selected by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and inscribed on the World Heritage List.
- **National:** The National Heritage List includes natural and cultural places with outstanding heritage value to the nation. The Commonwealth Heritage List includes historic, cultural and natural heritage places on Commonwealth land or waters, or that are owned or managed by the Commonwealth Government, of significant heritage value to Australia. The National Heritage List and Commonwealth Heritage List are administered by the Australian Government under the *Environment Protection and Biodiversity Conservation Act 1999*.
- **State:** Places of cultural heritage significance to Queensland as a whole, except those solely significant for their associations with Aboriginal tradition or Island custom, are protected by the Heritage Act and are entered in the QHR. First Nations cultural heritage is protected under the *Aboriginal Cultural Heritage Act 2003,* the *Torres Strait Islander Cultural Heritage Act 2003* and the *Environmental Protection Act 1994*.
- **Local:** Places of local cultural heritage significance may be entered by the relevant local government in a local heritage register under the Heritage Act or identified and protected through a local government planning scheme made under the Planning Act.

This report and the QHAP recommendations focus on the two-tiered State and local systems and the way they operate to protect Queensland's heritage.

3. Theme 1 - Legislative reform and strengthening Queensland's heritage framework

3.1. State heritage place protection

The QHR was established in 1992 under the Heritage Act and lists places that are significant to the people of Queensland. Places entered in the QHR illustrate Queensland's unique story and support a sense of identity whilst encompassing the State's diversity of people and cultures. Queensland's rich heritage has been shaped by the environment, resources and historical development.

Over its almost thirty years, the QHR has continued to grow and become more representative. It now includes over 84 schools added as part of the Queensland Heritage Schools Project (a Department of Education initiative running from 1996–2020), iconic places such as Reconciliation Rocks in Cooktown and an increasing number of post-war places.

A place is of State cultural heritage significance if its heritage values contribute to our understanding of the wider pattern and evolution of Queensland's history and heritage.

3.1.1 Identification and registration process

The Heritage Act establishes a timely application process by which the eligibility of places for entry in the QHR is assessed and decided. There is a comprehensive and transparent assessment and decision-making process that includes the opportunity for community members, local government, and owners to have their say.

Any person or entity can apply to have a place considered for entry in the QHR. The department assesses all applications that comply with requirements set out in the Heritage Act and makes a recommendation to the QHC about whether the place satisfies any of the cultural heritage criteria for entry in the QHR. The QHC is an independent body established under the Heritage Act and makes the decisions about places being entered in or removed from the QHR.

Timeframes for the registration process are prescribed in the Heritage Act, so an application can be determined within a set maximum period. Between February 2019 and April 2021, the time between an application being confirmed as complying with the Heritage Act by the department and decided by the QHC ranged between 42 and 147 business days.

3.1.2   Queensland Heritage Register application trends

Since the establishment of the QHR application process, applications made in direct response to a perceived threat to a potential heritage place have not been uncommon. In recent years, there has been a growing number of applications to enter places in the QHR which have generated increased community concern and media interest. These are generally community-led applications in response to an approved development or current development application. Applicants expect the heritage listing of a place will pause or prevent the proposed or approved development from proceeding.

A distinguishable pattern of increased community engagement and media interest in these types of applications has emerged in recent years. As discussed further in the report, these QHR applications are increasingly accompanied by stop order requests. Potential drivers of this pattern appear to include increased development pressures on established urban communities, dissatisfaction with local planning scheme provisions and the community's misunderstanding about the difference between State, local heritage and character places.

Twenty heritage applications for places with proposed or approved development applications were made between January 2018 and April 2021. Ten of these were entered in the QHR, nine were not entered, and one was withdrawn. Entry of a place in the QHR cannot prevent authorised development at a place from proceeding.

3.1.3   Queensland Heritage Register entries

There are currently more than 1,790 heritage places on the QHR. Since its establishment in 1992, the format of place entries has evolved considerably. Current QHR place entries are headed by a statement of significance derived from an analysis undertaken in accordance with the departmental guideline 'Assessing cultural heritage significance: Using the cultural heritage criteria'. They also include detailed written histories, and descriptive information confirming significant and non-significant features and elements contained within the State heritage place boundary. The level of detail provides certainty to owners about what is and is not significant and how change can be managed with minimised impact on heritage value.

The first places entered in the QHR in 1992, approximately 970 places, were drawn from the schedule of places protected under interim legislation (the *Heritage Buildings Protection Act 1990*), which itself was drawn from a register maintained by the NTA(Q). When the Heritage Act came into force, entries for these foundational places had to be prepared in a limited period, without use of online/digitised research tools, which have since become available, and without consideration of the now well-tested methodology for assessing cultural heritage significance.

Many of the places entered in the QHR have changed over time due to approved development. The currency of many existing entries needs to be reviewed and updated to reflect these changes, as well as places' evolving history. They also need to be reformatted to identify significant and non-significant elements and features.

To address this issue, the department has established a QHR review program. The statutory process for making changes to an entry's statement of significance and/or its boundaries is not well structured to ensure necessary changes are made in a timely fashion and with an efficient use of government resources. An up-to-date entry is the key to achieving good outcomes for a heritage place when development is proposed.

Adding places to, or removing them from, the QHR largely relies on applications driven by the public or owners. The department can make QHR applications and is required to do so when a stop order has been served on a non-listed place, where there is no existing application. The department is the applicant in limited circumstances to avoid the perception of partiality because of the department's role in the QHR registration process to provide a heritage recommendation to the QHC.

A more strategic approach to systematically identify places for potential heritage listing is required. To inform future QHR applications and encourage a comprehensive and representative inventory of Queensland's most important places, a gap analysis could be carried out to identify under-represented place types whether that is determined by era, class of place, location or other criteria. This could in turn inform whether thematic or area-based studies are required. Collaboration between the State and local governments and key advocacy agencies like the NTA(Q), AIA and regional historical organisations informed by the further research would also enable a more structured and informed approach to heritage listing.

Recommendations
1. Undertake a gap analysis of the QHR to determine under-represented place types.
2. Undertake focused thematic surveys to encourage a comprehensive and representative State heritage register.
3. Engage with local councils and key advocacy agencies to establish a more strategic heritage listing approach for State and local heritage places informed by the gap analyses and thematic research data.
4. Update the statutory process to review existing QHR entries, to ensure currency of place information.
5. Engage with the community to encourage strategic community applications for local and State heritage places.

3.1.4   Stop orders and interim protection

There are currently no provisions in the Heritage Act to provide interim or immediate protection of places under assessment for entry in the QHR. In comparison with other Australian states and territories, Queensland is the only jurisdiction that does not have interim heritage protections (refer to Appendix 4). Provisional listings operate to achieve the same effect as interim heritage protection orders in the Australian Capital Territory (ACT), South Australia, the Northern Territory and Tasmania. Interim heritage protection orders are employed in New South Wales (NSW) and Victoria. Protection orders (consent, stop and continuing protection orders) are used by Western Australia (WA).

Both provisional listings and interim heritage protection have previously been available in Queensland heritage legislation. Provisional listing was in place from 1992 to 2008. When the registration process in the Heritage Act was reformed in 2008, provisional entry of places in the QHR ceased and was replaced by discretionary interim protection orders. They were intended to have a lesser impact than stop orders and lasted for 60 business days, protecting places under consideration for entry in the QHR until their assessment was complete. From 2008 to 2014, no interim protection orders were issued, and it was considered they could be replaced by revised stop order provisions to reduce confusion. In 2014, the Heritage Act was amended, and interim protection orders were removed.

All other Australian jurisdictions have heritage provisions that affect the status of development applications or approvals when a heritage listing application is made. Approval of a development application is paused until the heritage application has been determined; in some states, a development that has already been approved must be reassessed if a place is heritage listed (refer to Appendix 4).

Under section 154 of the Heritage Act, stop orders may be made for State heritage places on the QHR, or for other places if they are likely to meet the State cultural heritage criteria. If a stop order is made for a place not on the QHR, the department must nominate the place for entry. However, once on the QHR a stop order cannot be made for work which is approved under the Planning Act. Stop order provisions do not extend to local heritage places.

Stop orders last for a maximum 60 business days or to the day the QHC makes the decision whether to enter the place in the QHR. Since the last amendments to the Heritage Act, stop orders have been intended to act as a discretionary form of interim protection for unlisted places. However, it has become apparent that stop orders do not provide this interim protection as they do not affect development applications or approved development, even if a place is entered in the QHR.

Historically, few stop orders have been requested or issued in Queensland. Since 2014, while the number of stop order requests has increased, none of the unlisted places subject to orders were ultimately entered in the QHR by the QHC.

Recommendations
6. Explore legislative options to provide appropriate interim protection for places that are the subject of a QHR application, and align interim heritage protection with other jurisdictions across Australia.

3.2. Local heritage place protection

A place is of local cultural heritage significance if its heritage values are of a purely localised nature and do not contribute significantly to our understanding of the wider pattern and evolution of Queensland. The majority of Queensland's heritage is made up of local heritage places with approximately 7,444 places protected and valued by local communities (refer to Appendix 5).

The Heritage Act requires each local government to identify places of local cultural heritage significance to its local area.

3.2.1 Identification and registration process

The recognition and protection of local heritage places is the responsibility of local government under either the Heritage Act or the State Planning Policy (SPP) established under the Planning Act.

Under the Heritage Act, each local government can decide how best to identify, assess and protect its local heritage places: either in a local heritage register, or through its planning scheme made under the Planning Act. The Heritage Act prescribes a registration process for local government to enter places in their local heritage register; however, there is no statutory process for the community or place owners to apply to have a place considered for entry in a local heritage register.

Local planning schemes created under the SPP, which establishes cultural heritage as a State interest, are the mechanism more commonly used by local government to protect local heritage places by setting limits around how they are developed. The process by which the Queensland Government conducts State interest reviews of local planning schemes is led by the Department of State Development, Infrastructure, Local Government and Planning (responsible for administering the Planning Act). The full process for amending planning schemes is lengthy, sometimes taking up to two years.

Many local governments identify and protect local heritage places through a heritage overlay or schedule in their planning scheme. Eleven of the 77 Queensland local governments have a local heritage register under the Heritage Act, as well as identifying heritage places in their planning schemes (refer to Appendix 5). One council has only identified heritage places in its planning scheme that are on the QHR.

The number and types of heritage places identified by each local government varies dramatically. Some local governments either identify only State heritage places in their planning schemes or local heritage registers, or only a single type of place (for example, cemeteries). Others identify a wide range of places, sourced from comprehensive heritage surveys and studies. There are also several local governments that have no heritage places identified either in a register or their planning scheme.

Many local governments have overlays for character places in their planning schemes, in addition to local heritage places. Referred to as character, traditional building or neighbourhood character overlays, these identify places that are subject to development controls under different criteria and may or may not incidentally protect cultural heritage.

The amendment process for local governments to identify local heritage places in a register is in the Heritage Act. The process was designed as a simplified version of the QHR registration process with provisions for public notification and consideration of public submissions. Unlike the QHR process, there is no statutory requirement for

local governments to consider requests for places to be entered, except when they are made by the chief executive to those councils that have a local heritage register. Timeframes are prescribed for parts of the process, which total approximately five months, but with several stages having no specified timeframe, the typical timeframe for the entire process is unknown.

In 2018, the Heritage Council of Victoria coordinated a program of work to review the status of local cultural heritage across that state (refer to Appendix 6). The review's main aims were to: establish a clear picture of local cultural heritage protection and management arrangements across Victoria, identify the support required to improve local cultural heritage management, and identify examples of best-practice local cultural heritage management. QHAP was briefed on this project by Heritage Council of Victoria Secretariat staff. The panel was impressed by the program and thought a comparable exercise in Queensland would be worthwhile.

Recommendations

7. Identify opportunities to improve the way State and local governments work together to recognise, protect and manage local heritage.
8. Explore legislative options to introduce or update the local heritage place nomination process under the Heritage Act, to provide certainty in the registration processes for places that are proposed for entry in a register under the Heritage Act or for places proposed for identification in a Planning Scheme as part of a planning amendment process.

3.3. Interim heritage protection

As with State heritage places, there are no interim heritage protections for local heritage places in the Heritage Act. This contrasts with other Australian jurisdictions, which have enacted provisions to afford interim heritage protection for local heritage places in heritage or planning legislation. In NSW, interim heritage orders (available in the Heritage Act) apply to places of local and State significance and may be issued by the Minister or authorised local governments. In Victoria, places of potential local significance can be protected in an interim heritage overlay, by application from a local government.

In Queensland, under the Planning Act, temporary local planning instruments (TLPIs) can be used for interim protection of potential local heritage places. TLPIs suspend or modify the operation of the planning scheme for up to two years. For a potential local heritage place under threat, a TLPI can include the place in a heritage overlay while the place's significance is assessed; or, if an assessment has been completed and a place is considered to be significant, the place can be included in the overlay while the major amendment process is underway.

Recent examples of TLPIs affording protection to local heritage places have shown they can be effective if timely requests are made to the Planning Minister and they are made promptly. However, time is a critical factor in their effectiveness: for instance, a TLPI cannot be taken into account by the decision maker for a development application lodged before it is made, nor can it override a development approval. TLPIs do not provide the immediate protection some local governments are seeking.

Recommendation

9. Explore legislative options to introduce interim heritage protection for local heritage places.

3.4. Heritage compliance and enforcement in Queensland

3.4.1. Repair and maintenance introduction

The regular repair and maintenance of heritage places is good management practice and helps secure their long-term retention. Unlike all other jurisdictions (apart from Tasmania), Queensland does not have powers under the Heritage Act to require owners to maintain or take reasonable care of a State heritage place (refer Appendix 3). Powers are available to serve repair and maintenance notices when the condition of a heritage place becomes a concern, but as explained below and as highlighted by recent high-profile cases, available powers are inadequate.

3.4.2. Enforcing repair and maintenance of State heritage places

Provisions about essential repair and maintenance are some of the key powers available under the Heritage Act to actively protect State heritage places. Repair and maintenance notices are only for work of a minor nature and the power to give such a notice cannot be delegated by the chief executive of the department. Unfortunately, limitations with the essential repair and maintenance powers in the Heritage Act inhibit the department's ability to take meaningful action. The Broadway Hotel at Woolloongabba and Home (Lamb House) at Kangaroo Point are two high-profile State heritage places where these limitations have been demonstrated.

The examples of essential repair and maintenance work given in the Heritage Act do not include major works, which are sometimes necessary to prevent deterioration of heritage places. For example, the façade propping at the fire-damaged Broadway Hotel could not be enforced by a repair and maintenance notice. In contrast, BCC was able to enforce this façade propping with a Chapter 9 notice under the *Building Act 1975*.

Repair and maintenance notices can only be made to protect the place from damage caused by weather, fire, vandalism or insects. This limitation has constrained the use of these notices. For example, the condition of the front fence at Home (Lamb House), which partially collapsed due to soil movement caused by tree roots, could not be addressed by a repair and maintenance notice.

Reasonable steps must be taken to consult with the owner before a repair and maintenance notice is given, however there is no guidance as to what these "reasonable steps" must be. In contrast, a formal show cause process for enforcement, set out in most other Queensland legislation, prescribes a formal procedure with set timeframes.

Effective enforcement relies on a bundle of other powers in the Heritage Act, for example, warrants and powers of entry and for gathering evidence.

Queensland's Heritage Act repair and maintenance powers are not as effective as other jurisdictions in Australia, where, except in Tasmania, heritage legislation requires owners to maintain or take reasonable care of a place, or the relevant legislation makes damaging heritage places an offence.

> **Recommendations**
> 10. Strengthen the Heritage Act's enforcement powers to provide a suite of modern regulatory tools as exists in comparable Queensland legislation and protect heritage places from loss through deterioration or neglect.
> 11. Revise Heritage Act provisions relating to essential repair and maintenance work to meaningfully allow for the protection of at-risk State and local heritage places and align with existing standards across Australia.

3.4.3. Enforcing repair and maintenance of local heritage places

Under the Heritage Act a local government can be prescribed in a regulation to issue repair and maintenance notices. As with State heritage places, repair and maintenance notices can only be given by the chief executive officer of a local government for local heritage places and this power cannot be delegated.

Currently in Queensland, BCC is the only local government that has sought to be prescribed to issue repair and maintenance notices. BCC has exercised its essential repair and maintenance powers for a number of local heritage places. It is unclear why other local governments have not sought these powers under the Heritage Act.

The issues identified for essential repair and maintenance of State heritage places are also applicable to local heritage repair and maintenance notices.

> **Recommendation**
> 12. Simplify the process for local governments to issue repair and maintenance notices.

4. Theme 2 – Support for heritage stakeholders

The provision of support by the State government to key stakeholders, principally heritage place owners and local government, is as important as its regulatory role in securing positive management outcomes for heritage places. Good practice identified in jurisdictions throughout Australia involves strong statutory controls for heritage place protection, balanced with a suite of incentives or support measures ranging from expert advice to financial grant aid.

The owners of heritage places are custodians for future generations. Most heritage place owners take care of these places. However, heritage places sometimes require additional attention and can generate extra expense.

There are almost 7,500 local heritage places in Queensland and consequently, most heritage place regulation occurs at the local level. While the recognition and protection of places of local cultural heritage significance is the responsibility of local government, resourcing levels available to fulfil this obligation vary.

A comprehensive survey of local governments across Queensland, similar to that undertaken by the Heritage Council of Victoria, should be carried out to establish a clear picture of the current state of local heritage practices in Queensland, both to understand what mechanisms each local government has in place to protect local heritage places, and to determine the assistance and support required to help local governments and owners of local heritage places effectively protect those places.

There is a suite of measures the State government could employ to better support heritage place owners and local government and promote effective heritage place management. These forms of support include.

- **Grant funding** – all heritage jurisdictions provide information on heritage grant programs on their websites except for Queensland and Tasmania.
- **Tailored guidance** – publications and resources on heritage protection and management are available on all Australian State heritage agency websites. Resources vary considerably in extent and currency with some exemplars providing guidance for key stakeholders such as heritage place owners and local government.
- **Heritage advisory services** – local governments can provide free technical guidance and support to heritage place owners and community stakeholders generally through a heritage advisory service. There are inter-state examples of heritage advisory services being financially supported by State governments.
- **Engagement and training** – the provision of heritage training such as workshops and conferences provides an opportunity to directly engage and share knowledge on best practice heritage management.
- **Survey support** – State-wide surveys looking at themes or time periods have been commissioned by State governments, including Queensland. Not only can such surveys identify places of State cultural heritage significance, but they can also identify places of potential local cultural heritage significance.
- **An understanding of the support available for owners and local government** - to improve management of heritage places a survey of key stakeholders would enable a better understanding of current arrangements and needs. This was the process undertaken by the Heritage Council of Victoria.

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Recommendations

13. Undertake a comprehensive review and update of heritage publications and resources to ensure these reflect current best practice and are user-friendly for specialists and non-specialists alike.

14. Undertake a comprehensive survey of local governments across Queensland to:
    - establish a clear picture of local cultural heritage place protection and management processes, and identify what support is required to facilitate improvements
    - determine what mechanisms each local government has in place to protect local heritage places and support local heritage place owners
    - understand the support each local government requires to protect local heritage places effectively
    - implement tailored heritage specific training and education opportunities to build capacity within local government, heritage professionals and heritage place owners and managers.

15. Determine how regular and dedicated grant aid, including support for conservation works and CMPs, can be provided to heritage place owners.

16. Determine how heritage support can be enhanced in regional Queensland.

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5. Theme 3 - Better communication, understanding and engagement

5.1. Understanding State and local heritage protection and management

It is evident there is a general lack of understanding about the different levels of heritage protection, principally State and local heritage protection and the difference between heritage listing and character-related designations in planning schemes. Similarly, the roles and responsibilities at each level of heritage protection are not well understood.

As previously noted, Queensland's heritage protection system is governed by a range of different legislation, namely, the Heritage and Planning Acts, and statutory instruments including planning schemes. However, communication and education on the 'basics' of Queensland's heritage protection framework could be improved.

A review of online information provided by other Australian heritage agencies indicates that user-friendly, plain English information about heritage is limited. The emphasis is also on State heritage places; information about local cultural heritage and local government heritage management are often lacking. Victoria, NSW, WA and Tasmania are exceptions, where information is provided on local heritage places and heritage planning particularly tailored to local government.

In Queensland, there is also considerable confusion about the difference between local heritage listings and character-related designations in planning schemes. Places in character-related overlays are valued because of their contribution to the character or appearance of an area, typically a streetscape, and the level of protection they are afforded in a planning scheme is of a lower order to that given to local heritage places. There is community dissatisfaction with this level of protection which contributed to an increase in the numbers of State heritage register applications. There is a critical need to ensure that information provided about the different levels of heritage protection and heritage and character places is easy for the community to understand.

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Recommendation

17. Revitalise the Queensland Government's heritage web presence to improve design and navigability, encourage positive engagement with heritage and better communicate information about:
    - the value of Queensland's heritage
    - Queensland's heritage protection system for State and local heritage places
    - the intersection between heritage and planning frameworks established to protect local and State heritage places in Queensland, including jurisdictional roles and responsibilities
    - the difference between local heritage listings and character designations in planning schemes.

18. Create toolkits about heritage place management tailored for key stakeholders, including heritage place owners and managers, and local government.

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5.2. Accessing information about State and local heritage places

Information about State heritage places can be searched and accessed online. The department does not hold information about local heritage registers, as this responsibility currently rests solely with local governments. In Queensland, there is inconsistency in how information about local heritage places is managed and accessed—whether in a heritage register and/or a planning scheme. In contrast, local heritage places in NSW are always identified in a schedule (schedule 5) of the local government planning instrument (Local Environmental Plan).

NSW, Victoria, South Australia and WA provide online databases which identify State and local heritage places. In the case of the Heritage Victoria database, not all local heritage places are identified in the heritage database: there is information on only 29 out of 79 local government heritage overlays. In all these States apart from WA, each heritage database is accompanied by an interactive online mapping tool.

The provision of a single portal for heritage information for State and local heritage places in Queensland with an accompanying mapping tool would follow good practice adopted elsewhere in Australia. It would allow members of the community to readily access information about all heritage listings (State and local) without having to refer to other sources that are challenging to navigate.

> **Recommendation**
> 19. Investigate the establishment of a single searchable platform with accompanying interactive mapping tool for information about State and local heritage places in Queensland.

5.3. Promoting the value and understanding of heritage

Promotion of the value and understanding of cultural heritage, as well as fostering a positive attitude towards its protection, is a key role and challenge for the department. Queensland's heritage places are valuable assets, consisting not only of buildings but also other types of structures like memorials and mining infrastructure as well as parks, gardens and landscapes. They represent the histories and identity of Queensland communities and help foster a sense of place and belonging.

There is a common misconception that heritage places cannot be changed, and that heritage protection negates realisation of development opportunities. This perspective fails to appreciate the opportunities heritage places can offer to the economy by creating opportunities for skilled jobs as well as contributing to urban and rural regeneration. Further, heritage places are the foundation of tourism offerings that are unique and therefore attractive to a market seeking a point of difference or a special experience.

Improved education and communication are required to foster a more improved and informed view of heritage management. Further, community interest in heritage matters can be encouraged by offering opportunities to learn more and engage with heritage places. Events like NTA(Q)'s heritage week festival, Great Houses of Ipswich, the Cassowary Coast Tropical Art Deco festival and the Open House events have been popular and demonstrate the community's interest in heritage places. Opportunities to build on or revive these events should be explored, acknowledging the implications of the Covid-19 pandemic.

The department's Heritage Places website currently focuses on the regulatory processes of heritage protection. There are enormous opportunities to promote the value of heritage conservation in several ways, such as showcasing exemplary heritage projects and how they were implemented; for example, the creative adaptive reuse of a heritage building or an interesting heritage interpretation display. Typically, agencies in other States focus on the following areas to promote heritage in their online information:

- **Heritage tourism** – this ranges from State government-led heritage tourism strategies to information about visiting places open to the public.
- **Adaptive reuse case studies** – inspiring projects are often chosen to illustrate that change can occur, and heritage places are often a catalyst for creativity and the arts.
- **Heritage interpretation opportunities** – this ranges from heritage trails to photographic competitions but can include larger heritage interpretation initiatives such as the ACT's annual heritage festival.

Recommendations

20. Review the Queensland Government's heritage web presence to promote the benefits of heritage. Additional content could include:
    - heritage tourism
    - adaptive re-use case studies
    - heritage interpretation.
21. Develop new heritage publications and resources to promote and support best practice heritage tourism, adaptive re-use and heritage interpretation.
22. Explore opportunities to build on existing events that raise the profile and facilitate engagement and better understanding about Queensland's heritage places.

6. Conclusion and recommendations

6.1. Conclusions

QHAP was initiated in part because of strong community concern about a number of high-profile heritage places and it has been informed by community and stakeholder issues raised throughout the process. It is clear the current heritage protection system does not meet community expectations and that measures can be taken to improve it and better support and engage with key stakeholders.

Through the QHAP process, Queensland's heritage protection system has been critically analysed with a focus on heritage place identification and heritage compliance and enforcement. Comparative analysis with other Australian jurisdictions has enabled the formulation of a range of recommendations for legislative improvements based on proven good practice elsewhere.

In addition to identifying potential legislative reform and mechanisms to strengthen Queensland's heritage framework, QHAP has carefully examined how the State Government can take on a greater leadership role in local heritage place identification and management. QHAP has also considered how heritage place owners and local government can be better supported to ensure positive management outcomes for heritage places.

QHAP supports the need for improved heritage communication and education. There is a need to provide simple, plain English information about the basics of the heritage protection system as well as technical resources which can form the basis of sound decision making. Further, promotion of the many benefits of heritage conservation is necessary to dispel misconceptions and negative attitudes as well as encourage good practice and community engagement. This will take a collaborative effort across both levels of government in Queensland (local and State), the community and other key stakeholders.

While case studies like the Broadway Hotel, Home and Linden Lea demonstrate the urgency for legislative change, commitment and action on all report recommendations will provide a best practice approach to ensure Queensland's heritage places are better protected.

It is understood that not everything can be done at once. The development of a prioritised implementation strategy to deliver the key recommendations is critical and must be the priority of the Queensland Government. QHAP members acknowledge that meaningful implementation of the key recommendations will require the allocation of additional resources and support for key stakeholders including local government and heritage place owners.

7. Appendix 1 – The Broadway Hotel and "Home" case study

The Broadway Hotel and "Home" are two out of 1,794 State heritage places that have attracted much public attention in recent years due to their poor condition. Both places are on prominent sites in inner-south Brisbane.

The Broadway Hotel is a three storey Victorian "Boom period" building, constructed in 1889–90, on the corner of Logan Road and Balaclava Street in Woolloongabba. The octagonal corner turret, arches and decorative parapets have presented an imposing presence to the street, but the building ceased use as a hotel and has been vacant since a fire in 2010. Another fire in 2018 destroyed the roof.

Home is an ornate grand Queen-Anne style house erected at Kangaroo Point in 1902–03 for a wealthy owner of a Queen Street drapery business. The two-storey wrap-around verandahs and the roof-tower still provide panoramic views of Brisbane high above the bend of the Brisbane River near Kangaroo Point cliffs. Lack of maintenance led to slow deterioration, accelerated by vandals after the owner vacated the building.

The 2018 fire made the external walls of the Broadway Hotel unstable. Within a few days the Minister made a stop order under the Heritage Act to prevent demolition of the undamaged sections of the building. However, major repairs including façade propping were necessary. The limitations of the Heritage Act became apparent, as repair and maintenance notices can only be made for minor works. The department and BCC consulted closely on compliance action. In November 2018, BCC issued a show cause notice and in February 2019, an enforcement notice under section 248 of the *Building Act 1975* requiring the owner to carry out the façade propping. The owner appealed against the order in the Development Tribunal but BCC was successful and the order was affirmed. The owner completed the façade propping in September 2020.

For "Home" the department was able to obtain compliance with a repair and maintenance notice to secure the building after the Public Trustee was given management of the property in December 2020. But the major works needed to repair the building, including replacing the roof, were well beyond the scope of minor work. Home has only been saved because BCC forced the sale of the property under the Local Government Act 2009 to recover overdue rates. The new owner has voluntarily begun the major repairs to the building.

The future of the Broadway Hotel is less certain. Although the facades have now been stabilised, the building is still abandoned. There is no legislation that can force an owner to re-occupy a building. The Broadway Hotel has been advertised for sale since March 2021. There is potential to redevelop the rear of the site to fund its conservation work. However, at the time this report was finalised, no buyer had been found.

These two cases show that the repair and maintenance notices that are available to the department are often inadequate, and that major changes to enforcement powers under the Heritage Act are needed. Building Act enforcement powers, available to local governments, are a good model for reform.

8. Appendix 2 –Linden Lea case study

Linden Lea, Toowong, was a house designed by architect Horace Driver in English Revival style. It was built in 1938 for the Webster family, who ran a successful biscuit and cake manufacturing company.

In 2017, Linden Lea's owners made an application for demolition of the residence. This was refused by BCC. The matter was taken to the Planning and Environment Court, which in 2018 found there were no grounds to refuse the application under the planning provisions then in effect, and ordered approval of the demolition.

An appeal against this decision was dismissed in 2019, and the demolition approval was granted in April 2019.

An application for the entry of Linden Lea in the QHR was received on 17 February 2021. Demolition work began on the site of Linden Lea on 25 February 2021. The heritage applicants requested a stop order against the demolition on 26 February 2021. The court order approving its demolition could not be overridden by heritage listing, and the request for the stop order was refused. Linden Lea was demolished on 5 March 2021.

The heritage register application continued. On 30 April 2021, the QHC decided not to enter the place in the QHR. The demolition of Linden Lea attracted substantial public and media attention. The community's expectation was that a State heritage application would stop development, pending its heritage assessment. Also, the community believed that through the stop order provisions, the Minister could step in and override the approved demolition. Linden Lea's fate highlighted the contrast between the public's perception of heritage, and how heritage provisions currently function in Queensland.

9. Appendix 3 – QHAP consultation summary

Party consulted with	Summary of issues raised/discussion
Toowong Residents Group (communicated in presentation & letter to Minister)	• Planning controls (*Brisbane City Plan 2014*) protecting places included in character overlays and pre-1947 properties. • Interim heritage protection for places the subject of a heritage register application. • Public/community engagement opportunities with the department and the QHC. • Support for heritage place owners and buyers including heritage incentives. • Strengthening of heritage repair and maintenance powers.
Local Government Association of Queensland (LGAQ) (presentation to QHAP)	LGAQ has made resolutions on two historic heritage matters: • Increased penalties for development offences • Reinstatement of departmental heritage assessment officers in regional Queensland
Heritage Council of Victoria Secretariat (HCVS) (presentation to QHAP)	HCSV delivered a presentation to QHAP about the Heritage Council of Victoria's (HCV) "State of Heritage Review: Local Heritage" project and report (2020).
Mr Chris Buckley, PIA QHAP panel member (email)	• Review of QHR entries • Surveys to inform and encourage new State listings • comprehensive local heritage registers • Use of planning powers in statutory planning instruments including for adjoining State heritage places • Protection of trees and vegetation • Disconnect between Heritage and Planning Acts • Widening powers in Heritage Act akin to building regulations • Review of process timeframes • Improved information about the process • Collaboration with private sector • Local exemption certificates
Heritage Victoria, Heritage New South Wales & Heritage South Australia (3 x meetings with heritage officers)	• Legislative provisions for interim heritage protection, stop orders, repair and maintenance orders and enforcement • Current heritage management issues in the different States.

10. Appendix 4 – Comparison tables

State and local heritage places

Stop orders

		For interim places or potential significance?	For listed places?	If no threat of harm?	If threat of harm?	Scope of work	Duration	Repeatable?	Will end earlier...
Queensland	State	✓	✓	✓	✓	If work would destroy or substantially reduce cultural heritage significance If made for place on QHR, not for approved work	60 business days	Yes	...if made for place that was not on QHR, when entered in QHR
	Local	✗	✗						
New South Wales	State	✓	✓	✗	✓	Any	40 days	Yes	...if interim place or on SHR, when heritage approval given for work
	Local	✗	✗						
Victoria	State	✓	✓	✗	✓	If a heritage permit or exemption would be required for the work	Unlimited	N/A	...when heritage permit or exemption given for work
	Local	✗	✗						
South Australia	State	✓	✓	✓	✓	Any	12 working days (unlimited if emergency)	No, but Court can extend period	
	Local	✓	✓	✗	✓	Any	Unlimited	N/A	
Tasmania	State	✓	✓	✗	✓	Any	14 days	No, but Tribunal can extend period	
	Local	✗	✗						
Western Australia	State	✓	✓	✗	✓	Any	60 days	No, but Court can extend period	
	Local	✓	✓	✗	✓	Any	60 days	No, but Court can extend period	
Northern Territory		✓	✓	✗	✓	Any	30 days	No, but Tribunal can extend period	
Australian Capital Territory		✓	✓	✗	✓	Work likely to diminish heritage significance of the place	Unlimited	N/A	...when heritage approval given for work

Note: in NSW, Victoria and WA interim protection for local places of potential significance is provided through heritage orders. There is no system of local heritage listing in ACT or NT.

State heritage places

Interim protection and impact of heritage applications on develop applications and approvals

	Immediate heritage listing?	Separate heritage approval?	Development application overridden?	Development approval overridden?
Queensland	✗	✗	✗	✗
New South Wales	✓	✓	✓	✓
Victoria	✓	✓	✓	✓
South Australia[4]	✓	✗	✓	✗
Tasmania	✓	✓	✓	✓
Western Australia	✓	✗	✓	✓
Northern Territory	✓	✓	✓	✓
Australian Capital Territory	✓	✗	✓	✗

Timeline: QHR application → 93 days[1] → Development application → 50 days[2] → Development approval → 96 days[3] → Start work
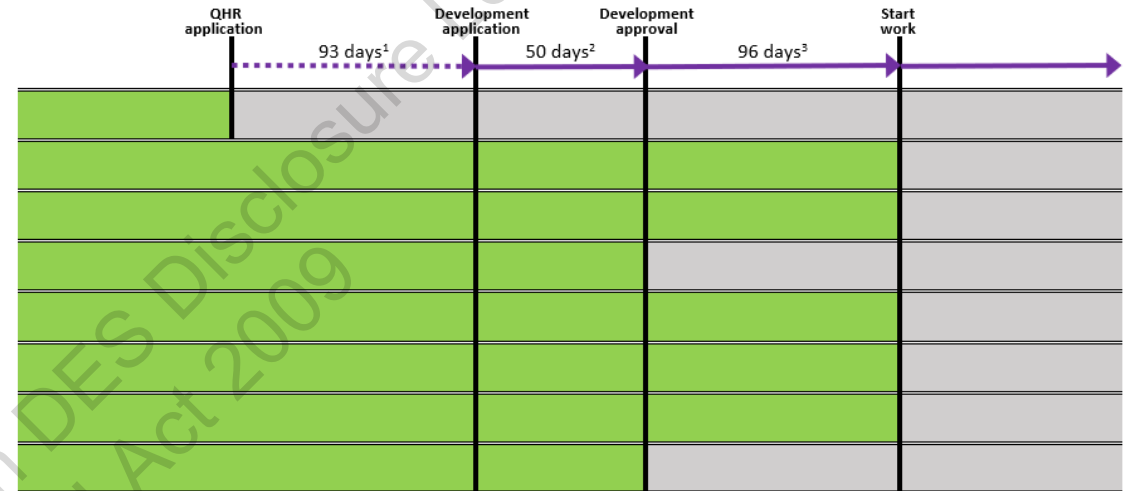
Note: All data is working days

KEY

Place has State heritage protection:
Development will be assessed against State heritage criteria

No State heritage protection:
Development will not be assessed against State heritage criteria

[1] Average of 33 applications, January 2019 – February 2021 (range, 42-147 days)

[2] Queensland timeframe, assumes 10 days application part, 40 days decision part, development not notifiable, no information requests

[3] ABS commencement time, flats, units or apartments, Queensland 2018-2019

[4] Minister may also specify in a notice in the Gazette an earlier date for the listing

State and local heritage places
Enforcement powers in heritage legislation

		REPAIR AND MAINTENANCE							DAMAGE	COURT ORDERS	
		For major repairs	For minor repairs	Automatic obligation (no notice required)	Unlimited cause of deterioration/ damage	Unlimited purpose	Enforceable despite "reasonable excuse"	Minister/ Council/ Chief Exec do repairs & claim debt (without Court order)	Strict liability offence	Full discretion for orders	Available without conviction
Queensland	State	✗	✓	✗	✗ Weather, fire, vandalism or insects only	✗ Only to prevent further damage/deterioration	✗	✗	✗	✗ Restoration, non-development, education & public benefit & only if caused by commission of offence	✗
	Local	✗1	✓	✗	✗ As above 2	✗ As above 3	✗4	✗1	✗	✗ As above 1	✗1
New South Wales	State	✓	✓	✓	✓	✗ Only to protect from weather, fire, for security, maintenance & to prevent serious or irreparable damage/ deterioration	✓	✓	✓	✓	✓
	Local	✗5	✗5						✓	✓	✓
Victoria	State	✓	✓	✓	✓	✗ Only if necessary to prevent further deterioration		✓	✓	✓	✓
	Local	✗5	✗5								
South Australia	State	✓	✓	✓	✓	✗ Only to protect from damage/deterioration, secure or make good damage caused by the person	✓	✗	✓	✓	✓
	Local	✗5	✗5								
Tasmania	State	✓	✓	✗	✓		✓	✓	✗	✓	✓
	Local	✗5	✗5								
Western Australia	State	✓	✓	✗	✗ Only from neglect that risks total or partial loss of significant fabric	✗ Only to secure or remedy or prevent serious, irreversible or irrepairable damage or deterioration	✓	✗	✓	✓	✓
	Local	✗5	✗5								
Northern Territory		✓	✓	✗	✓	✗ Only if necessary for conservation of the place	✗ Owner must have financial capacity	✓	✓	✓	✓
Australian Capital Territory		✓	✓	✗	✓	✗ Only if imminent threat will harm significance	✓	✓	✓	✓	✓

1 Available under *Building Act 1975*
2 Unlimited cause under Building Act

3 Unlimited purpose under Building Act
4 Reasonable excuse not available under Building Act

5 All States have orders for repair of dangerous, insecure or dilapidated buildings under various building or planning Acts

11. Appendix 5 – Queensland State of the Environment - Local heritage place data

Queensland State of the Environment Report 2020 Local Heritage data
Data is current as of May 2020

Local Government Area	Local heritage places identified in a planning scheme	Local heritage areas identified in a planning scheme	Local heritage places identified in a local heritage register
Aurukun Shire	0	0	0
Balonne Shire	12	0	0
Banana Shire	3	0	3
Banana Shire	4	0	0
Barcaldine Regional	1	0	0
Barcaldine Regional	2	0	0
Barcaldine Regional	3	0	0
Barcoo Shire	10	0	0
Blackall-Tambo Regional	10	0	0
Boulia Shire	1	0	0
Brisbane City	2267	0	1995
Bulloo Shire	30	0	0
Bundaberg Regional	79	0	0
Burdekin Shire	6	0	0
Burke Shire	12	0	0
Cairns Regional	238	0	0
Carpentaria Shire	3	0	0
Cassowary Coast Regional	86	0	0
Central Highlands Regional	22	0	0
Charters Towers Regional	807	0	0
Cherbourg Aboriginal Shire	16	1	0
Cloncurry Shire	6	0	0
Cook Shire	29	0	0
Croydon Shire	7	0	0
Diamantina Shire	5	0	0
Doomadgee Aboriginal Shire	0	0	0
Douglas Shire	57	0	0
Etheridge Shire	30	0	0
Flinders Shire	0	0	0
Fraser Coast Regional	157	0	157
Gladstone Regional	69	0	73
Gold Coast City	74	0	74
Goondiwindi Regional	41	0	0
Gympie Regional	105	0	0
Hinchinbrook Shire	35	0	0
Hope Vale Aboriginal Shire	4	0	0
Ipswich City	480	0	0
Isaac Regional	0	0	0
Isaac Regional	1	0	0
Isaac Regional	4	0	0
Kowanyama Aboriginal Shire	0	0	0

Local Government Area	Local heritage places identified in a planning scheme	Local heritage areas identified in a planning scheme	Local heritage places identified in a local heritage register
Livingstone Shire	16	0	0
Lockhart River Aboriginal Shire	0	0	0
Lockyer Valley Regional	8	0	0
Lockyer Valley Regional	151	2	0
Logan City	71	0	0
Longreach Regional	1	0	0
Mackay Regional	100	0	0
Mapoon Aboriginal Shire	0	0	0
Maranoa Regional	48	0	0
Mareeba Shire	67	0	0
McKinlay Shire	33	0	0
Moreton Bay Regional	99	99	0
Mornington Shire	0	0	0
Mount Isa City	13	0	22
Murweh Shire	84	0	0
Napranum Aboriginal Shire	0	0	0
Noosa Shire	63	0	0
North Burnett Regional	64	0	64
Northern Peninsula Area Regional	0	0	0
Palm Island Aboriginal Shire	33	0	0
Paroo Shire	76	0	0
Pormpuraaw Aboriginal Shire	0	0	0
Quilpie Shire	31	0	0
Redland City	50	0	0
Richmond Shire	1	0	0
Rockhampton Regional	0	0	0
Scenic Rim Regional	55	0	57
Somerset Regional	25	0	0
South Burnett Regional	0	0	69
Southern Downs Regional	381	0	381
Sunshine Coast Regional	234	12	0
Tablelands Regional	78	0	0
Toowoomba Regional	385	0	0
Torres Shire	68	0	0
Torres Strait Island Regional	0	0	0
Townsville City	320	0	0
Weipa Town Authority	0	0	0
Western Downs Regional	63	0	0
Whitsunday Regional	50	0	51
Winton Shire	1	0	0
Woorabinda Aboriginal Shire	1	0	0
Wujal Wujal Aboriginal Shire	0	0	0
Yarrabah Aboriginal Shire	6	0	0

Note: *LGAs can occur multiple times in the table if they operate under more than one planning scheme*

12.   Appendix 6 – Heritage Council Victoria Report

HERITAGE COUNCIL VICTORIA

STATE OF HERITAGE REVIEW | **Local Heritage**
2020

VICTORIA
State
Government

Acknowledgement

As a peak Heritage body, we are proud to acknowledge Victorian Traditional Owners as the original custodians of Victoria's land and waters, and to acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

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Table of contents

Table of contents

Continued

List of figures and tables

List of abbreviations

AHC	Australian Heritage Council
ARMB	Alpine Resort Management Board
CHL	Commonwealth Heritage List
DELWP	Department of Environment, Land, Water and Planning
HAC	Heritage Advisory Committee
HCOANZ	Heritage Chairs and Officials of Australia and New Zealand
HCV	Heritage Council of Victoria
HELP	Heritage: Everything for Local Planning
HERCON	Heritage Convention
HERMES	HERitage Management Electronic System
HNM	Heritage Near Me
HO	Heritage Overlay
HV	Heritage Victoria
ICOMOS	International Council on Monuments and Sites
LGA	Local Government Area
LGSC	Local Government Specialist Committee (Heritage Council of Victoria)
LHGP	Living Heritage Grants Program
MAV	Municipal Association of Victoria
NHL	National Heritage List
NT	National Trust of Australia
PIA	Planning Institute of Australia
PPN	Planning Practice Note
PPV	Planning Panels Victoria
RHSV	Royal Historical Society of Victoria Inc.
RSC	Review Steering Committee
UNESCO	United Nations Educational, Scientific and Cultural Organization
VCAT	Victorian Civil and Administrative Tribunal
VHD	Victorian Heritage Database
VHI	Victorian Heritage Inventory
VHR	Victorian Heritage Register
VPP	Victoria Planning Provisions

Executive summary

Background

In 2017, the Heritage Council commissioned a feasibility study to assess the need for a Victorian Heritage Strategy. The feasibility study identified five areas requiring attention, the first and most significant of which was that of local heritage.

The Heritage Council resolved to use its advisory functions to investigate the local heritage system and identify opportunities for its improvement, commencing with the State of Heritage Review: Local Heritage (the 'Review') project in 2018.

Project scope

The Review has four objectives:

- to create a clear picture of the current arrangements for local cultural heritage across the State that can be used as a point of comparison in future years

- to recommend tangible and practical opportunities for enhancing and improving the way State and local governments work together to recognise, protect and manage local cultural heritage, and anticipate and prepare for future challenges

- to improve community understanding of the benefits of local and State cultural heritage protection and demystify the current arrangements

- to promote and encourage good heritage practice across government and within the broader community by showcasing best-practice examples of local cultural heritage management.

The Review has two key deliverables:

- this formal report

- a promotional program that showcases best-practice local cultural heritage protection and management, and the benefits that appreciation and protection of heritage can bring to local communities.

Investigation process

The Review's research focused primarily on input from those at the heart of local heritage protection and management: local council planners and/or heritage officers. The views of the wider heritage community were also sought.

Information was gathered through a variety of different means:

- A 'council survey' was sent to representatives from all 79 Victorian councils and all four alpine resort management boards to learn of their local heritage arrangements and opinions of the system. A total of 80 responses were received; all 79 councils (100% response rate) and one board (25% response rate) completed the survey.

- A 'community survey' was sent to representatives from the heritage community to learn of their opinions of the system. A total of 123 responses were received.

- Desktop reviews were undertaken to investigate the number of heritage studies and Heritage Overlays in Victoria, as well as interstate heritage systems and programs of support for local heritage. Follow-up interviews were conducted with representatives from interstate heritage bodies to better understand these support programs.

- Interviews were conducted with representatives from 10 Victorian councils that have local heritage arrangements that can be considered best practice or an innovative practice. These interviews formed the basis of the case studies found in Chapter 3 of this report.

- Four full-day workshops were held across the State (two in Melbourne, one in Traralgon and one in Ballarat) to develop potential solutions to the main issues identified in the surveys. A total of 66 people from 45 different organisations, including 41 local councils, DELWP and Heritage Victoria, attended the workshops.

- One half-day workshop was held in Melbourne with a selection of representatives from the heritage community, including heritage consultants and advisors, the Royal Historical Society of Victoria and the National Trust, to develop potential solutions to the main issues identified in the surveys.

Key findings

The report identifies many areas in the current local heritage system that are working well:

- Almost all councils (96%) have completed a stage 2 heritage study to assess places of local significance. Some councils have undertaken heritage studies to identify place-types not commonly investigated, including post-war heritage.

- The Heritage Overlay is protecting local heritage. As of 5 April 2019, there were 21,419 Heritage Overlays in Victoria, protecting more than 186,000 properties.

Survey respondents identified the protection that is provided through the Heritage Overlay as the biggest strength of the local system.

- Many councils have measures in place to support local heritage property owners: 73% of all councils have a heritage advisor, while 35% of all councils offer some sort of financial incentive to owners.

- Many councils have mechanisms in place to communicate about and promote local heritage: 82% of all councils have a dedicated heritage webpage on their council website, while 47% of all councils run a heritage event to promote and celebrate their local heritage.

The report also identifies a number of areas for improvement in the current local heritage system:

- Local heritage is not always a primary consideration or priority within councils, often being seen as something 'extra' to the core components of planning.

- There is a need for increased direction from the State Government to better enable councils to both understand and effectively comply with their responsibilities to identify and protect local heritage. In particular, participants noted that:

   – there is no-one to speak to for consistent direction regarding their obligations for protecting and managing local heritage or for advice on how to best protect and manage their local heritage

   – existing guidance material to support efficient best-practice local heritage management and protection is often out of date, hard to find and doesn't include information required in today's more complex planning environment

   – council planners often operate in isolation with no prior background in heritage and struggle to know what best practice is, where to find the right information/guidance and how to assess the quality of the advice they receive from consultants.

- A base-level of heritage protection is still to be achieved across the State: 4% of all councils are yet to complete a stage 2 heritage study; nearly 10% are yet to translate any studies into the Heritage Overlay; and nearly 20% identified geographic gaps in their studies.

Recommendations and implementation

The report recommends one major strategic initiative: revitalisation of the State's role in providing leadership in the protection and management of local heritage. This initiative is supported by three principal pillars:

- the establishment of dedicated local heritage roles within DELWP Planning to provide necessary focused leadership and direction

- the creation and maintenance of a centralised, up-to-date repository of clear and consistent guidance material

- direct support and assistance to ensure base-level heritage studies are completed and translated into the planning scheme.

This initiative is outside of the Heritage Council's ability to deliver and will require support from the Minister for Planning and agreement from DELWP Planning to implement. However, the initiative will best ensure long-term solutions to the identified problems and reinforce the strengths of the current system.

The report also recommends eight smaller initiatives or 'practical improvements' to address a number of other identified issues:

- development of a 'demolition by neglect' model local law

- creation of a 'Heritage 101' information pack for councils and the public

- creation of a 'Heritage 101' induction pack for new councillors

- facilitation of discussions to clarify demolition application processes

- expansion of the local government heritage forum

- clarification of the role of HERMES and the VHD

- advocation for a tertiary heritage planning subject

- promotion of the use of Heritagechat among planners

These initiatives are to be led by the Heritage Council, in partnership with DELWP, the National Trust, MAV and representatives from local councils.

This report also discusses a proposed promotional program. This will consist of council information sessions and a community roadshow to be run by the Heritage Council to showcase best-practice local cultural heritage protection and management, and also the benefits that appreciation and protection of local heritage can bring to local communities.

22-067   File A   Page 35 of 95

1. Introduction

1.1 Background

The Heritage Council of Victoria (the 'Heritage Council') is an independent statutory body responsible for identifying, protecting and promoting Victoria's post-contact cultural heritage. The Heritage Council's functions and powers are set out in the *Heritage Act 2017*.[1] The Heritage Act does not apply to cultural heritage places or objects of significance only for their association with Aboriginal tradition, as this heritage is protected and managed under the *Aboriginal Heritage Act 2006*.

In 2017, the Heritage Council commissioned a feasibility study to assess the need for a new Victorian Heritage Strategy. The feasibility study identified five areas requiring attention. The first and most significant area was that of local heritage:

> *'Local heritage was the major issue to emerge as requiring attention, from the majority of participants across all three consultation mechanisms. Noted issues included recent reductions in State Government funding, the disparity between resources available to places listed on the Victorian Heritage Register (VHR) and included in local overlays, incomplete heritage schedules, and the need for greater capacity at the local level. Local heritage was considered to be one of the main shortcomings of the previous strategy (particularly a perceived disconnect between local heritage, local government and local heritage place owners). Consultation participants expressed support for local initiatives to interpret and celebrate local heritage and consistently emphasised that ... the majority of Victoria's heritage places are owned, used and managed at the local level...'* (Feasibility Study for a Victorian Heritage Strategy, unpublished report)

While the Heritage Council's primary statutory responsibilities relate to the recognition and protection of places and objects of State-level cultural heritage significance as listed on the Victorian Heritage Register, its advisory functions, as described under sections 11(1)(a) and (d) of the *Heritage Act 2017*, are much broader. As a result, the Heritage Council resolved to use its advisory functions to investigate the local heritage system and identify opportunities for its improvement. It commenced the State of Heritage Review: Local Heritage (the 'Review)' project in 2018.

Since the Review's commencement, a number of high-profile local heritage cases have arisen in the media. These include the illegal demolition of local heritage places and the legal demolition of old places not protected. As such, the Review represents a timely opportunity to investigate local heritage arrangements.

1.2 Review objectives, deliverables and audience

Objectives

The Review has four primary objectives:

- to create a clear picture of the current arrangements for local cultural heritage across the State that can be used as a point of comparison in future years

- to recommend tangible and practical opportunities for enhancing and improving the way State and local governments work together to recognise, protect and manage local cultural heritage, and anticipate and prepare for future challenges

- to improve community understanding of the benefits of local and State cultural heritage protection and demystify the current arrangements

- to promote and encourage good heritage practice across government and within the broader community by showcasing best-practice examples of local cultural heritage management.

Deliverables

The Review has two key deliverables:

01. A formal report that:

    - provides a stocktake of the current provisions for local heritage, to serve as a baseline for future comparisons

    - contains an analysis of the different ways local and State cultural heritage protection work together in Victoria to protect the State's cultural heritage, identifying potential areas for change and improvement

    - identifies the strengths and weaknesses in the current local cultural heritage arrangements, making clear proposals for improvement

    - identifies short, medium and long-term opportunities for increasing awareness and appreciation of the benefits of local heritage across Victoria

    - identifies examples of best practice of heritage management, protection and promotion, noting where they are occurring and how they could be communicated and taken up more broadly through mechanisms such as forums, workshops and/or a roadshow

    - outlines the tangible and practical improvements that can be implemented either immediately or in the months following the Review's completion by the Heritage Council, Heritage Victoria and local councils

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[1]   *Heritage Act 2017,* Part 2, Section 11(1), (2).

– specifies three strategic initiatives to improve local heritage protection and management in the State.

02. A promotional program that showcases best-practice local cultural heritage protection and management, and the benefits that appreciation and protection of heritage can bring to local communities.

Audience

The Review and its deliverables are intended for the key stakeholders in the local heritage system. This includes government and related peak bodies, both at the State level – the Minister for Planning, the DELWP Planning Group and the Heritage Council – and those at the local level – councils and the Municipal Association of Victoria (MAV). It also includes heritage-related organisations – the National Trust of Australia (Victoria), the Royal Historical Society of Victoria Inc. and its affiliated societies – and the general public.

1.3 Review constraints and scope

Constraints

The protection and management of places of local heritage significance is the responsibility of local councils under the *Planning and Environment Act 1987*. In its framing of the Review, the Heritage Council was mindful that its powers in relation to local heritage are limited to advice and education regarding the understanding, protection and conservation of the State's cultural heritage resources. It has no direct powers in relation to the planning system under which the management of local heritage resides. The Review's scope and deliverables have been framed with this fact in mind and therefore consist of two different streams of recommendations:

- 'strategic initiatives' – larger changes that the Heritage Council will advocate to the relevant local and State planning authorities

- 'practical improvements' – smaller activities, mostly relating to education or communication, that either fall directly within the Heritage Council's remit or are those whose delivery the Heritage Council could help support. These ensure that there will be tangible outcomes from the Review.

The two other factors that have acted as constraints are:

- timeframes – the review was given an 18-month project timeframe to ensure it retained its momentum and the collated data did not become too out of date

- staffing – due to the relatively small size of the Heritage Council Secretariat, one full-time Project Officer was employed to work on the Review; project management assistance was provided in a part-time capacity by the Secretariat's Senior Project Officer.

Scope

Given the Council's advisory role and the Review's objectives and constraints, the Heritage Council agreed that the Review would:

- investigate the different arrangements for local and State cultural heritage protection and management in Victoria and compare them with those of other jurisdictions in Australia, primarily NSW

- establish a clearer understanding of current provision for local cultural heritage (with a stocktake of what is being done), including the extent and recentness of local heritage studies, the provision for heritage within local planning, and arrangements for the support and promotion of local cultural heritage

- evaluate the strengths and weaknesses of current local cultural heritage protection and management arrangements, including the effectiveness of the coordination of local and State cultural heritage mechanisms, and how the public understanding of the two levels might be increased

- identify current mechanisms that have the potential to provide sustainable funding of local heritage protection and management

- identify the challenges likely to emerge in local cultural heritage protection and management

- identify best-practice examples of management, protection and promotion of local cultural heritage, noting where they are occurring and how they could be communicated and taken up more broadly through mechanisms such as forums, workshops and/or a roadshow

- identify short, medium and long-term opportunities for increasing awareness and appreciation of the benefits of local cultural heritage across Victoria

- specify practical steps for improvement that can be implemented by the Heritage Council, DELWP and municipal agencies within existing resources

- identify the top three initiatives which, if funded, could greatly improve the recognition, protection and management of local cultural heritage across Victoria.

Out of scope

In recognition of the Review's constraints and to ensure clarity, the following activities were specifically excluded from the Review's scope:

- an examination of Commonwealth levels of heritage protection and management – these levels of heritage protection and management have little bearing on local heritage

- an analysis of the regulatory framework and planning schemes – local heritage comprises a small part of the planning system under the *Planning and Environment Act 1987*. An investigation of this system would require additional resources

- an analysis of the content of specific Heritage Overlays – as above

- a specific analysis of local council-owned assets – this project was aimed at providing a broad strategic look at the local heritage system. Investigation of specific

heritage places and their ownership would not have added much value

The Heritage Act 2017 does not apply to cultural heritage places that are of significance only for their association with Aboriginal tradition and it is more appropriate for advice on the protection and management of this heritage to be provided by the Victorian Aboriginal Heritage Council and/or Aboriginal Victoria. It has therefore been excluded from the scope of the Review.

1.4 Review governance and process

Governance

The Heritage Council constituted a committee to oversee the Review. The Review Steering Committee (RSC) was comprised of:

- three representatives from the Heritage Council, including the Chair

- three representatives from the Municipal Association of Victoria (MAV): one staff and two MAV-nominated council officers

- one representative from Heritage Victoria (HV), Department of Environment, Land, Water and Planning (DELWP)

- one representative from Planning Group, DELWP

- one representative from the National Trust (National Trust of Australia, Victoria)

Process

The Review's investigation process focused primarily on input from those at the heart of local heritage protection and management – local council planners and/or heritage officers. Information was gathered via desktop analysis, surveys and targeted interviews and workshops.

Surveys

The Review commenced with two online surveys to source data for the stocktake of the current provisions for local heritage as well as opinions on the overall function of the local heritage system:

- the first (the 'council survey') was sent to representatives from all 79 Victorian councils and to all four alpine resort management boards. The survey asked 10 quantitative questions on local heritage arrangements and five qualitative questions seeking opinions on the local heritage system. A total of 80 responses were received; all 79 councils (100% response rate) and one alpine resort management board (25% response rate) completed the survey

- the second (the 'community survey') was sent to representatives from the heritage community. The survey asked the same five qualitative questions as the council survey. The survey was distributed via email to several different groups: Royal Historical Society of Victoria-affiliated local historical and heritage societies (this was administered by the RHSV on behalf of the

Heritage Council); Victorian Australia International Council on Monuments and Sites (ICOMOS) members; representatives from the National Trust; and members of the Local Government Specialist Committee (LGSC), HCV. A total of 123 responses were received; 114 via the RHSV (including the RHSV itself) and nine responses through the other channels.

Desktop analysis

Two desktop reviews were conducted alongside the survey:

- the first was a manual check of the number of heritage studies and Heritage Overlays in Victoria in order to supplement the stocktake data from the council survey

- the second was an investigation of interstate heritage systems and follow-up interviews with representatives from interstate heritage bodies to better understand the way in which they assisted with the protection and management of local heritage.

Targeted interviews and workshops

The final phase of the investigation involved:

- interviews with representatives from 10 Victorian councils that have a local cultural heritage arrangement that can be considered either best practice or an innovative approach to better understand best practice and the way in which it could be applied to other councils

- four full-day workshops across the State (two in Melbourne, one in Traralgon and one in Ballarat) with representatives from local councils, DELWP and Heritage Victoria to develop potential solutions to the issues identified in the council and community surveys. A total of 66 people from 45 different organisations, including 41 local councils, attended the workshops

- one half-day workshop in Melbourne with a selection of representatives from the heritage community, including consultants, the Royal Historical Society of Victoria and the National Trust, to develop potential solutions to the issues identified in the council and community surveys.

The results of this process have informed the recommendations in this report.

2. Heritage protection in Victoria

In order to effectively investigate the current local cultural heritage protection arrangements and how State and local government can work more effectively together, it is first necessary to understand the context in which local cultural heritage protection arrangements operate. This chapter gives a summary of the four levels of heritage protection that operate in the State, focusing in more detail on the two-tiered State and local systems and the way they work together to protect Victoria's cultural heritage, including the programs, both past and present, to support this protection. There is also a high-level comparison of interstate heritage systems and programs. The way in which other states promote and support local heritage offers meaningful insights for heritage protection in Victoria.

2.1 World and national heritage protection in Victoria

Before examining Victoria's two-tiered heritage system, it is worth briefly summarising the other levels of heritage protection that operate across the State. While not directly relevant to this investigation, it is provided in order to establish a complete picture of heritage protection.

World heritage

The United Nations Educational, Scientific and Cultural Organization (UNESCO) established the World Heritage List, a register of more than 1,200 cultural and natural places, termed World Heritage Sites, that are of importance to the heritage of humanity. World Heritage Sites are legally protected by an international treaty, the *Convention Concerning the Protection of the World's Cultural and Natural Heritage*, and are overseen by the UNESCO World Heritage Committee. The Committee decides what places should be added and removed from the List. There are currently 20 World Heritage Sites in Australia, which are managed cooperatively by state and Commonwealth governments in accordance with the Australian World Heritage Intergovernmental Agreement. Victoria is home to two of these sites: The Royal Exhibition Building and Carlton Gardens, and Budj Bim Cultural Landscape, both noted for their cultural significance.

National heritage

Heritage of national significance is the responsibility of the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999*. The Act establishes the National Heritage List (NHL), a statutory list of places that are of heritage significance to the nation. It also establishes the Commonwealth Heritage List (CHL), which is for significant heritage places owned or managed by the Commonwealth Government. Both the NHL and CHL replaced the Register of the National Estate in 2003. The Australian Heritage Council (AHC) was established as an independent body to assess nominations for both lists. For a place to be considered significant and included on the NHL, it must demonstrate outstanding heritage value to the nation as a whole. There are currently 119 places on the

NHL and 398 places on the CHL, 32 and 41 of which are in Victoria, respectively.

2.2 State heritage protection in Victoria

Heritage in Victoria is managed under the *Aboriginal Heritage Act 2006*, the *Heritage Act 2017* and the *Planning and Environment Act 1987*. The *Planning and Environment Act 1987* is focussed on the protection of heritage of local significance by local government.

Aboriginal cultural heritage

The *Aboriginal Heritage Act 2006* provides for the protection and management of Aboriginal cultural heritage places, objects and ancestral remains in Victoria. The primary bodies responsible for administering the *Aboriginal Heritage Act 2006* include Aboriginal Victoria in the Department of Premier and Cabinet, the Victorian Aboriginal Heritage Council (an independent statutory authority) and Registered Aboriginal Parties (traditional owner groups across Victoria legally recognised under the *Aboriginal Heritage Act 2006* with responsibilities for managing and protecting Aboriginal cultural heritage). Information on more than 39,000 Aboriginal cultural heritage places and objects is held in the Victorian Aboriginal Heritage Register. Post-contact heritage places can be protected and managed through either the *Aboriginal Heritage Act 2006* or the *Heritage Act 2017*. Some Aboriginal cultural heritage places are included in Heritage Overlays, though this is not common.

Heritage Council of Victoria

The Heritage Council of Victoria is an independent statutory body comprising 10 members – and 10 alternate members – appointed by the Governor-in-Council. As mentioned earlier, the Heritage Council's functions and powers are set out in the *Heritage Act 2017*. This Act empowers the establishment of the Victorian Heritage Register (VHR), a statutory list of places and objects significant to the State, and the heritage administration arrangements for identifying and protecting those places and objects through the Heritage Council and the

Executive Director (currently located within Heritage Victoria). One of its primary functions is to determine whether to include a place or object on the VHR. The Heritage Council has developed and updated guidelines, *The Victorian Heritage Register Criteria and Threshold Guidelines (2019)*, outlining the eight heritage assessment criteria[2] and key considerations that are used to determine whether a place or object is of State-level cultural heritage significance and could be included in the VHR. The Heritage Council also has a number of advisory and promotional functions, which include:

- to advise the Minister on the status of the State's cultural heritage resources and on any steps necessary to protect and conserve them

- to make and publish guidelines in relation to the conservation of cultural heritage

- to promote public understanding of the State's cultural heritage and develop and conduct community information and education programs

- to advise government departments and agencies, municipal councils and other responsible authorities on matters relating to the protection and conservation of cultural heritage

- to liaise with other bodies responsible for matters relating to the protection, conservation, management and promotion of cultural heritage

- to initiate and undertake programs of research related to the identification, conservation or interpretation of cultural heritage.

The Heritage Council is supported in its functions by a small secretariat.

Executive Director within Heritage Victoria

The Executive Director is a statutory position currently located within Heritage Victoria (HV), a unit within the State Government Department of Environment, Land, Water and Planning (DELWP). The Executive Director's functions and powers are set out in the *Heritage Act 2017*.[3] One of its primary functions is to establish and maintain the VHR. The Executive Director may nominate or make recommendations to the Heritage Council about inclusions in the VHR, and consider and issue statutory approvals (permits) for applications to changes to places and objects that have already been included. The Executive Director is also responsible for establishing and administering the Heritage Inventory, a list of all sites of archaeological value, and managing historic shipwrecks and artefacts.

State Government support for VHR-listed property owners

The State Government provides financial assistance to places and objects of State significance through Heritage Victoria's Living Heritage Grants Program (LHGP). The

Program, which has been running since 2016 and has a fund worth $60m, currently offers grants of between $20,000 and $200,000 to fund conservation works to 'at risk' places and objects in the VHR that deliver and demonstrate benefits for the community. Past projects include St Paul's Anglican Church in Geelong and the Former Bendigo Gas Works. The LHGP has also previously offered larger grants for more iconic places in the VHR, such Trades Hall in Carlton and Her Majesty's Theatre in Ballarat. The Program has been extended until 2022–23.

2.3 Local heritage protection in Victoria

The recognition and protection of heritage of local significance is the responsibility of local councils under the *Planning and Environment Act 1987*. This Act establishes the legal framework for Victoria's planning system, including the objectives of planning that the system must meet. Under the system, planning authorities – local councils and the State Government for its special planning areas (Alpine Resorts, Port of Melbourne, and French Island and Sandstone Island) – are required to develop and administer planning schemes. A planning scheme is a statutory document that sets out objectives, policies and provisions for the use, development and protection of land in the area to which it applies. The form and contents of all planning schemes are specified in the Victoria Planning Provisions (VPP), a reference document designed to ensure that consistent provisions for various matters are maintained across Victoria. Any amendment to a planning scheme needs to be approved by the Minister for Planning, which is supported by the DELWP Planning Group.

Local councils

Local councils, as planning authorities, have a statutory obligation to ensure that the planning schemes 'conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value'.[4] They do so by undertaking heritage studies or assessments of places (mainly buildings but also other structures and vegetation) thought to be of heritage value. Councils use the information in these heritage studies to decide if a place's heritage significance is enough to warrant statutory protection at the local level. Heritage studies play a crucial role in the local heritage protection process and are explored further in Chapter 3.

The Heritage Overlay

Places, either individual places (properties – mainly buildings but also other structures and vegetation) or precinct places (a grouping of properties), determined to be of local significance are to be protected through the application of the Heritage Overlay (HO). The HO's role is to conserve and enhance the heritage place and those elements which contribute to its significance, while also ensuring that development does not adversely affect this

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2   These criteria are based on the model criteria developed at the National Heritage Convention (the 'HERCON criteria') in 1998.

3   *Heritage Act 2017*, Section 19(1), (2).

4   *Planning and Environment Act 1987*, Part 1, Section 4(1)(a).

significance. Under a HO, a planning permit is required from the council, as a responsible authority, to conduct works on a place, excluding routine maintenance, repairs and some other minor works. HOs are also applied to places of State significance on the VHR, so as to signify that they have State-level protection. A permit is required from Heritage Victoria to conduct works. This can be a source of confusion for people who do not understand the system.

The application of the HO to a property requires councils, as a planning authority, to amend their planning scheme. The amendment process is quite lengthy and requires constant collaboration between councils and the Minister through DELWP Planning. The Act requires the Minister to authorise councils to undertake the amendment and for councils to publicly exhibit the amendment and consider submissions on that amendment. If objections are submitted that cannot be resolved by the council, the Minister must appoint an independent planning panel from Planning Panels Victoria (PPV). The panel considers the submissions and makes recommendations to the council, which decides how to proceed with the amendment. The amendment ultimately needs to be approved by the Minister.

While changes to the HO and planning system are not in the scope of the Review, there is some work that can be done to help councils increase the likelihood of ensuring their heritage studies are translated. This is explored further in the next chapter.

State Government support for councils

The Commonwealth and State Governments used to provide financial support for local councils to identify and protect their heritage. Between the mid-1970s and 1996, the Commonwealth Government ran the National Estate Grants Program, which many councils in Victoria used to access funding to assist with undertaking heritage studies. With the ending of the program in 1996, the State Government provided funding assistance for local heritage. A fund of approximately $300,000 was made available each year to councils wishing to undertake heritage studies, with the expectation that councils would translate the recommendations of the studies into planning scheme protection. Another $300,000 was made available in matching funds each year for councils to establish their own part-time Heritage Advisor positions. To be eligible, councils needed to have completed and implemented a heritage study. Both State Government funding streams ceased in 2012 on the premise that an adequate groundwork for local heritage had been established and it was now appropriate for councils to take on the responsibility of funding their own local heritage protection and management.

The DELWP Planning Group currently provides some assistance to local councils to meet their heritage conservation obligations. However, it does not provide financial support. At present, DELWP provides assistance primarily in the form of a planning practice note, *Planning Practice Note 1 – Applying the Heritage Overlay* (2018), which provides written advice for planners on the operation and application of the Heritage Overlay. Heritage Victoria also provides a suite of documents on its website to support councils to improve their local heritage processes, including guides for engaging a consultant to undertake a heritage study, engaging the services of a Heritage Advisor and implementing an incentives program. Outside of DELWP, the Heritage Council provides support by running a forum for local government officers and planners. Forums were held in 2018 in Docklands and 2019 in Whittlesea, and one was planned for 2020 but has been cancelled due to the COVID-19 pandemic.

2.4 Overview of interstate heritage protection

A high-level desktop review of interstate heritage systems and programs that support local heritage was conducted in order to ascertain if there are any practices, especially in the areas of education and promotion of the value of heritage, that could be adopted or from which lessons could be learned. This review has been summarised and is presented in **Appendix 1**.

Victoria's two-tiered heritage system is similar to that of every other Australian state in that heritage of state significance is protected through a state register and heritage of local significance is protected through the planning system. There are some differences in who is responsible for deciding on listings on the state register. Victoria is one of five states and territories where inclusion in the state register is determined by a heritage council, rather than a relevant minister. Interestingly, both the ACT and the NT do not have local heritage systems. All of the states list local heritage in their planning schemes, plans or local registers. Several states also list their local heritage on the state register.

Only two states currently provide or have recently provided a meaningful program of support for local heritage.

New South Wales

The NSW State Government recently concluded its 'Heritage Near Me' (HNM) program. The program, which began in 2015 and had a budget of $28.5m over four years, contained two principal elements. The first was an incentives program with more than $15m in grants awarded to 205 local heritage projects. The second element was a roadshow. Four major roadshow events were held: three in rural areas (Broken Hill, Clarence Valley and Bega Valley) and one in the metro area (Western Sydney). The roadshow events worked with local community groups to provide forums to discuss the importance of heritage, workshops to learn heritage skills, activities to learn about and celebrate different cultures, the delivery of a virtual-reality film exploring the diverse heritage of key places and information kiosks about heritage management, grants and opportunities. The roadshow team also joined 70 other events, such as local heritage festivals, to showcase its film and brochures. The funding also supported enhancements to Heritage NSW's database and information management systems, and the development of a heritage sites web app.

Several key officers responsible for the HNM program were interviewed. When reflecting on the program, the officers said that the program produced good heritage outcomes, particularly around heritage awareness and appreciation in the community, but noted the need to not be overly ambitious and to involve councils early. They recommended the establishment of a similar program in other states, providing that the local council and community is allowed meaningful input. Managing community expectations from a short-term but focused outreach program like HNM was identified as an issue, as was the integration of the project with existing programs within Heritage NSW such as its state-asset management role, grants and communications.

Tasmania

Heritage Tasmania in the Department of Primary Industries, Parks, Water and Environment (DPIPWE) supports the work of the Tasmanian Heritage Council and runs the 'Heritage: Everything for Local Planning' (HELP) program. HELP consists of a dedicated heritage planner position to coordinate the integration of historic heritage and planning legislation in Tasmania, liaise with local planning authorities/councils and provide planning and heritage advice, support the planning reform process, maintain an online toolkit to support council planners and, initially, to host an annual forum. Three forums were held between 2013 and 2015. However, a strategic focus on planning reforms by local government and limited interest/ need has seen the program focus on a more targeted and personalised response. The program also provides

information sheets for planners explaining the system and responsibilities of councils, offers training sessions about legislative changes and sponsors a trade booth at the Local Government Association of Tasmania's (LGAT) annual conference. The HELP program's main budgeted item is staffing (approximately $100,000), with other expenses covered by Heritage Tasmania's operational budget. Heritage Tasmania reflected that having a dedicated position to coordinate this engagement and liaise with councils has been invaluable and had an immediate, positive and ongoing impact on improving local and State historic heritage outcomes across the State, more so than forums or documents, as it allowed for advice and support to be personalised and targeted to the individual needs of each local planning authority.

Learnings

The HNM and HELP programs offer a key insight for local heritage improvement in Victoria. At the heart of both programs is the idea of the 'local'. As they are the key stakeholders in local heritage, councils and the community must be involved early and consistently in the development of any initiatives to promote or support heritage. The New South Wales and Tasmania examples show that working together rather than in isolation is the best way to achieve good heritage outcomes. Tasmania achieved success through targeted, personalised advice and support, while New South Wales realised that partnerships with councils resulted in success. This insight will help inform the recommendations in this report.

3. Analysis of local heritage provisions in Victoria

This chapter presents and analyses the data from the council survey (79 councils and one ARMB respondents), the community survey (123 respondents), the various desktop reviews and the workshops. It is intended to present a clear picture of all current arrangements, which can be used as a point of comparison in future years, and an analysis of those arrangements. It is from this analysis that recommendations to enhance and improve the way State and local government work together to recognise, protect and manage local cultural heritage will be made in the next chapter.

3.1 Data grouping and presentation

Data on the provisions for local heritage in Victoria was collected through the council and community surveys, and desktop reviews. The 79 council and one ARMB participants, hereafter referred to as just 'councils', represent very diverse areas in terms of location, size, population, rate base and heritage assets. Consequently, there was a need to consider how best to group data for the most meaningful analysis. Several different options were considered. Basic sub-groupings of metropolitan and rural councils were not fine-grained enough and non-geographical groupings based on population or council expenditure resulted in councils with very different heritage issues. It was ultimately decided to group councils into categories based on types, as it best brought together councils with similar heritage issues. The categories are defined in Table 3.1 and illustrated in Figure 3.1.

3.2 Stocktake tables

A pair of stocktake tables have been created to bring together data on local heritage provisions. Importantly, this can be used as a baseline for future comparisons.

Table 3.2 presents data on council size and HOs. This was compiled from the desktop review of HOs. The population data was captured from the Australian Bureau of Statistics' estimated resident population for LGAs in Victoria as of 30 June 2018. The HO data was captured as of 5 April 2019.

Table 3.3 presents data on the recentness of heritage studies, gaps in heritage studies and implementation, supportive measures and communication mechanisms. This was compiled from the council surveys.

A combined version of both stocktake tables is presented as **Appendix 2**. The individual heritage elements of the stocktake tables will be explored in more detail later in this chapter.

Table 3.1 Council groupings table

Groups	Explanation	Number of councils
Metro Inner	Inner-ring metropolitan Melbourne cities, as per *Plan Melbourne 2017-2050*	7
Metro Middle	Middle-ring metropolitan Melbourne cities	15
Metro Outer	Outer-ring metropolitan Melbourne cities and shires at the urban-rural interface	9
Rural City	Non-metropolitan cities or rural cities	13
Rural Large	Rural shires with a population greater than 15,000[5]	20
Rural Small	Rural shires with a population less than 15,000[6]	16

The data is presented in two ways:

01. A pair of stocktake tables containing a broad overview of results

02. A more detailed analysis is then provided under the four themes most commonly found in heritage strategies[7]: identifying, protecting, supporting and communicating local heritage.

There is also a high-level analysis of resourcing.

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[5] According to the ABS's *Regional Population Growth, Australia – Estimated Resident Population at 30 June 2018*.

[6] The Mt Buller & Mt Stirling ARMB has been included in the rural small category.

[7] *Municipal Heritage Strategies: A Guide for Councils* (2012).

Figure 3.1 Council groupings map

Metro Inner

1. Bayside
2. Boroondara
3. Glen Eira
4. Melbourne
5. Port Phillip
6. Stonnington
7. Yarra

Metro Middle

8. Banyule
9. Brimbank
10. Darebin
11. Frankston
12. Greater Dandenong
13. Hobsons Bay
14. Kingston
15. Knox
16. Manningham
17. Maribyrnong
18. Maroondah
19. Monash
20. Moonee Valley
21. Moreland
22. Whitehorse

Metro Outer

23. Cardinia
24. Casey
25. Hume
26. Melton
27. Mornington Peninsula
28. Nillumbik
29. Whittlesea
30. Wyndham
31. Yarra Ranges

Rural City

32. Ararat
33. Ballarat
34. Benalla
35. Greater Bendigo
36. Greater Geelong
37. Greater Shepparton
38. Horsham
39. Latrobe
40. Mildura
41. Swan Hill
42. Wangaratta
43. Warrnambool
44. Wodonga

Rural Large

45. Bass Coast
46. Baw Baw
47. Campaspe
48. Colac Otway
49. Corangamite
50. East Gippsland
51. Glenelg
52. Golden Plains
53. Hepburn
54. Indigo
55. Macedon Ranges
56. Mitchell
57. Moira
58. Moorabool
59. Mount Alexander
60. Moyne
61. South Gippsland
62. Southern Grampians
63. Surf Coast
64. Wellington

Rural Small

65. Alpine
66. Buloke
67. Central Goldfields
68. Gannawarra
69. Hindmarsh
70. Loddon
71. Mansfield
72. Mt Buller & Mt Stirling
73. Murrindindi
74. Northern Grampians
75. Pyrenees
76. Queenscliffe
77. Strathbogie
78. Towong
79. West Wimmera
80. Yarriambiack

Table 3.2 Stocktake table – Heritage Overlay figures

Council (Type)	Council grouping	Council area (km^2)	Council population (2018)	Number of individual heritage places of state significance* (5/4/19)	Number of individual heritage places of local significance (5/4/19)	Total number of individual places (5/4/19)	Total number of precinct places (5/4/19)	Total number of heritage places (5/4/19)	Total number of heritage properties (7/11/19)
Bayside (C)	Metro Inner	37	105,718	20	571	591	28	619	2,181
Boroondara (C)	Metro Inner	60	181,289	66	455	521	73	594	14,805
Glen Eira (C)	Metro Inner	39	153,858	21	109	130	17	147	3,275
Melbourne (C)	Metro Inner	37	169,961	386	587	973	53	1,026	12,867
Port Phillip (C)	Metro Inner	21	113,200	133	288	421	35	456	16,878
Stonnington (C)	Metro Inner	26	116,207	55	372	427	85	512	10,266
Yarra (C)	Metro Inner	20	98,521	139	300	439	57	496	22,505
		239	**938,754**	**820**	**2,682**	**3,502**	**348**	**3,850**	**82,777**
Banyule (C)	Metro Middle	63	130,237	21	167	188	2	190	1,430
Brimbank (C)	Metro Middle	123	208,714	13	107	120	7	127	1,360
Darebin (C)	Metro Middle	54	161,609	7	245	252	47	299	5,303
Frankston (C)	Metro Middle	130	141,845	7	63	70	1	71	127
Greater Dandenong (C)	Metro Middle	130	166,094	1	67	68	0	68	158
Hobsons Bay (C)	Metro Middle	64	96,470	27	246	273	34	307	6,893
Kingston (C)	Metro Middle	91	163,431	7	109	116	6	122	455
Knox (C)	Metro Middle	114	163,203	2	48	50	0	50	105
Manningham (C)	Metro Middle	113	125,508	11	185	196	9	205	679
Maribyrnong (C)	Metro Middle	31	91,387	22	164	186	1	187	4,700
Maroondah (C)	Metro Middle	61	117,498	2	118	120	13	133	297
Monash (C)	Metro Middle	82	200,077	6	90	96	7	103	1,320
Moonee Valley (C)	Metro Middle	43	127,883	23	333	356	39	395	4,312
Moreland (C)	Metro Middle	51	181,725	37	379	416	83	499	8,667
Whitehorse (C)	Metro Middle	64	176,196	8	256	264	15	279	1,263
		1,214	**2,251,877**	**194**	**2,577**	**2,771**	**264**	**3,035**	**37,069**
Cardinia (S)	Metro Outer	1,283	107,120	7	235	242	18	260	809
Casey (C)	Metro Outer	409	340,419	3	181	184	3	187	513
Hume (C)	Metro Outer	504	224,394	18	177	195	1	196	400
Melton (C)	Metro Outer	528	156,713	10	113	123	5	128	426
Mornington Peninsula (S)	Metro Outer	724	165,822	46	375	421	12	433	1,678
Nillumbik (S)	Metro Outer	432	64,941	7	245	252	0	252	435
Whittlesea (C)	Metro Outer	490	223,322	11	152	163	2	165	287
Wyndham (C)	Metro Outer	542	255,322	13	108	121	0	121	453
Yarra Ranges (S)	Metro Outer	2,468	158,173	19	370	389	3	392	925
		7,380	**1,696,226**	**134**	**1,956**	**2,090**	**44**	**2,134**	**5,926**
Ararat (RC)	Rural City	4,211	11,795	14	109	123	7	130	284
Ballarat (C)	Rural City	739	107,325	61	107	168	28	196	10,959
Benalla (RC)	Rural City	2,353	14,024	16	30	46	2	48	322
Greater Bendigo (C)	Rural City	3,000	116,045	108	682	790	47	837	6,884
Greater Geelong (C)	Rural City	1,248	252,217	121	1,070	1,191	55	1,246	8,599
Greater Shepparton (C)	Rural City	2,422	66,007	8	357	365	13	378	1,001
Horsham (RC)	Rural City	4,267	19,875	6	21	27	0	27	52
Latrobe (C)	Rural City	1,426	75,211	8	130	138	12	150	417
Mildura (RC)	Rural City	22,083	55,515	14	222	236	14	250	698
Swan Hill (RC)	Rural City	6,115	20,759	6	193	199	3	202	309
Wangaratta (RC)	Rural City	3,645	29,087	12	211	223	13	236	1,356
Warrnambool (C)	Rural City	121	34,862	17	199	216	29	245	1,534
Wodonga (C)	Rural City	433	41,429	4	50	54	1	55	128
		52,062	**844,151**	**395**	**3,381**	**3,776**	**224**	**4,000**	**32,543**

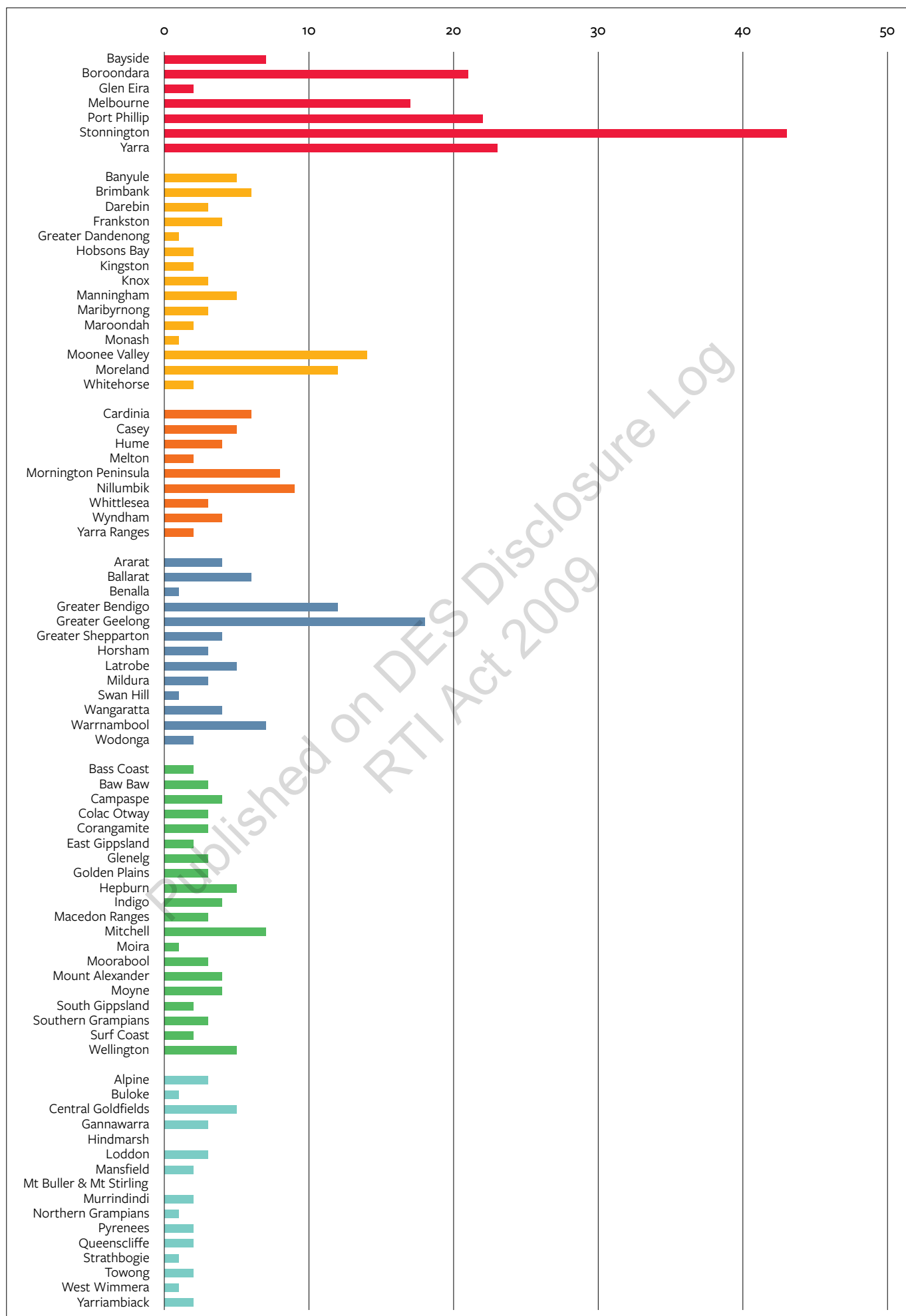| Council (Type)	Council grouping	Council area (km^2)	Council population (2018)	Number of individual heritage places of state significance* (5/4/19)	Number of individual heritage places of local significance (5/4/19)	Total number of individual places (5/4/19)	Total number of precinct places (5/4/19)	Total number of heritage places (5/4/19)	Total number of heritage properties (7/11/19)
Bass Coast (S)	Rural Large	866	35,327	7	160	167	4	171	463
Baw Baw (S)	Rural Large	4,028	52,015	16	303	319	10	329	843
Campaspe (S)	Rural Large	4,519	37,592	27	186	213	12	225	1,214
Colac Otway (S)	Rural Large	3,438	21,503	11	222	233	12	245	914
Corangamite (S)	Rural Large	4,408	16,140	25	229	254	12	266	725
East Gippsland (S)	Rural Large	20,940	46,818	32	249	281	1	282	480
Glenelg (S)	Rural Large	6,219	19,665	33	239	272	10	282	985
Golden Plains (S)	Rural Large	2,703	23,120	20	114	134	12	146	559
Hepburn (S)	Rural Large	1,473	15,812	43	836	879	12	891	1,866
Indigo (S)	Rural Large	2,040	16,490	48	679	727	3	730	1,566
Macedon Ranges (S)	Rural Large	1,748	49,388	48	250	298	12	310	1,707
Mitchell (S)	Rural Large	2,862	44,299	22	160	182	14	196	1,035
Moira (S)	Rural Large	4,046	29,799	8	150	158	15	173	1,375
Moorabool (S)	Rural Large	2,111	34,158	25	157	182	0	182	335
Mount Alexander (S)	Rural Large	1,530	19,514	117	1,039	1,156	17	1,173	2,848
Moyne (S)	Rural Large	5,482	16,887	42	27	69	19	88	1,135
South Gippsland (S)	Rural Large	3,296	29,799	9	97	106	0	106	137
Southern Grampians (S)	Rural Large	6,654	16,135	21	501	522	3	525	989
Surf Coast (S)	Rural Large	1,553	32,251	18	127	145	1	146	294
Wellington (S)	Rural Large	10,817	44,019	27	294	321	12	333	1,418
		90,732	600,508	599	6,019	6,618	181	6,799	20,888
Alpine (S)	Rural Small	4,788	12,730	15	150	165	1	166	464
Buloke (S)	Rural Small	8,000	6,184	3	217	220	10	230	774
Central Goldfields (S)	Rural Small	1,533	13,209	24	83	107	1	108	2,655
Gannawarra (S)	Rural Small	3,735	10,547	4	21	25	0	25	91
Hindmarsh (S)	Rural Small	7,524	5,645	4	35	39	2	41	175
Loddon (S)	Rural Small	6,696	7,513	13	270	283	0	283	666
Mansfield (S)	Rural Small	3,844	8,979	8	53	61	0	61	394
Murrindindi (S)	Rural Small	3,880	14,478	7	93	100	4	104	421
Northern Grampians (S)	Rural Small	5,730	11,431	18	15	33	0	33	43
Pyrenees (S)	Rural Small	3,435	7,353	22	65	87	11	98	496
Queenscliffe (B)	Rural Small	9	2,982	15	121	136	11	147	717
Strathbogie (S)	Rural Small	3,303	10,645	15	70	85	0	85	117
Towong (S)	Rural Small	6,675	6,054	10	87	97	2	99	204
West Wimmera (S)	Rural Small	9,108	3,862	4	7	11	0	11	12
Yarriambiack (S)	Rural Small	7,326	6,658	12	62	74	0	74	92
		75,586	128,270	174	1,349	1,523	42	1,565	7,321
Alpine Resorts	Non-LGA	N/A	N/A	1	0	1	0	1	1
Falls Creek (ARMB)	Non-LGA	N/A	N/A	-	-	-	-	-	-
Mt Buller & Mt Stirling (ARMB)	Non-Lga / Rural Small	N/A	N/A	-	-	-	-	-	-
Mt Hotham (ARMB)	Non-LGA	N/A	N/A	-	-	-	-	-	-
Southern (ARMB)	Non-LGA	N/A	N/A	-	-	-	-	-	-
French Island and Sandstone Island	Non-LGA	N/A	N/A	0	25	25	0	25	25
Port of Melbourne	Non-LGA	N/A	N/A	7	3	10	0	10	15
				8	28	36	0	36	41
Total				2,324	17,992	20,316	1,103	21,419	186,565

* VHR-listed places are counted in the individual place listings, as they are covered by a Heritage Overlay in planning schemes

Table 3.3 Stocktake table – Council survey response

Council (Type)	Council Grouping	Has council undertaken a heritage study in the past three years?	Does council have place-type gaps in its heritage studies?	Does council have geographical gaps in its heritage studies?	Has council translated all its heritage studies into HOs?	Does council have a heritage strategy or plan?	Does council have a consultant Heritage Advisor?	Does council have internal heritage staff?	Does council have a Heritage Advisory Committee?	Does council have measures to support the protection of historic heritage places?	Does council have mechanisms to communicate knowledge and celebrate historic heritage places?	Does council have its local heritage data on HERMES?
Bayside (C)	Metro Inner	No	Yes	No	No	Yes	No	No	No	No	Yes	No
Boroondara (C)	Metro Inner	Yes	No	No	No	Yes	Yes	No	No	No	Yes	Yes
Glen Eira (C)	Metro Inner	Yes	Yes	No	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Melbourne (C)	Metro Inner	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No
Port Phillip (C)	Metro Inner	Yes	Yes	No	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Stonnington (C)	Metro Inner	No	Yes	No	No	Yes	Yes	No	No	No	Yes	Yes
Yarra (C)	Metro Inner	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Banyule (C)	Metro Middle	No	Yes	No	No	Yes	Yes	No	No	No	Yes	Yes
Brimbank (C)	Metro Middle	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes	Yes
Darebin (C)	Metro Middle	Yes	Yes	No	Yes	Yes	Yes	No	No	No	Yes	Yes
Frankston (C)	Metro Middle	Yes	Yes	No	Yes	No	No	No	Yes	No	Yes	Yes
Greater Dandenong (C)	Metro Middle	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
Hobsons Bay (C)	Metro Middle	Yes	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Kingston (C)	Metro Middle	No	No	No	Yes	No	Yes	No	No	Yes	Yes	No
Knox (C)	Metro Middle	Yes	No	No	Yes	No	No	No	No	Yes	Yes	No
Manningham (C)	Metro Middle	No	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Maribyrnong (C)	Metro Middle	Yes	Yes	No	No	No	Yes	No	Yes	No	Yes	Yes
Maroondah (C)	Metro Middle	Yes	Yes	No	Yes	No	No	Yes	No	No	Yes	Yes
Monash (C)	Metro Middle	No	Yes	No	Yes	No	No	No	No	No	Yes	No
Moonee Valley (C)	Metro Middle	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	Yes
Moreland (C)	Metro Middle	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	Yes
Whitehorse (C)	Metro Middle	No	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	No
Cardinia (S)	Metro Outer	Yes	No	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes
Casey (C)	Metro Outer	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hume (C)	Metro Outer	Yes	No	No	No	Yes	Yes	No	No	No	No	No
Melton (C)	Metro Outer	No	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	Yes
Mornington Peninsula (S)	Metro Outer	Yes	Yes	No	Yes	No	No	Yes	No	Yes	Yes	No
Nillumbik (S)	Metro Outer	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	No
Whittlesea (C)	Metro Outer	No	Yes	No	Yes	No	Yes	Yes	No	No	Yes	No
Wyndham (C)	Metro Outer	Yes	Yes	No	Yes	No	Yes	Yes	No	No	Yes	No
Yarra Ranges (S)	Metro Outer	No	Yes	Yes	Yes	No	Yes	No	No	Yes	Yes	Yes
Ararat (RC)	Rural City	Yes	Yes	No	Yes	Yes	Yes	No	No	No	Yes	No
Ballarat (C)	Rural City	No	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
Benalla (RC)	Rural City	No	Yes	Yes	No	No	Yes	No	No	No	No	Yes
Greater Bendigo (C)	Rural City	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes
Greater Geelong (C)	Rural City	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes
Greater Shepparton (C)	Rural City	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes
Horsham (RC)	Rural City	No	Yes	No	No	Yes	Yes	No	No	No	No	Yes
Latrobe (C)	Rural City	No	No	No	Yes	Yes	Yes	No	No	No	Yes	Yes
Mildura (RC)	Rural City	No	Yes	No	Yes	Yes	Yes	No	No	No	Yes	Yes
Swan Hill (RC)	Rural City	No	No	No	Yes	Yes	No	No	No	No	No	Yes
Wangaratta (RC)	Rural City	No	Yes	No	Yes	No	Yes	No	No	No	No	Yes
Warrnambool (C)	Rural City	No	No	No	Yes	No	Yes	No	No	No	Yes	Yes
Wodonga (C)	Rural City	No	No	No	No	No	No	No	No	No	Yes	Yes

Council (Type)	Council Grouping	Has council undertaken a heritage study in the past three years?	Does council have place-type gaps in its heritage studies?	Does council have geographical gaps in its heritage studies?	Has council translated all its heritage studies into HOs?	Does council have a heritage strategy or plan?	Does council have a consultant Heritage Advisor?	Does council have internal heritage staff?	Does council have a Heritage Advisory Committee?	Does council have measures to support the protection of historic heritage places?	Does council have mechanisms to communicate knowledge and celebrate historic heritage places?	Does council have its local heritage data on HERMES?
Bass Coast (S)	Rural Large	No	Yes	No	No	No	Yes	No	No	No	No	No
Baw Baw (S)	Rural Large	No	Yes	No	Yes	No	Yes	No	No	No	No	Yes
Campaspe (S)	Rural Large	No	Yes	No	Yes	No	No	No	No	No	No	Yes
Colac Otway (S)	Rural Large	No	Yes	No	No	Yes	Yes	No	No	Yes	Yes	Yes
Corangamite (S)	Rural Large	No	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
East Gippsland (S)	Rural Large	No	Yes	Yes	No	No	Yes	No	No	No	No	No
Glenelg (S)	Rural Large	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes
Golden Plains (S)	Rural Large	No	Yes	No	Yes	Yes	Yes	No	No	No	No	Yes
Hepburn (S)	Rural Large	No	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	No
Indigo (S)	Rural Large	No	Yes	Yes	No	Yes	Yes	No	No	No	Yes	No
Macedon Ranges (S)	Rural Large	Yes	Yes	No	No	No	Yes	No	Yes	Yes	Yes	No
Mitchell (S)	Rural Large	No	Yes	No	No	Yes	Yes	No	Yes	No	No	No
Moira (S)	Rural Large	No	Yes	No	Yes	Yes	Yes	No	No	No	Yes	Yes
Moorabool (S)	Rural Large	Yes	No	No	No	Yes	No	No	Yes	No	Yes	Yes
Mount Alexander (S)	Rural Large	No	Yes	No	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Moyne (S)	Rural Large	No	Yes	No	No	No	Yes	No	No	Yes	Yes	Yes
South Gippsland (S)	Rural Large	No	Yes	No	No	Yes	Yes	No	No	No	No	No
Southern Grampians (S)	Rural Large	No	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Surf Coast (S)	Rural Large	No	Yes	No	Yes	No	Yes	No	No	No	No	Yes
Wellington (S)	Rural Large	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	No	Yes
Alpine (S)	Rural Small	No	Yes	No	Yes	No	Yes	No	No	No	No	Yes
Buloke (S)	Rural Small	No	No	No	Yes	Yes	No	No	No	No	Yes	Yes
Central Goldfields (S)	Rural Small	No	Yes	No	Yes	No	No	No	No	No	No	Yes
Gannawarra (S)	Rural Small	No	No	No	No	No	Yes	No	No	No	No	Yes
Hindmarsh (S)	Rural Small	No	Yes	Yes	No	No	No	No	No	No	No	No
Loddon (S)	Rural Small	No	No	No	No	No	No	No	No	Yes	No	No
Mansfield (S)	Rural Small	No	No	No	Yes	No	No	No	No	No	No	No
Murrindindi (S)	Rural Small	No	Yes	No	Yes	No	No	No	No	No	No	Yes
Northern Grampians (S)	Rural Small	No	No	No	No	No	Yes	No	No	No	No	No
Pyrenees (S)	Rural Small	No	Yes	Yes	Yes	No	Yes	No	No	No	Yes	No
Queenscliffe (B)	Rural Small	No	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Strathbogie (S)	Rural Small	No	No	No	No	No	Yes	No	No	No	Yes	Yes
Towong (S)	Rural Small	No	Yes	No	Yes	No	No	No	No	No	No	Yes
West Wimmera (S)	Rural Small	No	Yes	Yes	No	No	No	No	No	No	No	No
Yarriambiack (S)	Rural Small	No	No	No	No	No	No	No	No	Yes	No	No
Alpine Resorts	Non-LGA	-	-	-	-	-	-	-	-	-	-	-
Falls Creek (ARMB)	Non-LGA	-	-	-	-	-	-	-	-	-	-	-
Mt Buller & Mt Stirling (ARMB)	Non-LGA / Rural Small	No	Yes	No	No	No	No	No	No	No	Yes	Yes
Mt Hotham (ARMB)	Non-LGA	-	-	-	-	-	-	-	-	-	-	-
Southern (ARMB)	Non-LGA	-	-	-	-	-	-	-	-	-	-	-
French Island and Sandstone Island	Non-LGA	-	-	-	-	-	-	-	-	-	-	-
Port of Melbourne	Non-LGA	-	-	-	-	-	-	-	-	-	-	-

Figure 3.2 Number of heritage studies, reviews and surveys

3.3 Identifying local heritage

Identifying what is of local heritage significance is an important first step in the local heritage protection process. This primarily involves assessing and documenting heritage places by undertaking heritage studies.

Heritage studies

Heritage studies, formerly known as conservation studies, are the primary mechanisms by which places, either individual places (properties – mainly buildings but also other structures and vegetation) or precinct places (a grouping of properties), are identified and assessed for heritage significance (both State and local) and recommended for strategic protection through the HO or the VHR.

Planning authorities – councils and the State Government for its special planning areas – most commonly engage a qualified heritage consultant to undertake this work, specifying the focus of the study. The focus can be the entire local government area (LGA), a particular area of the LGA, a particular heritage place-type, e.g. industrial buildings, or a particular time period, e.g. the Victorian period of 1835–1901.

Heritage studies are often divided into two stages:

- stage one studies are essential scoping exercises that involve the broad identification of places of potential significance across the study area, often completed in combination with a thematic history of the LGA

- stage two studies involve the detailed assessment of those places.

Planning Practice Note 1 – Applying the Heritage Overlay provides a set of criteria, the same as the HERCON criteria, against which the heritage value of a place should be assessed.

Data has been collected on the number of heritage studies, including reviews and surveys but not individual assessments, conducted by each local council and is presented in Figure 3.2. This data was attained through a desktop review of heritage studies. These figures were cross-checked with data from the council survey on the number of councils that have undertaken a heritage study in the past three years, which is presented in Figure 3.3.

Other heritage assessments

Heritage assessment may also be reactive. Sections 29A and 29B of the *Building Act 1993* provide that the 'report and consent' of the relevant council is a condition precedent to any building permit application for the substantial demolition of a place. This requirement, known as the 'Building Act safety net', provides councils with time to conduct a heritage assessment to determine if the building proposed to be demolished is of local heritage significance and seek an Interim Heritage Overlay from the Minister for Planning if they believe one is warranted. This provision and its misunderstanding have been the topic of much confusion within councils and the media of late.

Figure 3.3 Recentness of heritage studies
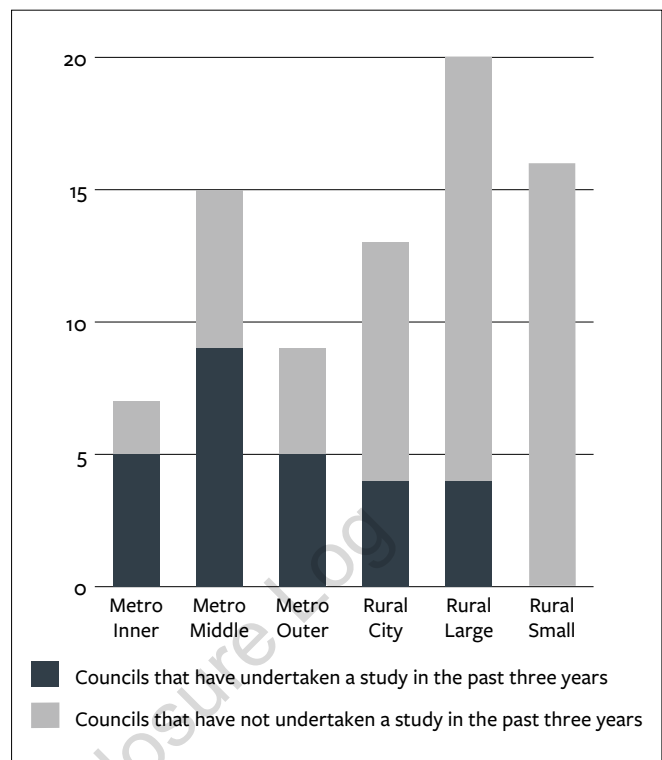
Key findings

- There are two councils (one of which is an ARMB[8]) that have not yet completed a heritage study. There is also another council that has only completed a stage one study.

- The number of heritage studies that have been completed varies significantly between councils. This can be due to the types of studies undertaken (e.g. a municipal-wide study versus a smaller area study, small place-type studies), the number of heritage places in the LGA and the ability of the councils to undertake studies.

- Approximately one-third of all councils surveyed (34%) have undertaken a heritage study in the past three years: 61% of metropolitan councils have done so, compared to 16% of rural councils. No council from the Rural Small Group has undertaken a heritage study in the past three years.

The data reveals that not every council has completed a heritage study and, as such, may have places of local heritage significance that are unprotected. These councils are not meeting their obligations to conserve heritage places under the *Planning and Environment Act 1987*. This is a significant issue that needs to be addressed.

Geographic gaps in heritage studies

As mentioned above, heritage studies may, in many instances, have a rather limited geographic focus. For example, they may investigate one particular part of an

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8   ARMBs typically do not conduct heritage studies. Their areas are often assessed as part of the heritage studies of neighbouring councils.

Post-war Heritage Study – Frankston City Council

Classification: Metro Middle	
LGA size: 130km²	
LGA population: 141,845	
Number of HOs: 71	

Frankston City Council is a metropolitan LGA located approximately 40km southeast of the Melbourne CBD. While the area that now comprises the City has a long post-contact history stretching as far back as the 1850s, it was not until the 1950s and 1960s that the area experienced significant population growth. As such, the City has a large number of post-war residential places. This case study was chosen because it highlights how one council managed to successfully protect its post-war heritage, a place-type that is challenging for many councils, as evidenced in the Figure 3.5.

Issue

Frankston City Council had many post-war residential places that were unprotected and at risk of loss due to development pressures.

Action

In 2009, one councillor pushed for recognition of the City's post-war heritage. Frankston City Council commissioned Bryce Raworth Pty Ltd to undertake the *Frankston City Post-War Modernist Heritage Study Stage I*. The study was completed in 2012 and recommended 16 places, dating from 1948 to 1977, for further heritage assessment. Frankston Council then commissioned Built Heritage Pty Ltd to undertake the stage two study. A total of 21 places were investigated, building on the 16 recommended in the stage one study. Of these 21 places, the stage two study recommended 17 for inclusion in the HO.

Frankston Council set about undertaking a planning scheme amendment to implement the study, which was not without its difficulties. Council received four objections and the amendment was split in two: Amendment C110 Part 1 dealt with the 13 places without objections; and Amendment C110 Part 2 dealt with the 4 places with objections. C100 Part 2 was heard at a Planning Panels hearing in October 2015. The objectors mostly questioned the heritage significance of the places and were concerned about the added expense and financial burden of the HO. The Panel ultimately agreed with Frankston Council that all four places warranted inclusion in the HO, albeit with some minor tweaks to curtilage.

Outcome

Amendment C110 Part 1 and Part 2 were approved and gazetted in January and February 2016, respectively. A total of 17 post-war places were added to the HO.

Lessons

Frankston City Council was fortunate to have a councillor advocating for the recognition of post-war heritage and the majority of those property owners affected did not object to

The Montague Park Pre-School & Maternal Welfare Centre was recognised for its post-war heritage significance.
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the listing. However, the Council's efforts offer some insights for others wishing to identify and protect their post-war heritage. A post-war heritage study can be commissioned with a tight scope to avoid a long, expensive project. It is estimated that Council spent a total of approximately $50,000 on the project, not including in-house staffing. Moreover, potential public backlash should not be a deterrent. The Panel agreed with Council's position despite concerns from the public, as the heritage assessments were rigorous and supported the objectives of planning in Victoria. The senior strategic planner responsible for the project offered the following advice for councils wishing to undertake and implement post-war heritage studies: engage a consultant that specialises in post-war heritage and 'just do it' because 'the fight is worth it'.

References

- Bryce Raworth Pty Ltd on behalf of Frankston City Council 2012, *Frankston City Post-War Modernist Heritage Study Stage I*, Frankston City Council, Melbourne.
- Built Heritage Pty Ltd on behalf of Frankston City Council 2015, *Frankston City Post-War Modernist Heritage Study Stage II*, Frankston City Council, Melbourne.

Figure 3.4 Geographic gaps in heritage studies

Key findings

- Approximately one-fifth of all councils surveyed (18%) identified a geographic gap in the coverage of their heritage studies.

- Geographic gaps were most common in rural councils, likely due to their larger area size.

The data reveals that a significant proportion of councils have areas that have not been investigated to identify heritage places. As such, these councils may have places of local heritage significance that are unprotected. This issue needs to be addressed along with that of councils that have not yet completed a heritage study.

Place-type gaps in heritage studies

Just as heritage studies may have a limited geographic focus, in many instances they often have a limited place-type focus. For example, they may focus on one particular type of local heritage or a particular time period. This is often driven by the thematic history of the LGA. The council survey asked if and what place-type gaps a council had in their heritage studies. This data is presented in Figure 3.5.

Key findings

- Place-type gaps are far more common than geographic gaps. Over three-quarters of all councils surveyed (76%) identified a place-type gap in their heritage studies. This figure was fairly consistent across all council types, except the Rural Large Group, where 95% of councils identified type gaps.

- The most common place-type gaps are trees and gardens (37), post-war residential (36) and historic landscapes (31). Post-war residential was the most common place-type gap for metropolitan councils, while trees and gardens were the most common for rural councils.

LGA, rather than the whole LGA. The council survey asked councils if and what geographic gaps they had in their heritage studies. Figure 3.4 shows the number of councils that identified having a geographic gap in their heritage study coverage. This is most commonly the result of the local government restructuring of the 1990s, where councils that had completed heritage studies for their LGA were combined with those who had not, resulting in geographic gaps that were never filled.

Figure 3.5 Most common place-type gaps in heritage studies
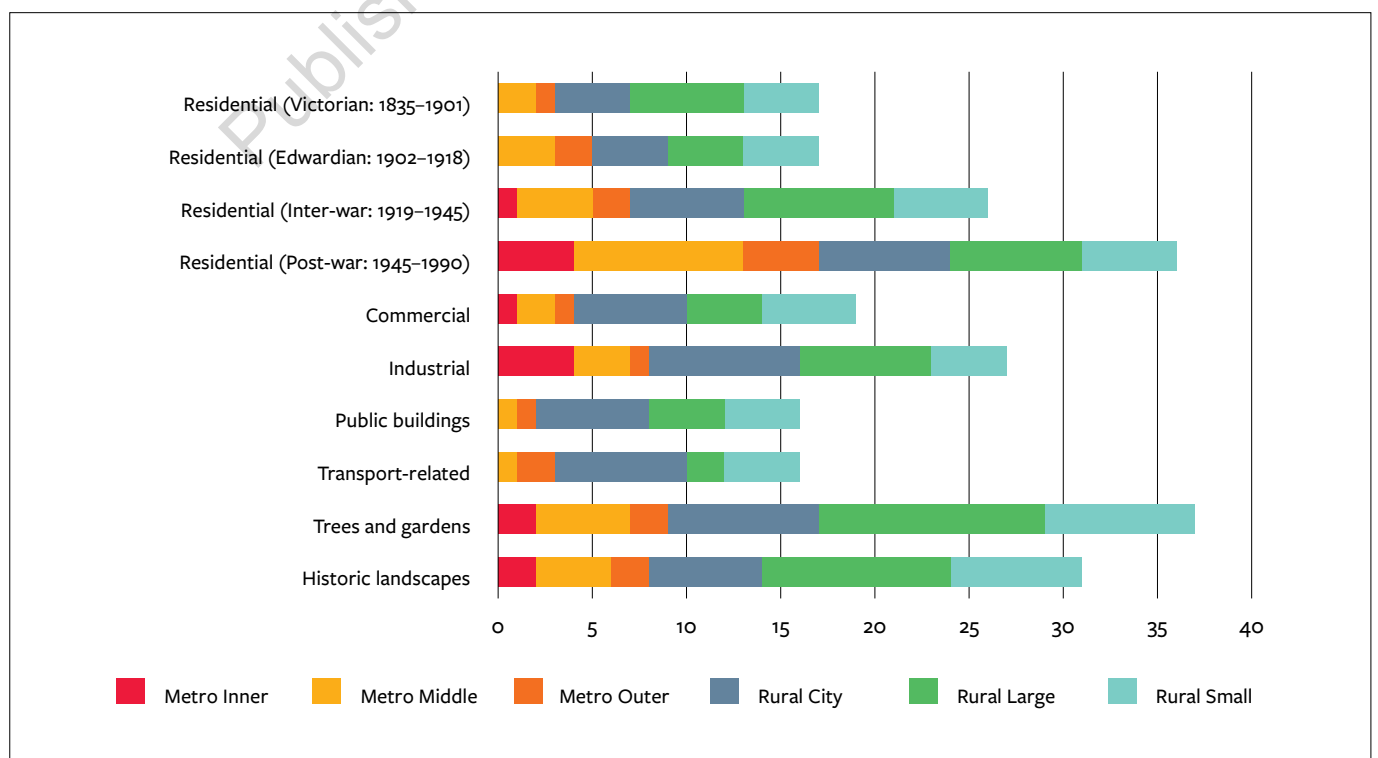
Place-making approach to heritage – Pyrenees Shire Council

Classification: Rural Small	
LGA size: 3,435km²	
LGA population: 7,353	
Number of HOs: 98	

Pyrenees Shire Council is a small, rural LGA located approximately 130km northwest of Melbourne. Despite a post-contact history that stretches back to the gold rush, the Shire is not particularly well known for its heritage, nor is much of its heritage protected. Pyrenees Shire Council is aiming to change that with the innovative project, Pyrenees Futures.

Issue

The towns of the Pyrenees Shire Council were experiencing population change: some towns were facing peri-urban growth pressure, while others were facing population decline. However, the planning policies affecting many of these towns had not been updated since the introduction of new format planning schemes in 1998. The Pyrenees Shire Council was in desperate need to undertake strategic planning work to accommodate changes in local dynamics and contemporary planning practice.

Action

A team of council officers persuaded the Pyrenees Shire Council to undertake Pyrenees Futures, a place-based approach to the strategic planning of its towns. The project aims to use the strengths and unique characteristics of each of the nine participating towns to guide their future growth. The approach involves working with the community through a range of forums to understand what makes each town its own special place and then creating framework plans to ensure future development, both private and public, complements and enhances the feel of the town. The plans include recommended strategic planning actions, such as the rezoning of land for development, and quick, low-cost public urban design works, such as public seating. To date, three framework plans have been completed, with the rest in either a draft format or the consultation process.

Heritage was identified as an important aspect of what makes each town unique, in terms of interactions between history, place attachment, building environment and natural assets, which contributes to its overall feel. As such, each framework identifies and assesses what heritage assets each town has and what protections, if any, are in place. Some have recognised that no heritage protections exist and have recommended that heritage studies be undertaken as a matter of urgency, while others have identified that adequate protections exist but that more guidance and support on maintaining heritage places is needed for the owners. The project acts, in a sense, like a mini heritage strategy,

The historic town of Landsborough is part of the Pyrenees Futures project.
Image Jayne Newgreen, supplied by Pyrenees Shire Council

identifying heritage actions to be completed by the Council. The plans also seek to entwine heritage within the overall fabric of place, rather than looking at it as something separate from place.

Outcome

The identification of actions in the framework plans is a crucial first step in appropriately accommodating population change and protecting local heritage. While resourcing the implementation of these actions will be difficult for the Shire with its small rate base, the introduction of framework plans shows a commitment to incorporating heritage into place-making and planning for the long-term future of the area.

Lessons

A resource-constrained council has devised an innovative way to ensure change is accommodated appropriately and in doing so, that heritage assets are protected. A place-based approached engages the community to recognise the role heritage plays in contributing to the feel and identity of an area. Heritage therefore becomes embedded as a significant component and driver of present associations of place attachment, and a catalyst for sustainable future development. Community ownership of heritage is key to its long-term recognition and protection.

- The least common place-type gaps are public buildings (16), transport-related heritage (16), Victorian residential (17) and Edwardian residential (17).

The data reveals that the majority of councils have specific place-types that have not been investigated in their heritage studies. Importantly, it reveals the most common types gaps. Two of the three common place-type gaps are trees and gardens, and historic landscapes. This is not surprising, as these types have not traditionally been covered in heritage studies and there are other mechanisms available for their protection, e.g. Vegetation Protection and Significant Landscape Overlays.

The most common built form gaps are post- and inter-war residences and industrial heritage. Again, this is not surprising, as these types have not traditionally been covered in heritage studies. However, both of these types of heritage are important and will become more so over time, and more guidance should be provided to assist councils to address these type gaps. Of some concern is the number of councils that listed Victorian and Edwardian residences as a type gap, as these have traditionally been covered by most heritage studies. This suggests that heritage studies either have not been undertaken for particular areas or the ones undertaken have not been comprehensive enough.

3.4 Protecting local heritage

After individual places and precincts of heritage significance have been identified, the next step involves securing statutory protection for those places and developing appropriate procedures to manage their conservation.

The Heritage Overlay

The Heritage Overlay is the main mechanism by which individual places or precincts that have been identified through heritage studies or one-off assessments as being of local significance can be protected. The HO, which is specified in the Victoria Planning Provisions (VPP), controls how an individual place or precinct may be developed in order to conserve the heritage significance of that place. Planning authorities – councils and the State Government for its special planning areas – have to amend their planning schemes to apply the HO.

Since 31 July 2018, a statement of significance – a short statement about what, how and why a place or precinct is significant – must be incorporated into the planning scheme. Prior to this date, statements of significance were located in heritage studies, which were usually reference documents to the planning scheme. This change has implications for those councils who have older heritage studies that have not yet been translated into the planning schemes.

Under the HO, a planning permit is required for subdivision or demolition and for most development. The HO does not prevent development but rather tries to ensure that development is sympathetic to the heritage significance of a place. The HO is also applied to places in the VHR. However, these places are subject to the

requirements of the *Heritage Act 2017*, not the HO, and are managed by Heritage Victoria. As mentioned earlier, councils may seek an Interim Heritage Overlay to protect a heritage place or precinct for a prescribed length of time, enabling councils to then amend their planning scheme to make the HO permanent.

Number of Heritage Overlays

Data was collected on the number of Heritage Overlays in Victoria and is presented in Figure 3.6. It is important to note that this data is from 5 April 2019 and that the number of HOs is constantly changing, as new HOs are applied. There is a small margin of error with the number of precinct places, as these are often not clearly identified as such in planning schemes.

Data was also collected on the number of properties covered by a HO in Victoria and is presented in Figure 3.7. The State Government has spatial mapping software that documents planning controls as polygons over a base property map. Property data was collected by counting all properties in the State covered by a HO polygon. There is a small margin of error, as this method is only as accurate as the HO polygons. Nevertheless, it provides a valuable indication of the number of heritage-listed properties in the State.

Key findings

- There are 21,419 Heritage Overlays in Victoria
  - 2,323 are for State significant places in the VHR
  - 19,095 are for places of local significance:
- 17,992 of these are individual places
- 1,103 of these are precincts
- Every council has at least one HO but the number of HOs varies considerably between councils – the Greater Geelong City Council had the most with more than 1,200; the West Wimmera Shire Council had the least with fewer than 20.
- There are more than 186,000 properties covered by a HO in Victoria.
- The number of properties covered also varies considerably between councils – Yarra City Council has the most with more than 22,000; West Wimmera Shire Council has the least with fewer than 20.
- There is some correlation between the number of HOs and the number of properties covered by a HO. However, this is largely dependent on the type of HO – the use of precincts results in a lower number of HOs and a greater number of properties covered.

The data reveals a spectrum of HOs and heritage properties across Victoria. There are councils with much heritage protected, just as there are councils with little protected. This variation is common to both metropolitan and rural councils. The variation could be attributed to a number of factors, from the amount of locally significant heritage in each LGA to a council's willingness and ability to undertake and implement heritage studies.

Figure 3.6 Number of Heritage Overlays in Victoria

Legend:
- VHR places
- Local places
- Local precincts

Categories (top to bottom):

Group 1:
Bayside, Boroondara, Glen Eira, Melbourne, Port Phillip, Stonnington, Yarra

Group 2:
Banyule, Brimbank, Darebin, Frankston, Greater Dandenong, Hobsons Bay, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Monash, Moonee Valley, Moreland, Whitehorse

Group 3:
Cardinia, Casey, Hume, Melton, Mornington Peninsula, Nillumbik, Whittlesea, Wyndham, Yarra Ranges

Group 4:
Ararat, Ballarat, Benalla, Greater Bendigo, Greater Geelong, Greater Shepparton, Horsham, Latrobe, Mildura, Swan Hill, Wangaratta, Warrnambool, Wodonga

Group 5:
Bass Coast, Baw Baw, Campaspe, Colac Otway, Corangamite, East Gippsland, Glenelg, Golden Plains, Hepburn, Indigo, Macedon Ranges, Mitchell, Moira, Moorabool, Mount Alexander, Moyne, South Gippsland, Southern Grampians, Surf Coast, Wellington

Group 6:
Alpine, Buloke, Central Goldfields, Gannawarra, Hindmarsh, Loddon, Mansfield, Murrindindi, Northern Grampians, Pyrenees, Queenscliffe, Strathbogie, Towong, West Wimmera, Yarriambiack

Group 7:
Alpine Resorts, French Island and Sandstone Island, Port of Melbourne

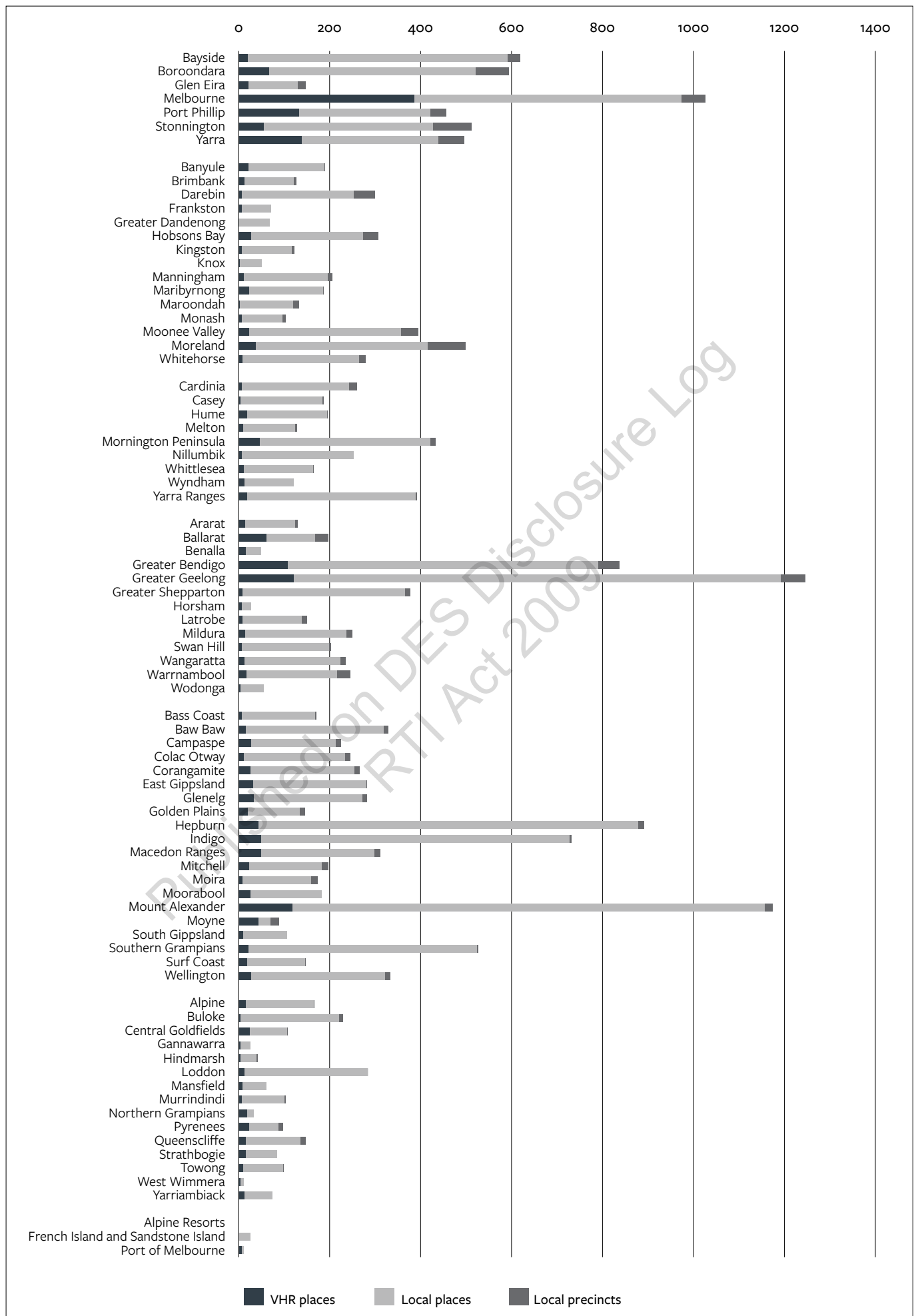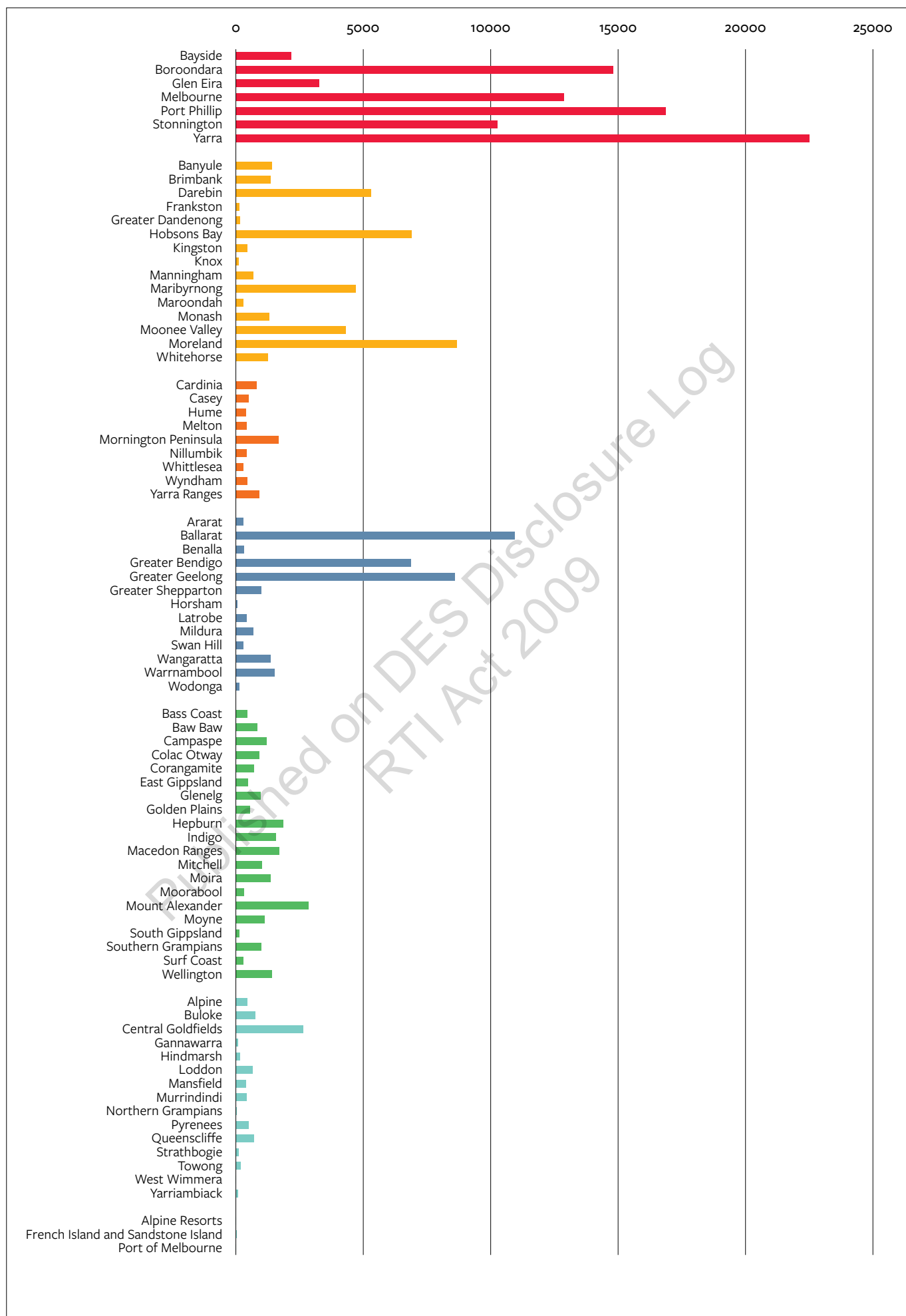22-067   File A   Page 55 of 95

Figure 3.7 Number of Heritage Overlay properties in Victoria

CASE STUDY

Heritage study implementation – Yarra City Council

Classification: Metro Inner

LGA size: 20km²

LGA population: 98,521

Number of HOs: 496

Yarra City Council is an inner-metropolitan LGA located east of the Melbourne CBD. It was formed in 1994 as a result of the amalgamation of the former Cities of Richmond, Collingwood, Fitzroy, and parts of the Cities of Melbourne and Northcote. At approximately 20km² in area, Yarra is the state's second smallest LGA. Despite its size, Yarra boasts a population just shy of 100,000, making it the state's second most densely populated LGA. Like other inner-city LGAs, Yarra is experiencing significant growth pressure – the population is set to increase by 33 per cent over the next two decades. This has brought with it the challenge of residents wary about potential change to the heritage character and identity of their neighbourhoods.

Issue

Residents of the City of Yarra wanted to protect the heritage and identity of their neighbourhoods.

Action

The Yarra City Council responded to residents' demands by communicating the messages that heritage contributes to what makes Yarra unique, and that protecting and promoting heritage can preserve its identity, as well as help develop a richer understanding of various layers of its history. The Council focused its land-use policies on protecting the valued heritage character of these neighbourhoods, while accommodating growth and change in strategic redevelopment sites and precincts. Yarra City Council has communicated this digitally through its website, as well as in person at heritage events, such as Open House Melbourne and the Yarra Community Awards. The Council has also recently developed *Pastport Yarra*, a mapping application that allows users to capture and share these heritage stories with the rest of the community.

Acceptance of this message has enabled the Yarra City Council to embark on an ambitious work program to identify and protect local heritage in the LGA, aided recently by its *Heritage Strategy 2019–2030*. Over the past few decades, a total of 19 heritage studies have been conducted for the LGA. These studies vary in size and scope, covering all geographic parts of the City and most heritage place-types – all heritage studies can be found on its website. Almost all of the studies have been translated into the Heritage Overlay. Yarra City Council has also been continuously updating its heritage database to remove gaps and anomalies. This ensures that heritage information is less ambiguous and therefore more effective.

Elm Grove, Richmond, part of the Elm Grove Precinct.
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Outcome

More than 20,000 properties in the City of Yarra are covered by the HO, which equates to more than 60% of the City's total properties.

Lessons

Yarra City Council is an example of a council with extensive experience in conducting and implementing heritage studies and can provide insights for other councils looking to improve their local heritage protection. Efforts must be made to make residents see that heritage contributes to the unique identity of the area and that heritage can be protected as part of the longer-term planning and development for an area. Communication of this message is key.

References

- Yarra City Council 2019, *Heritage Strategy 2019–2030*, Yarra City Council, Melbourne.

Planning Scheme Amendments

The application of a Heritage Overlay requires an amendment to the planning scheme. The planning scheme amendment process is lengthy and involves constant collaboration between councils and the Minister for Planning through the DELWP Planning Group. It requires the Minister to authorise a planning authority to undertake the amendment. The amendment must then be placed on exhibition, usually for at least one month. Interested parties may make submissions on the amendment. If objecting submissions cannot be resolved by the council, the Minister appoints an independent planning panel from Planning Panels Victoria (PPV) to consider submissions. The panel will provide a report responding to the submissions. In the 2018–19 Financial Year, 37% of all PPV matters were heritage-related.[9] A planning authority can decide to adopt an amendment, or part of it, with or without changes, or abandon the amendment entirely. The Minister for Planning then decides whether or not to approve the amendment in its final form. The process from undertaking a heritage study to implementing it through a planning scheme amendment can take several years.

Data has been collected on the planning scheme amendment process, despite an analysis of the regulatory planning framework being out of the Review's scope. Figure 3.8 shows the councils that have translated all of their heritage studies into the HO.[10] Figure 3.9 shows the most common difficulties councils have reported they experienced during the planning scheme amendment process.

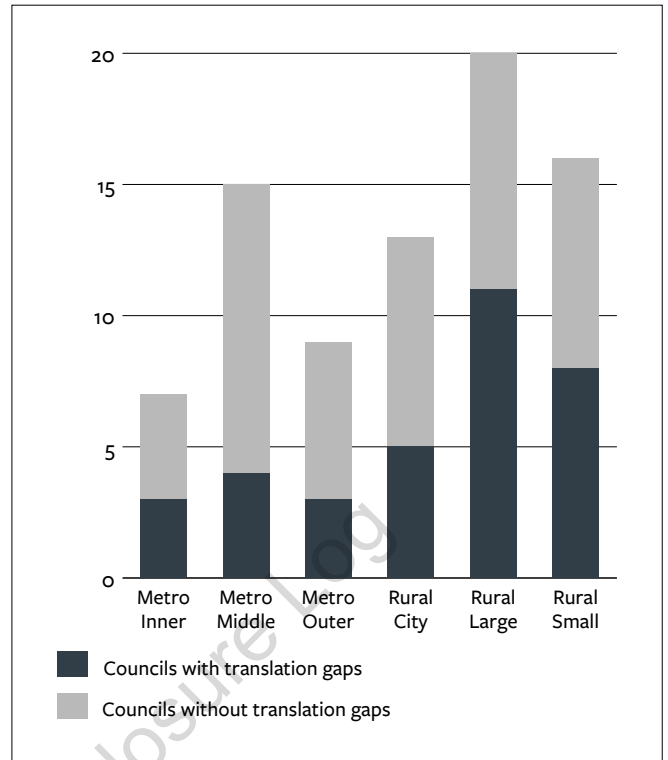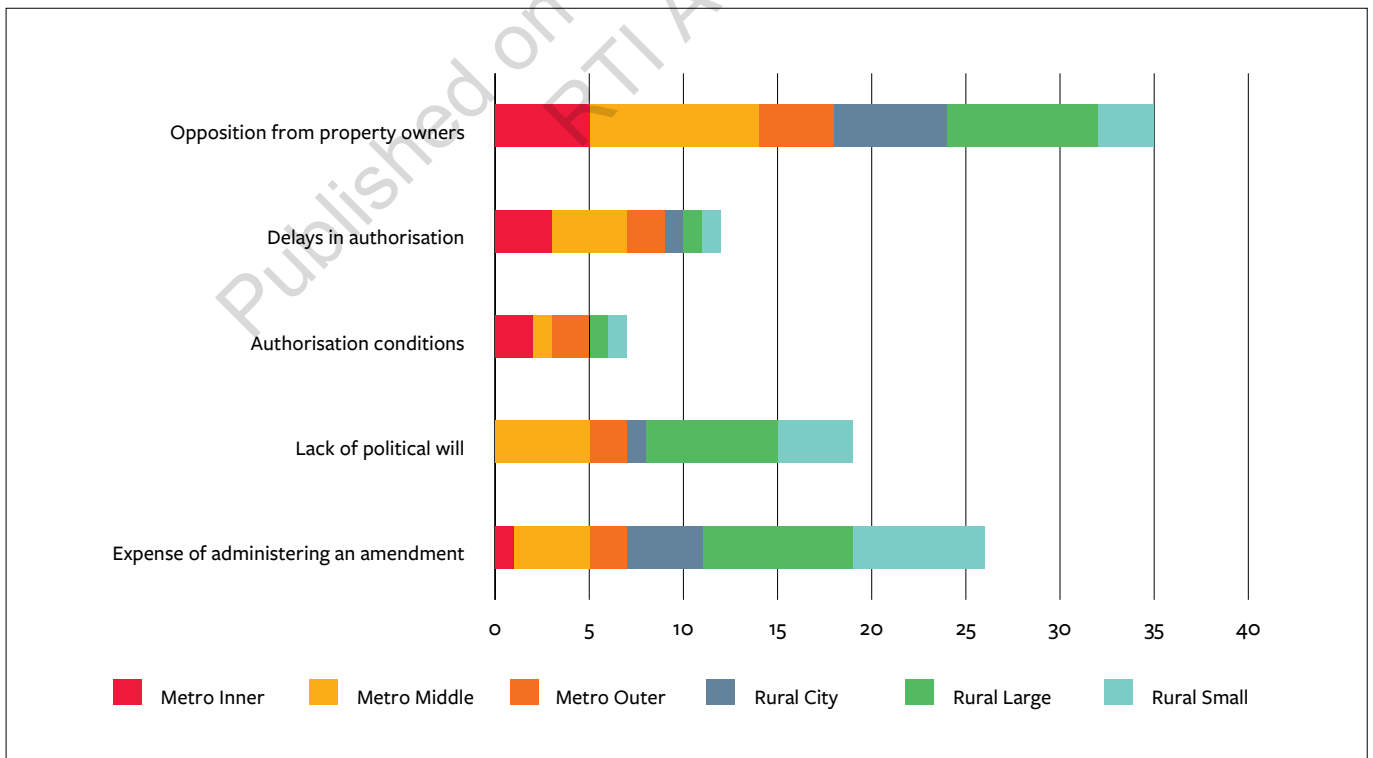**Figure 3.8 Heritage study translation gaps**

Figure 3.9 Difficulties experienced translating heritage studies

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9   Data provided by Planning Panels Victoria.

10 This refers to a planning scheme amendment having been completed for each heritage study, regardless of what percentage of properties assessed in the study make it into the HO.

Heritage strategy – Casey City Council

Classification: Metro Outer

LGA size: 409km²

LGA population: 340,419

Number of HOs: 187

Casey City Council is an outer-metropolitan LGA located approximately 40km southeast of the Melbourne CBD. It is the most populous LGA in the state and growing, thanks to its designation as a growth area. Casey City Council developed a heritage strategy in-house to improve appreciation of the importance of local heritage to the municipality, particularly in light of urban development pressures.

Issue

There was a need to protect and integrate the Casey City Council's local heritage in a developing urban area.

Action

In late 2015, the Casey City Council set about developing the *Heritage Strategy* (2017), which was to replace the previous *Heritage Strategy* (2001). The Heritage Sub-committee of Casey's Conservation Advisory Committee and a number of council officers were behind the push to create a new strategy, recognising that the previous strategy was thoroughly outdated and largely ignored, meaning there was no strategic basis for how Council should act with regards to local heritage. They also recognised that Casey's role as an urban growth corridor threatened the retention of heritage places. In 2016, following two rounds of community consultation, a draft strategy was created in-house (rather than by a heritage consultant) using Heritage Victoria's *Municipal Heritage Strategies: A Guide for Councils* (2012). The draft strategy was then peer reviewed by a consultant for consistency and exhibited in a third round of consultation in mid-2017.

Casey's *Heritage Strategy* follows the standard set out in the State Government's guide. It details the policy context for the strategy and identifies the key challenges and opportunities associated with the City's heritage. It next presents the heritage achievements of the Council to date in four categories: knowing, protecting, supporting and promoting. It finally presents a strategy action plan, outlining the actions – ongoing, short-, medium- and long-term – that the Council should undertake to improve heritage performance across the above four categories. What makes the strategy unique is that it targets the underlying issue in Casey: there is a lack of appreciation for heritage. As such, the strategy focuses primarily on education, rather than strategic or statutory projects. It seeks to garner acknowledgment within Council and the community that there is heritage in the Casey City Council and that the heritage is of value. The strategy is careful to propose actions that are achievable and do not require significant council expenditure.

Outcome

The *Heritage Strategy* was formally adopted by the Casey City Council in September 2017. The total cost of the strategy

Old Shire Offices, Cranbourne
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was less than $3,000, excluding staff costs. Council officers reflected that the best part of the strategy is that it has received buy-in from all council departments and that the document is actually being used. Casey City Council has hired a dedicated part-time heritage officer to assist with, amongst other things, implementation of the strategy's actions, and have recently established a panel of heritage consultants to draw on when needed.

Lessons

The Casey City Council experience shows that heritage strategies can be cost-effective when developed in-house using the experience and expertise of council officers, which has had the added benefit of creating buy-in from the officers. Casey uses a combination of a dedicated council officer and a panel of heritage consultants to enable flexibility when responding to varying complexities of heritage issues. The Casey City Council demonstrates that strategies can be used to educate and promote the importance of heritage within council and the public.

References

- Casey City Council 2017, *Heritage Strategy*, Casey City Council, Melbourne.
- Heritage Victoria, Department of Planning and Community Development 2012, *Municipal Heritage Strategies: A Guide for Councils,* Heritage Victoria, DPCD, Melbourne.

The purpose of including this data is to discover what assistance could be provided to councils to aid the process.

Key findings

- More than half of all councils (58%) have translated all of their heritage studies into the HO. This is fairly consistent across all council groups. The rest of the councils are in the process of translating their heritage studies or have not yet translated their heritage studies. Nearly 10% of all councils are yet to translate a stage two heritage study into the HO.

- The most common difficulties experienced when translating heritage studies is opposition from property owners (44%), the expense of administering an amendment (33%) and a lack of political will within councils (24%). Opposition from property owners was the biggest obstacle for metropolitan councils, while the expense was the biggest one for rural councils.

The data reveals the intricacies of the planning scheme amendment process. Councils experience many difficulties during the lengthy amendment process, which contributes to many councils not having translated all of their heritage studies into the HO. The data also offers insight into the two key areas in which assistance could be provided to councils to aid the amendment process.

3.5 Supporting local heritage

The next step in the local heritage process involves supporting places that have been identified as being of local heritage significance. This includes measures both to improve council processes and provide direct support to owners of heritage places.

Heritage strategies

Heritage strategies offer potential for local councils to identify and improve not just their support for local heritage, but also the identification, protection and promotion of their local heritage. A heritage strategy is a council document that details the present state of heritage identification, protection, support and promotion in the LGA, and provides an action plan that a council can use to improve its performance across these four categories, thereby helping to ensure that the council meets its heritage obligations under the *Planning and Environment Act 1987*. These documents can be produced in-house by councils or by heritage consultants – Heritage Victoria has developed a toolkit to assist councils to create heritage strategies in-house, *Municipal Heritage Strategies: A Guide for Councils* (2012).

Data has been collected on the number of councils with a current heritage strategy and is presented in Figure 3.10. Those councils with a heritage strategy were also asked to rate the efficacy of their strategy out of five.

Figure 3.10 Heritage strategies
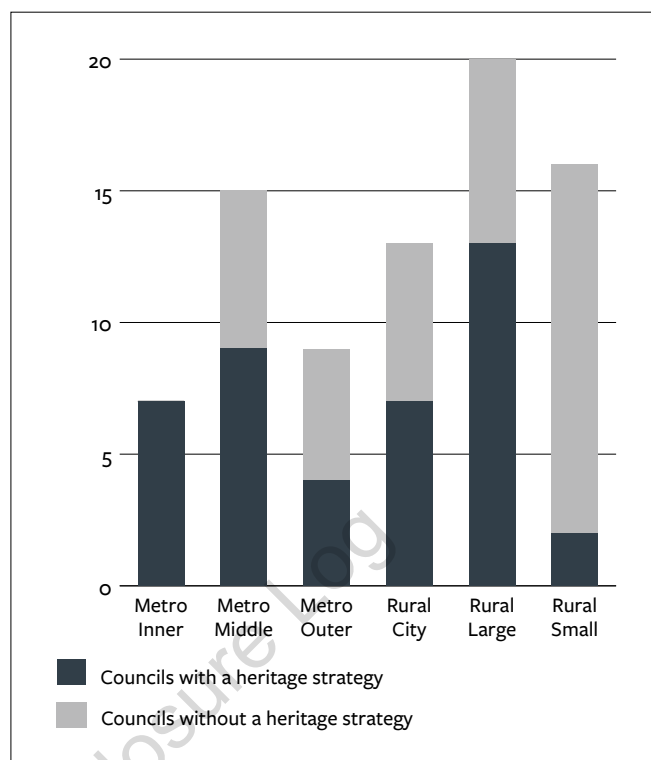
Key findings

- Slightly more than half of all councils (53%) have a current heritage strategy in place. This figure is fairly consistent across the Metro Middle, Metro Outer, Rural City and Rural Large categories. All Metro Inner councils have a heritage strategy, while only two Rural Small councils have one.

- The average efficacy rating of the strategies was 3.3 out of 5:

  – A total of 13 councils gave their strategy a positive rating (4-5)

  – A total of 27 councils gave their strategy a neutral rating (3)

  – Two councils gave their strategy a negative rating (1-2)

The data reveals that heritage strategies are being underutilised as a resource by councils. Firstly, there are currently 38 councils that do not have a heritage strategy. Secondly, 29 of the 42 councils with heritage strategies reported difficulties affecting their operation, including poor commitment to its recommendations and a lack of integration with council's other strategic work. Councils who have made them work, however, note that the heritage strategies are useful for guiding and grounding strategic heritage work. There would seem to be a real opportunity in this space to both better promote the advantages of heritage strategies and how they can help councils guide and prioritise their heritage protection, and to explore what additional guidance can be given to support their development through the toolkit, *Municipal Heritage Strategies: A Guide for Councils* (HV, 2012).

Heritage Advisory Committee – Greater Bendigo City Council

Classification: Rural City	
LGA size: 3,000km²	
LGA population: 116,045	
Number of HOs: 837	

Greater Bendigo City Council is a regional LGA located approximately 150km northwest of Melbourne. Greater Bendigo, which comprises the city of Bendigo and its surrounds, has an extensive pre-contact history as well as its post-contact history as one of the epicentres of the Victorian gold rush of the 1850s. A legacy of this gold rush is the significant number of heritage places in the City, ranging from ornate late-Victorian buildings to humble miners' cottages. It has an equally interesting pre-contact history, being the home to the Dja Dja Wurrung people and Taungurung people, the Traditional Owners of this land. The protection and celebration of this heritage is very important to residents of Greater Bendigo and the City Council.

Issue

Guiding the heritage work of the City was the Greater Bendigo Heritage Advisory Committee (HAC). Prior to 2016, the HAC was less diverse in membership, vision and role, and focused on the protection of post-contact built heritage. There was an opportunity for it to more fully meet the needs of Council and community in advising on the broad heritage needs of the City.

Action

In 2016, the Greater Bendigo City Council recognised the benefit of expanding the function and responsibility of the HAC, enabling it to better reflect the City's wider range of heritage considerations. It set about reforming the HAC's terms of reference. These changes included diversifying the HAC's membership. The HAC is currently comprised of Cr Matt Emond (as chair), various council officers, one representative from the Registered Aboriginal Parties for Greater Bendigo City Council, and a number of members of the public with an expertise or interest in heritage. These members range in age, gender and backgrounds – the youngest committee member is in their 20s. The HAC also has a position for a representative from both Heritage Victoria and DELWP. Membership terms are limited to four years to ensure that new people with new ideas can join.

The terms of reference were also changed to expand the HAC's focus and role. The HAC's focus was widened to include Aboriginal and natural heritage alongside the City's built environment. Its role was also expanded beyond its previous role of discussing heritage nominations by the City's Heritage Advisor. The Greater Bendigo HAC in its current iteration is afforded a more proactive role in Council affairs, advising the City Council on three distinct matters:

- the identification, management and conservation, restoration and promotion of places of heritage significance in the municipality – the traditional role of heritage advisory committees

- council's strategic planning processes as it relates to heritage

- promoting community participation in heritage issues through awareness raising, education, engagement and mentoring.

Outcome

The Greater Bendigo Heritage Advisory Committee was re-focused. According to its chair, one of the most significant achievements of the HAC to date has been boosting the profile of a wider range of heritage considerations within Council. They have made sure that local heritage is considered in all council strategic documents. The increased profile of local heritage has also meant that the HAC has been able to secure additional funding from the Council for heritage projects, on which they take a more active role by providing guidance.

Lessons

The Greater Bendigo City Council experience offers a number of lessons for the use of HACs:

- by diversifying its membership, the HAC became more representative of the local community. The new members also brought with them a diversity of ideas and opinions

- by increasing its scope to include Aboriginal and natural heritage, the HAC better aligned itself with the heritage valued by the community

- by re-focusing its role to look at the importance of heritage in all aspects of the City's work, the HAC has become a strong advocate, celebrating and promoting heritage in the community

Heritage Advisory Committees

Heritage Advisory Committees (HACs) are used by some councils to improve their local heritage performance. A HAC commonly consists of councillors, council officers and representatives from the local community who have an interest in heritage. Although their exact roles differ between councils, they are usually established to provide advice and guidance to councils on a range of local heritage issues. This may include steering heritage studies, advocating heritage measures, such as loans and grants, and administering awards recognising heritage conservation. A HAC is usually run as an official council advisory committee in accordance with specific terms of reference.

Data has been collected on the number of councils that have a HAC and is presented in Figure 3.11. Data was also collected on the frequency of HAC meetings.

Key findings

- Approximately one-fifth of all councils (21%) have a Heritage Advisory Committee. This is quite unevenly distributed across the council categories, with Metro Middle councils having the most (40%) and Rural Small councils having none.

- The average number of HAC meetings per year is 6.3. Two councils had HACs that met monthly (the most frequent); six councils had HACs that met quarterly (the least frequent).

- The most common reasons for not having a HAC were pretty evenly split between a lack of heritage activity in the LGA (33%), a lack of council interest (32%), a lack of funding (29%) and a lack of staff to support it (29%).

The data reveals that Heritage Advisory Committees are another underutilised measure to support the heritage work of local councils. HACs can play a vital role in involving the community in local heritage decision-making, which both the council and community survey respondents identified as a strength of the local heritage system. There is an opportunity to promote the use of HACs and develop guidance, similar to that for heritage strategies, to assist in their creation and implementation in a way that is useful.

Heritage advisory services

Heritage advisory services are a popular measure to support local heritage. First established in Victoria in 1977, the service involves the use of a heritage specialist to primarily provide free expert advice to the local community on heritage conservation. They may also provide advice and training to councils on planning permit applications and strategic heritage work. In most cases, councils contract the services of a dedicated Heritage Advisor. However, some councils employ dedicated heritage staff within council to provide these services.

The work of Heritage Advisors was identified in the surveys as a strength of the system. Heritage Victoria has prepared both a model brief, located within the *Heritage Advisory Services: A Guide for Councils* (2014), to help councils engage the services of a Heritage Advisor and a toolkit, *Heritage Advisor's Toolkit* (2016), to assist Heritage Advisors undertake their work.

Figure 3.11 Heritage Advisory Committees

Legend:
- Councils with a HAC
- Councils without a HAC
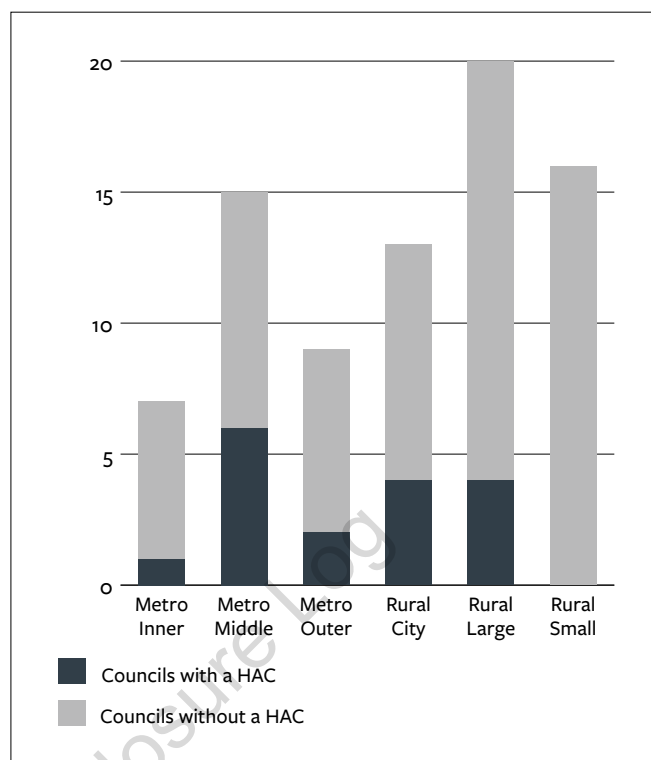
Figure 3.12 Heritage Advisors

Legend:
- Councils with a Heritage Advisor
- Councils without a Heritage Advisor
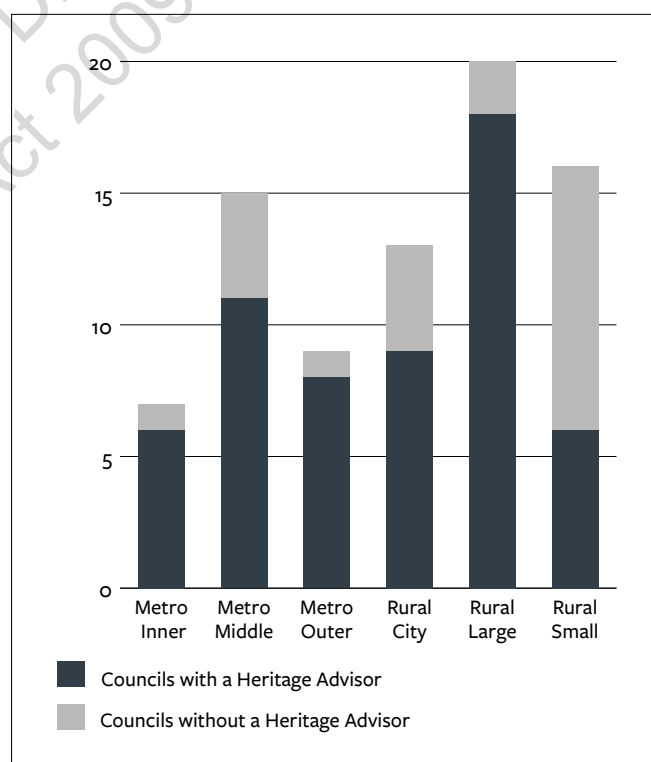
Up until 2012, the State Government ran a program to provide funding for councils to engage a Heritage Advisor. At the peak of this program, 89% of councils had a Heritage Advisor. The Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) have also prepared a guide, *Heritage Advisory Services Handbook: A National Guide for Government, Advisors and the Community*, which was last updated in 2009.

Heritage Advisory Service – Indigo Shire Council

Classification: Rural Large

LGA size: 2,040km²

LGA population: 16,490

Number of HOs: 730

Indigo Shire Council is a rural LGA located approximately 270km northeast of Melbourne. Indigo is famous for its well-preserved historical towns that date back to the Victorian gold rush of the mid-1850s. The Shire is home to a vast number of heritage places. It is also home to one of the longest-running heritage advisory services in Victoria.

Issue

Property owners were unsure about the effects of the Heritage Overlay on development.

Action

A heritage advisory service was originally established by the State Government in 1979 to cover the United Shire of Beechworth and the Shires of Chiltern and Yackandandah. This was fifteen years before these shires were amalgamated with the Shire of Rutherglen to become the Indigo Shire Council. For 41 years, the advisory service has offered residents of heritage places the opportunity to meet in-person or over the telephone with Council's qualified and experienced Heritage Advisor to discuss if – and how – a heritage place may be developed.

The Heritage Advisor is available to meet one day per week. All meetings need to be booked in advance, to allow the Heritage Advisor time to research the heritage significance of the property and assess impacts of the application. To do this, Indigo Shire has developed a novel online form for residents to fill out, providing all the information necessary for the Heritage Advisor to provide sound heritage advice. However, as noted by the Heritage Advisor, many of the older residents still prefer to book the meeting over the telephone. The meeting requests are triaged by a council officer before being given to Heritage Advisor.

The heritage advisory service meetings serve as a pre-application meeting with owners of a heritage place to ensure that planning permit applications comply with the requirements of the HO. This can reduce costs for the applicant by ensuring that their plans are compliant the first time they are submitted. This is the traditional role of the Heritage Advisor. However, importantly, the meetings also serve as a way to communicate the importance of heritage directly to the property owner and inform them of supportive measures, such as Indigo Shire Council's Heritage Loan Scheme.

When not dealing with the public, the Heritage Advisor also provides advice to Council on planning permit applications, strategic planning and heritage asset management, and provides heritage training and upskilling for planners.

Ford and Camp Streets, Beechworth, part of the Conservation Area – Beechworth Central.
Image supplied by Indigo Shire Council

The current cost of the service to Council is approximately $60,000 per annum.

Outcome

Each year, the Indigo heritage advisory service deals with over one hundred applications, which equates to approximately one-third of all planning permit applications in the Shire. One council officer noted that the service has led to countless positive planning outcomes and helped to instill pride in local heritage amongst heritage property owners throughout the LGA.

Lessons

Heritage Advisors are a staple of the local heritage system in Victoria. While most councils have an Advisor, not all of them perform a public service role. The Indigo Shire Council case demonstrates how valuable such a role can be. While there is expense associated with having Heritage Advisors perform a public service role, it may save councils money in the long run, as planning permit applications can be processed without the need for officers to go back and forth between the applicant and Heritage Advisor.

The case also demonstrates how an advisory service can be used for more than just advice. It can communicate the importance of heritage, the existence of supporting measures and instill pride in heritage property owners.

Data has been collected on the number of councils with a dedicated Heritage Advisor, which is presented in Figure 3.12, and the number of councils with internal heritage staff, which is presented in Figure 3.13. Data has also been collected on the average weekly hours worked by both Heritage Advisors and staff. Unfortunately, the survey did not capture how many of these hours were dedicated to interacting with the community.

Key findings

- Approximately three-quarters of all councils (73%) have a Heritage Advisor. This is quite unevenly distributed across the council categories. Just 38% of rural small councils have a Heritage Advisor.

- Approximately one-in-five councils (18%) have internal heritage staff. A total of 11 councils have internal heritage staff as well as a Heritage Advisor, while three councils have internal heritage staff and no Heritage Advisor.

- A total of 42 councils contracted a Heritage Advisor for a set number of hours each week

  – The number of set hours varied considerably: some councils contracted a Heritage Advisor three days per week, while others just half-an-hour per week

  – The average number of set hours worked by a Heritage Advisor was 7.6 per week.

- A total of 16 councils contracted a Heritage Advisor on an as-needs basis.

- A total of 22 councils do not have a Heritage Advisor or internal heritage staff. The main reasons given for this were lack of funding (59%) and lack of heritage activity in the LGA (36%).

The data reveals that the use of Heritage Advisors or internal heritage staff is the most common measure used by councils to support their local heritage activities. While the percentage of councils with a Heritage Advisor dipped from 89% to 73% (an 18% decrease) after the State Government withdrew funding in 2012, it still remains high.

There were several key benefits identified of having easy access to heritage advice. For the applicant, advisory services can help ensure that their planning permit application is compliant with the HO the first time, reducing costs associated with redrawing and resubmitting plans. For councils, compliant planning permit applications reduce the workload of statutory planners. Heritage advice also serves as a way to communicate the importance of heritage directly to the property owner and inform them of other supportive measures. Both the council and the community survey respondents identified public access to heritage advice as a strength of the current system.

Of some concern is that 28% of councils employ a Heritage Advisor on an as-needs basis. This suggests that their Heritage Advisors are not readily available to provide heritage advice to the public and that councils are foregoing the benefits of a proper heritage advisory service.

Figure 3.13 Internal heritage staff
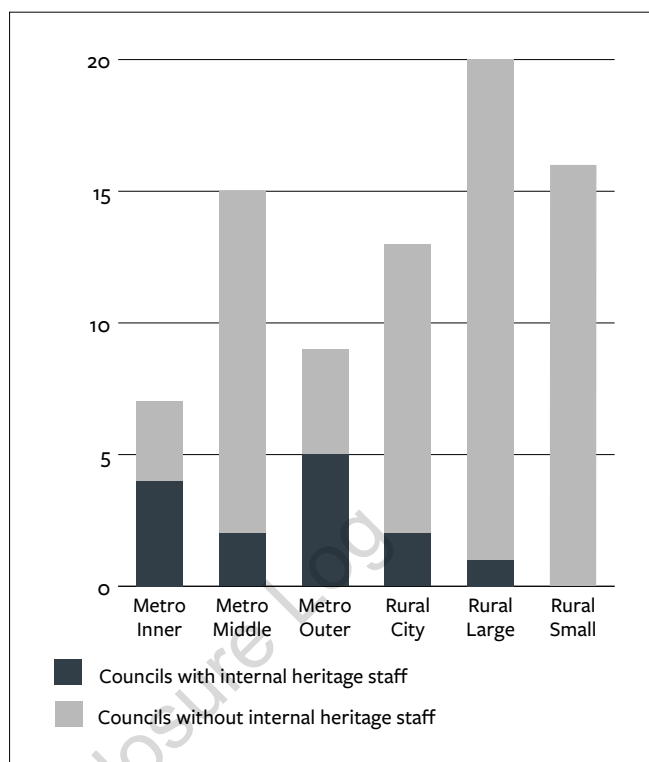
Financial incentives

While free technical advice is a beneficial way to support local heritage, it is sometimes necessary to provide more direct support to owners of heritage places. One way to do this is through financial measures that can help owners conserve their local heritage places. The benefits of such measures are considerable: they not only provide a tangible demonstration that heritage is valued by their council, they also facilitate acceptance of heritage protection. Donovan Rypkema's 2005 book, *The Economics of Historic Preservation: A Community Leader's Guide*, also shows that conservation work has a practical influence on the local economy, as it can lead to employment of local tradespeople. Conservation and adaptive reuse of heritage places also has wider direct and indirect benefits, including the formation of new business and jobs, the stimulation of tourism and private investment, increased property values and thus rate revenues, and instilling a sense of community pride (Rypkema 2005; Rypkema, Cheong & Mason 2011).

In 2005, the HCOANZ prepared a national guide, *Incentives for Heritage Protection Handbook*, for local councils wishing to establish financial measures to support heritage protection in their LGAs. It provides a list of the benefits of using incentives, which include:

- improved community attitude, understanding and acceptance of planning and heritage controls, policy and decisions.

- increased conservation of heritage places in the local area

- improved streetscapes, main streets and public buildings through the maintenance, repair and use of important buildings.

Financial incentives – Glenelg Shire Council

Classification: Rural Large

LGA size: 6,219km²

LGA population: 19,665

Number of HOs: 282

Glenelg Shire Council is a rural LGA located approximately 350km west of Melbourne on the coast of Bass Strait. Despite a relatively small population, the Glenelg Shire Council is making big efforts to support owners of local heritage places.

Issue

Local heritage and its conservation were viewed in a negative light.

Action

Glenelg Shire Council has implemented a number of financial incentives to help improve local heritage conservation and its public perception.

Loans and grants

The Council's longest-running measure is its Heritage Loan and Grant Scheme, established in 1984 through a grant from the then Minister of Planning and Environment. The Scheme currently offers owners of individually significant or contributory heritage places – or properties deemed to be significant by its Heritage Advisor but not yet currently protected – the opportunity to apply for loans or grants to complete maintenance, conservation or restoration works on their property. Grants are available for up to 50% of the value of the works, to a maximum of $10,000. These are paid after the satisfactory completion of the works. Loans are available for 50% of the value of works, for between $10,000 and $40,000. The loans are interest-free for residential projects and 1.5% for commercial projects, and are repayable monthly over a period of three years. Works include urgent works, such as roof repairs and restumping, and non-urgent works, such as verandas and fences. The Scheme is advertised to property owners primarily through the council website and during interactions with the public. In the past financial year, five grants were approved to the value of $40,000. A total of $86,000 has been provided in grants over the past five years. Council tops up the Scheme fund by approximately $10,000 each financial year. There have been no loan applications since 2016, which council officers have attributed to the availability of record-low interest rates.

Planning permit fee waiver

In 2014, the Council implemented a policy to waive fees for planning permits triggered solely by the Heritage Overlay. The rationale behind the policy was that owners of heritage-listed places should not be financially disadvantaged by the expense of needing to pay for planning permits. The policy is made possible through the Planning and Environment (Fees) Interim Regulations 2013 (Section 16 (e) (ii)), which says that local councils are entitled to 'wholly or in part waive or rebate the payment of a fee that the authority or the Minister has received or is entitled to receive' if it 'assists the preservation of buildings or places in the State, regional or municipal district that are of historical or environmental interest'. For the 2018–19 financial year, 18 planning permit fees were waived, at a cost to council of approximately $8,000.

Free heritage advice

Like many other councils, Glenelg Shire Council offers free heritage advice through its heritage advisory service. Council's Heritage Advisor works through a range of heritage planning matters and is available once a month to meet with property owners in person. Council budgets approximately $45,000 per annum for this service.

Outcome

The financial incentives are known and largely being utilised by the community. Council officers reflected that although it is hard to quantify, in their opinion the measures have helped to improve perceptions and acceptance of the Heritage Overlay. They have also been of benefit to the local economy, as the grant works have been completed by mostly local tradespeople.

Lessons

The Glenelg Shire Council experience highlights that financial incentives are a useful way to demonstrate the importance of local heritage and its conservation to the community, as well as supporting owners to conduct conservation works.

Data has been collected on the number of councils that have financial incentives to support local heritage and the types of measures in place, which is presented in Figure 3.14. It is important to note that the question asked if councils had grants, loans, rates reductions or other measures (a free text input section).

Key findings

- Relatively few councils – approximately one-third of all councils (35%) – offer some sort of financial incentive to support local heritage. This is quite unevenly distributed; 56% of all Metro Outer councils have at least one incentive, while just 19% of all Rural Small councils have one.

- Grants are the most common financial incentives (18), followed by loans (7) and rate reductions (2). Two councils waived fees for planning permits triggered solely by the HO.

- Grants are the most common incentives for metropolitan councils. Only rural councils offer loans.

The data reveals that financial incentives are another underutilised measure to support owners of heritage places. This can be attributed to the cost to establish and run them. They require a financial commitment, either upfront in the case of grants and loans or the foregoing of revenue from council rates or planning permit fees. It can also be attributed to the difficulty in developing the incentives. HCOANZ's guide is considerably out-of-date and does not satisfactorily explain how to establish or run them. There is an opportunity to better promote the use of financial incentives and develop a guide to assist in their creation and implementation.

3.6 Communicating local heritage

The fourth step in the local heritage process involves ensuring the community understands the local heritage system and promoting the value of this local heritage to the public. This involves providing both basic heritage information, such as how the system works and which properties are covered by the HO, as well as more complex information, such as the value and importance of local heritage.

Availability of heritage data and documentation

It is important for the public to know what local heritage exists and why it is significant to the local community. The former is available through each council's planning scheme (both the HO schedule and maps), which can be accessed via the DELWP website. However, statements of significance are harder to find. Heritage Overlays approved since 31 July 2018 have their statements of significance incorporated into the planning scheme.

The State Government developed HERMES (HERitage Management Electronic System), an electronic heritage database to manage information about all heritage places identified and protected across Victoria. DELWP currently manages the system and the Heritage Council manages the public interface, the Victorian Heritage Database (VHD). Councils are instructed in *Planning Practice Note 1* to store their statements of significance in HERMES and make them publicly viewable on the VHD. Currently 24 councils have allowed this data to be made viewable to the public through the VHD. Several councils have created their own

Figure 3.14 Financial incentives

Rate-reduction program – Mornington Peninsula Shire Council
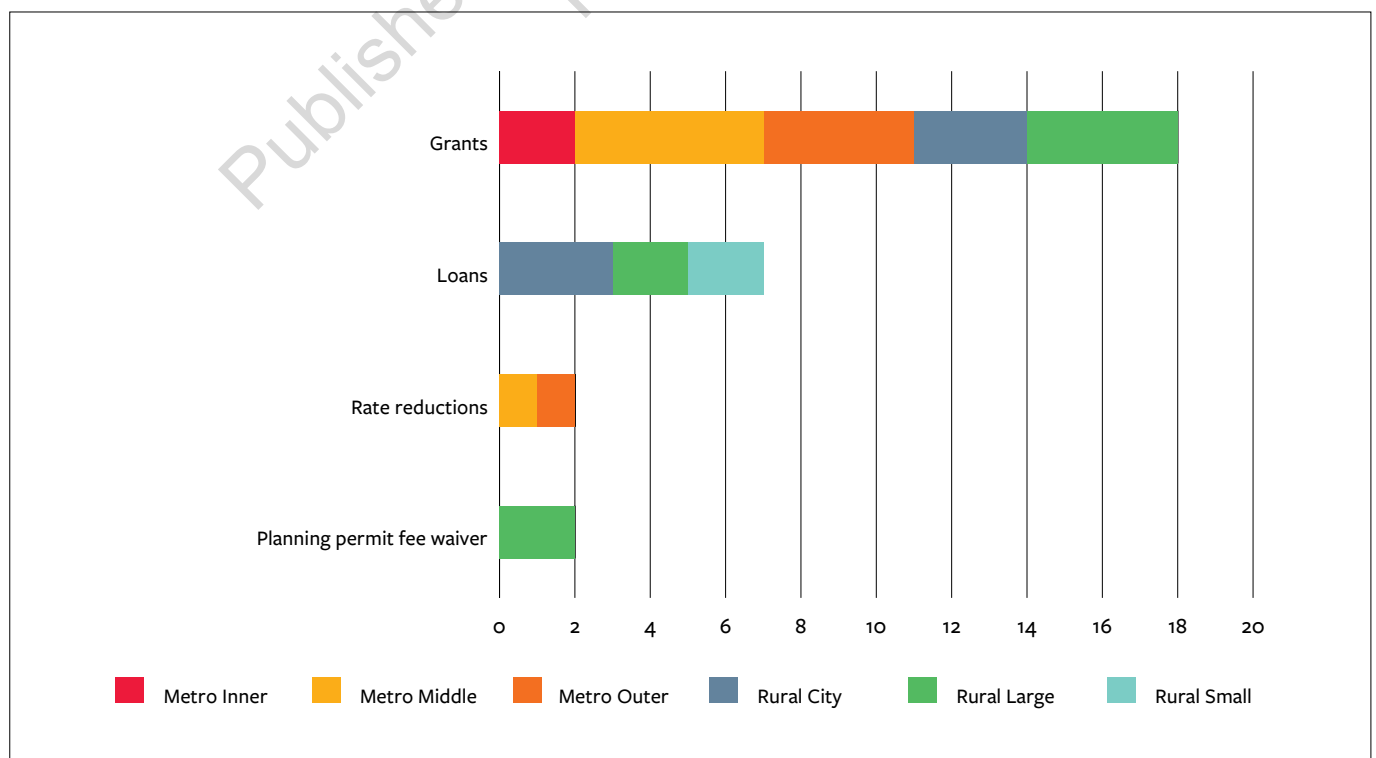
Classification: Metro Outer

LGA size: 724km²

LGA population: 165,822

Number of HOs: 433

The Shire of Mornington Peninsula is an outer-metropolitan 'interface' LGA located approximately 40km southeast of the Melbourne CBD. The Shire Council has measures in place to financially support owners of local heritage places. They offer heritage grants to assist owners to carry out heritage conservation projects. However, it is the Council's other measure that is of particular note: an innovative rebate on rates paid by owners of heritage places.

Issue

Several issues were present that necessitated the need for a rates rebate:

- there was not enough recognition of the public value of heritage places or promotion to owners about maintaining heritage places

- maintaining heritage places was an additional expense for owners

- there were negative perceptions of the HO, with owners arguing that the application of the HO reduces the value of their site without any compensation.

Action

The Mornington Peninsula Shire Council established the Heritage Rebate in 2003 as a way to 'recognise the cultural values of heritage properties on the Mornington Peninsula, and particularly the cost of preservation and maintenance of properties with heritage value' and to encourage acceptance of the HO, particularly for new amendments.

Owners of individually significant places or contributory buildings within a precinct may apply to Council for a rebate of 25% or 12.5%, respectively, on the rates paid relating to the property improvements only (i.e. the difference between the Capital Improved Value and the Site Value).

To apply for the rebate, heritage homeowners must complete a form, either online or in hard-copy, that details the preservation, restoration or maintenance works they intend to undertake on the property. Homeowners only need to apply for the Heritage Rebate once and they will continue to receive it indefinitely.

Outcome

The council officers responsible for the program reflected that the Heritage Rebate has led to heritage conservation

Looking towards the Esplanade, Mornington.
© *Hin Lim* | *HIN LIM AIPP 2020*

works and improvements to perceptions of the Heritage Overlay. However, they also noted the shortcomings of the measure. One of the main issues is that participants continue to receive the rebate each year but there is no requirement that the money rebated be put back into conservation works. Also, not all eligible property owners have claimed the rebate.

The Mornington Peninsula Shire Council is currently planning to undertake a review of the Heritage Rebate to address its limitations.

Lessons

Mornington Peninsula Shire Council has devised an innovative way to provide to financial support to owners of local heritage places, so as to demonstrate to the community the importance it places on local heritage and to encourage greater acceptance of the Heritage Overlay. Council officers are the first to admit that, like most innovations, the Heritage Rebate needs refinement. However, the case demonstrates that financial support does not have to be the standard system of heritage grants and loans; there is room for innovation in this space.

mapping platforms that incorporate this data. This sometimes comes at the expense of using HERMES or making their data publicly viewable.

HERMES also serves as a repository for heritage studies. During the 2000s, the State Government provided funding for councils to digitise and upload their old heritage studies to HERMES, with the intention that new ones would be uploaded as well. Unfortunately, these studies are not available to the public through this interface.

The council survey asked councils if they had their heritage data stored in HERMES. This question sought to reflect on the availability, or not, of local heritage data to the general public and inform some of the Heritage Council's strategic work around the VHD and HERMES. Participants that responded 'yes' were asked when this data was last updated, while participants that responded 'no' were asked why this was the case. The data on the number of councils that have their heritage data on HERMES is presented in Figure 3.15.

Key findings

- Two-thirds of all councils (66%) reported having their heritage data in HERMES. This figure varies between the council type categories. The Rural City councils have the largest proportion of councils with their data on HERMES (92%), while the Metro Outer have the smallest proportion (44%).

- Of the 53 councils reported as having their heritage data on HERMES, 16 said they had updated it in the past five years, 11 said they had updated it more than five years ago and three said they were in the process of updating it. A total of 23 councils said they were unsure when their data was last updated.

Figure 3.15 Local heritage data in HERMES
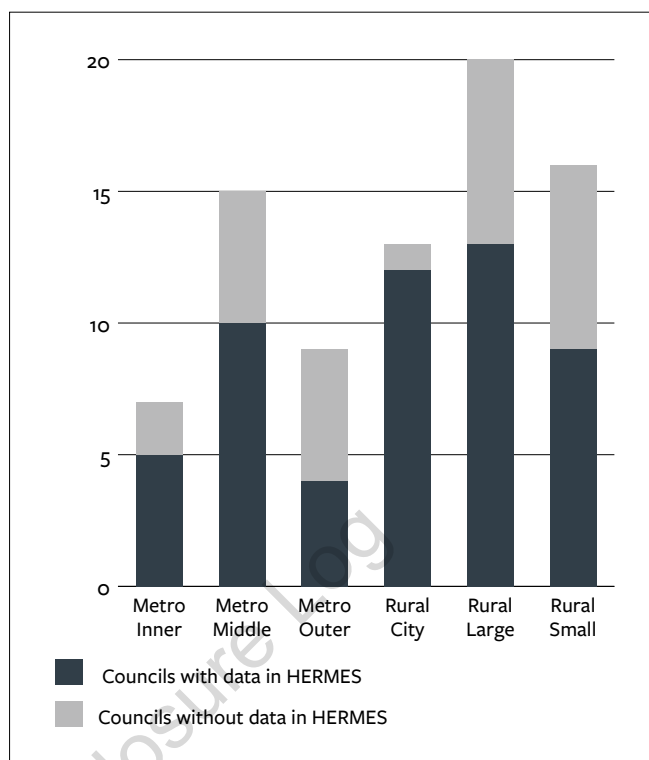
- The most frequent reasons given by councils for not having their heritage data on HERMES was a lack of staffing (41%) and a lack of knowledge about how to do so (41%). Other reasons included concerns about privacy and this information already being available on the council website.

A lot of heritage information was stored in HERMES when there was support for it. The data reveals that not many

Figure 3.16 Communication and promotion mechanisms

3. Analysis of local heritage provisions in Victoria   35

Communication and promotion – Whitehorse City Council
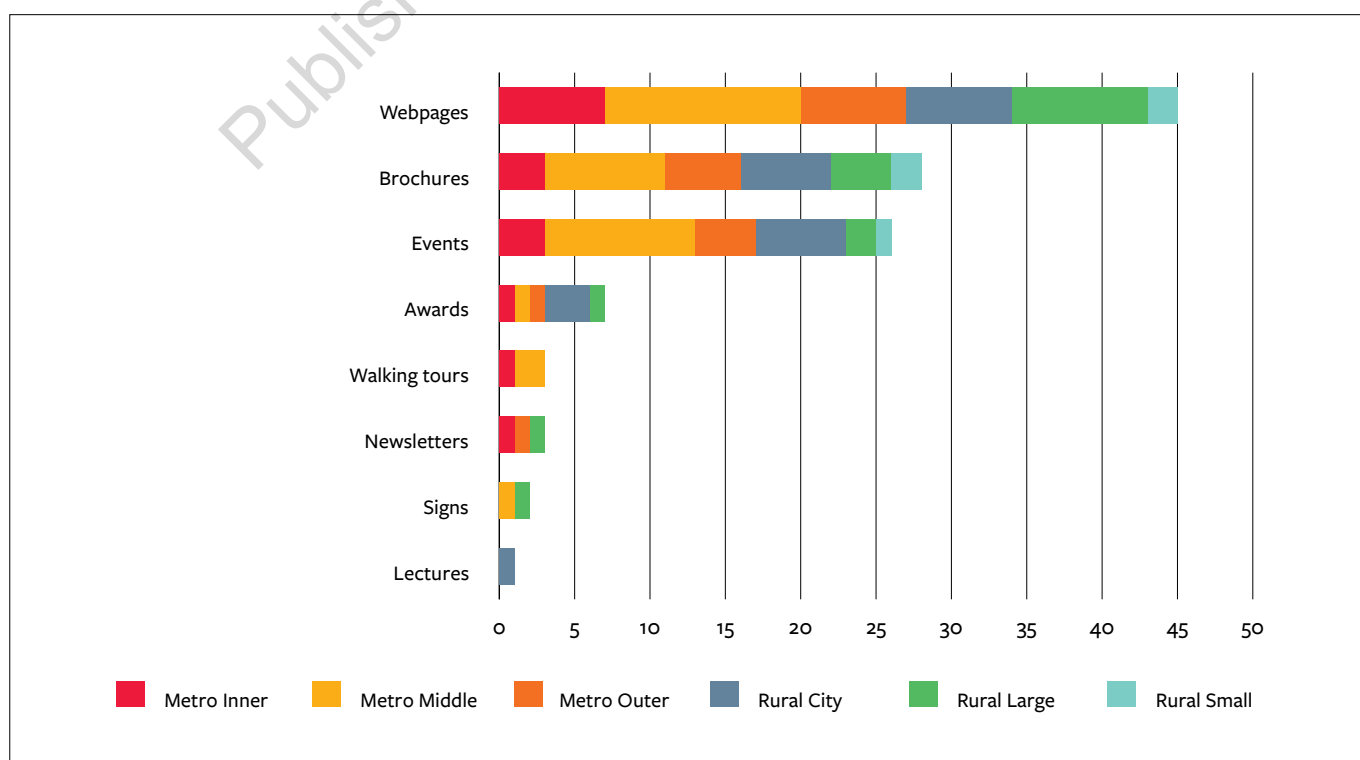
Classification: Metro Middle

LGA size: 64km²

LGA population: 176,196

Number of HOs: 279

Whitehorse City Council is a middle-ring LGA located approximately 15km east of the Melbourne CBD. The City prides itself on its arts, having been the home to the Box Hill Artists' Camp in the 1880s. It also prides itself on its heritage, with over 790 places protected through its Heritage Overlays.

Issue

There was a need for Whitehorse City Council to communicate its efforts to manage and support local heritage, and promote the importance of local heritage throughout the community.

Action

Whitehorse implemented a number of communication and promotion mechanisms.

Communication

Whitehorse City Council uses both online and physical channels to connect its community with its heritage information. This online approach begins with its website, where a dedicated heritage section not only succinctly explains how the heritage system works, including guidelines for individually listed buildings and precincts across the City, but also provides information on heritage events and the Council's Heritage Assistance Fund. The Council also invested in the development of an online mapping program, Whitehorse Maps, that allows users to, among other functions, discover if their home is covered by a Heritage Overlay. If it is, users are linked to a copy of the HO and its schedule in the Whitehorse planning scheme, as well as an individual copy of the HO

Clydesdale Street, Box Hill, part of the Combarton Street Precinct.
Image supplied by Whitehorse City Council

citation. Whitehorse City Council also uses its Facebook page to communicate local heritage events and information.

The physical approach primarily involves the use of its Heritage Advisor. The Council's qualified and experienced Heritage Advisor communicates to residents of heritage places if – and how – a heritage place may be altered or developed. This reduces costs for the applicant and the Council by ensuring that plans are compliant on submission.

councils have updated it recently. Workshop participants expressed that this was due to the poor usability of HERMES software and the need for greater clarification around when and how to use it. All of this highlights the issue with heritage data not being available, both in HERMES and to the public in the VHD, which is contrary to the original purpose of the system to provide a single, accessible point for heritage information.

Communication and promotion mechanisms

Providing information on what is of local significance and why is this is the case is only part of the task. It is also important that the community understands the heritage system more generally (e.g. who is responsible for what, what does heritage listing mean) and the importance of conserving local heritage places. There are many mechanisms that can be used to do this, including:

- mechanisms that explain the local heritage system and available council resources, such as websites
- mechanisms that promote places of heritage significance, such as brochures and tours
- programs to interpret places of heritage significance, such as plaques and signs
- events that promote the value and importance of local heritage, such as festivals and open houses
- events that recognise heritage conservation, such as awards.

These mechanisms can be used to help raise awareness and appreciation of local heritage throughout the LGA, which in turn can help to drive council action.

The council survey asked councils to list any mechanism that they use to communicate or promote local heritage in their LGA. The data on the number of councils with

The Heritage Advisor also communicates the importance of conserving the municipality's local heritage and the existence of the Heritage Assistance Fund to financially support conservation efforts. This approach is complemented by hard-copy brochures, which are available to the public in the council offices and libraries. The materials include information on heritage events, heritage trails and Whitehorse's Heritage Assistance Fund. To ensure all owners are aware of the fund's existence, each year the Council sends out a brochure to all owners and occupiers that reminds them about the fund's existence, explains the funding amounts available for that financial year and invites them to apply.

Promotion

For more than 25 years, Whitehorse City Council has held an annual Heritage Week, which involves a collection of heritage exhibits and events over a period of seven days. The 2019 Heritage Week was themed Healthy Heritage, which celebrated 100 years of progress in health programs and changes in traditional health care. Whitehorse formerly partnered with the National Trust to run its Heritage Week, but now runs it in partnership with a number of local volunteer organisations, including the Whitehorse, Box Hill and Surrey Hills Historical Societies. Heritage Week raises revenue for the participating historical societies and helps boost their profile in the community. The Council employs a dedicated officer to oversee the festival. More than 1,500 people attend the Heritage Week each year. In particular, the Family Open Day at Schwerkolt and Museum Complex attracts a large audience from both inside and outside the municipality, which is a boon to the local economy. The Council also runs heritage booths at other festivals. In terms of celebration, Whitehorse City Council hosts biennial Built Environment Awards to showcase the best in design and recognise the people who contribute to good design and sustainable practice within the LGA. There is an award category for heritage conservation.

Outcome

The council officers responsible reflected that the communication efforts are working well to explain to community what heritage places exist in the LGA and what support is available to owners of those heritage places. They said that the promotion events are well attended and that, while it is difficult to quantify, they believe they are helping to instil the importance of and pride in local heritage amongst the community.

Lessons

The Whitehorse City Council experience with communicating and promoting local heritage offers a number of lessons for other councils. While not every council can afford a dedicated officer to organise heritage week events and awards, every council has a website. Heritage can be effectively communicated and promoted through this mechanism. It also demonstrates that councils can look at alternative ways to communicate heritage information, for example using any communication with heritage property owners as an opportunity to inform and promote efforts to support and celebrate local heritage.

mechanisms and the types of mechanisms is presented in Figure 3.16.

Key findings

- Slightly more than two-thirds of all councils (70%) have mechanisms to communicate and promote local heritage. All but one metropolitan council have at least one mechanism. The percentage of rural councils with mechanisms is unevenly distributed, with 69% of the Rural City councils, 55% of the Rural Large councils and just 38% of the Rural Small councils having at least one mechanism.

- There is a correlation between those councils with high levels of heritage protection and those with mechanisms to communicate and promote heritage.

- The most common mechanisms are a dedicated heritage webpage (82%), followed by brochures (51%)

and events (47%). The least common mechanisms are awards (13%), walking tours (5%), newsletters (5%), signs and plaques (5%) and lectures (2%).

The data reveals an unexpectedly low level of communication and promotion of local heritage. While the majority of councils have some mechanism in place, the number of individual mechanisms used per council is quite low. Only slightly more than half of all councils have a webpage dedicated to heritage and only slightly more than one third of councils offer a brochure. There is clear opportunity here for better communication. A bright spot is the number of councils that promote local heritage through events and awards. It was suggested in the workshops that councils partner with other organisations, such as the National Trust and Open House Melbourne, to deliver heritage events. This is vital to improving appreciation of local heritage and needs to be fostered.

3.7 Resourcing

Currently, local councils are responsible for funding the identification, protection, support and promotion of their local heritage. The council survey asked councils to estimate their expenditure on heritage matters for the 2017–18, 2018–19 and 2019–20 financial years. While expenditure data on more financial years would have been preferable, it was thought that this information would have been difficult to obtain. As it stood, there were problems obtaining data for just three financial years – approximately one-quarter of respondents could not provide an estimate of expenditure for these years.

In the data that was provided, there was also some discrepancy as to what different councils understood to constitute 'heritage matters'. Respondents were asked to identify how they spent this money by selecting from the following list: heritage studies and implementation; Heritage Advisors; internal heritage staff; supporting measures; and promotion mechanisms. There was also a free-text option to add other forms of expenditure. In this, some councils listed expenditure relating to maintaining council-owned heritage assets, VCAT representation and arts and culture staff, while others explicitly stated they did not make such expenditure. As such, the data that was obtained is not entirely consistent. For most councils, the greatest significant heritage-related expense is heritage studies. Few councils undertake heritage studies on an annual basis. As such, annual heritage expenditure will fluctuate quite considerably depending on whether a heritage study has been undertaken in a particular year. With the current data, it is therefore difficult to determine meaningful longitudinal trends about heritage expenditure. Despite these limitations, it has been decided to still

present the median annual expenditure as received (Figure 3.17) because it highlights the wide range in median expenditure between the council groups.

Key findings

- Expenditure on local heritage varied significantly between councils. One council spent over $1,000,000 each year, while six councils did not spend any money over the past three financial years.

- The median annual expenditure was fairly consistent over the three financial years – $35,000 for the 2017–18 financial year, $35,000 for the 2018–19 financial year and $32,500 for the 2019–20 financial year.

- The median annual expenditure varied significantly between council types. Metropolitan councils spent much more than rural councils. The median annual expenditure for the Metro Inner group was more than $200,000 per annum. The Metro Middle and Metro Outer councils spent between $90,000 and $160,000 per annum. Rural City and Rural Large councils spent between $15,000 and $40,000 per annum. The median expenditure for the Rural Small group was less than $1,000 per annum.

The council survey respondents identified expenses associated with identifying and protecting local heritage and a lack of funding as the main weakness of the current system. The above data, despite its limitations, helps to reveal the extent to which this is a problem and highlights the differences in the ability and willingness of councils to fund local heritage. Since the cessation of State Government funding in 2012, councils have had to use their own funds to ensure that their local heritage is identified and protected. The data shows that this removal of funding has affected

Figure 3.17 Median expenditure on local heritage
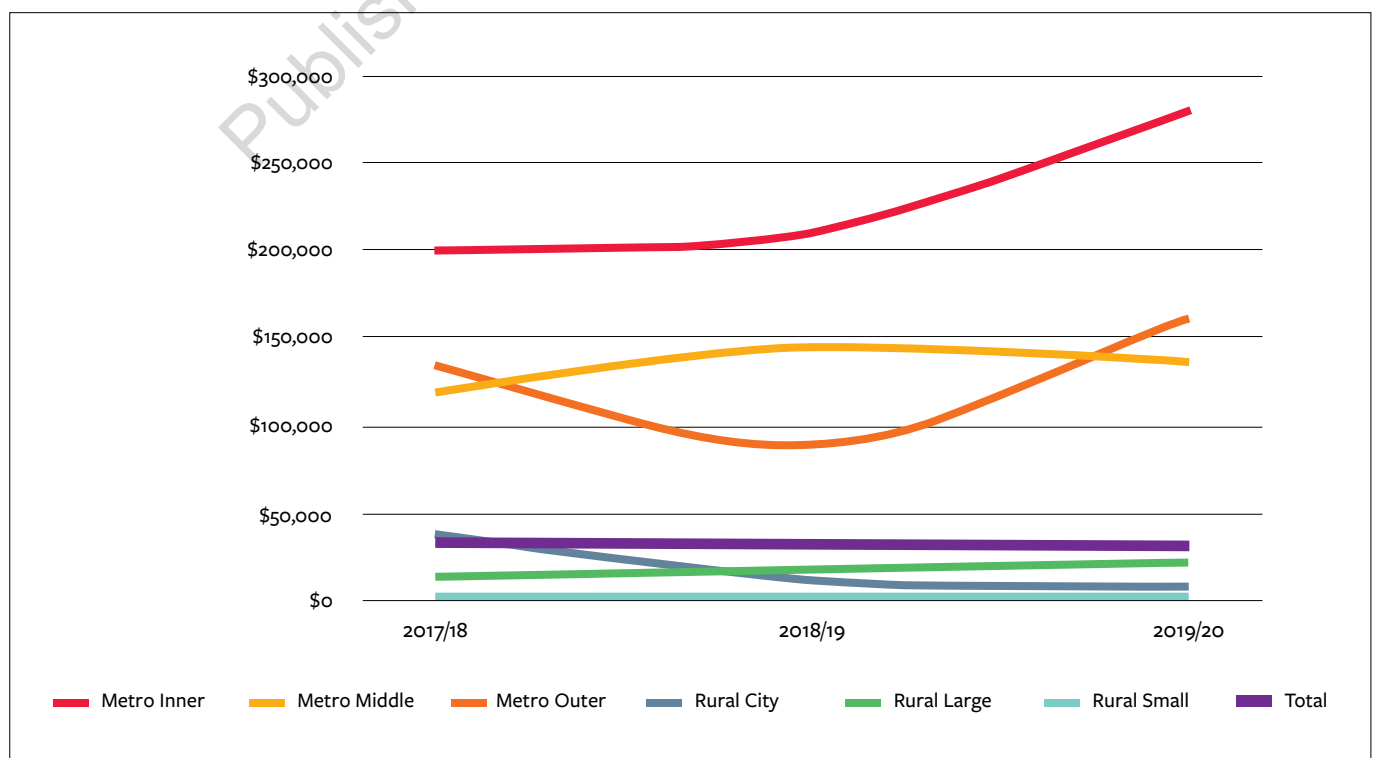
smaller, rural councils much more than metro councils. This is particularly troubling considering that the small number of councils that need to implement base-level heritage studies, as highlighted in section 3.3, are from this group. They stand little chance of doing so without funding.

3.8 Council and community perceptions

The council survey and community survey asked participants to undertake a SWOT analysis (identify the strengths, weaknesses, opportunities and threats) of the local heritage system. This was to obtain an understanding of the different perceptions about the local heritage system; in particular, what respondents think does or does not work, and where there may be a disconnect or lack of understanding about the local heritage system that could be easily remedied. The most common responses have been summarised and presented in Table 3.4.

Key findings

- There was common agreement that the main strength of the current local heritage system is the protection offered through the Heritage Overlay (HO). The consensus was that the HO works well to protect locally significant places and that the process to apply the HO is transparent.

Respondents also identified the involvement of the local community through heritage advisory committees and submissions for planning scheme amendments, and public access to heritage advice through heritage advisory services as key strengths of the current system.

- Council survey respondents identified the expense associated with identifying and protecting local heritage and a lack of funding (both from the State Government and within council budgets) to be the main weakness of the system. Many councils have not been able to dedicate sufficient resources to undertaking and implementing heritage studies.

- Council respondents also identified the planning scheme amendment process, in particular the high level of information and justification needed to establish local significance and apply the HO, and community misunderstandings about the impacts of the HO (e.g. reduced property values, increased maintenance costs) and resultant public resistance as key weaknesses.

- Community respondents identified the main weakness of the system to be councils not meeting their obligations under the *Planning and Environment Act 1987* to identify and protect local heritage, also the quality of work produced by heritage consultants (e.g. poorly researched and written heritage studies and citations).

Table 3.4 Strengths, weaknesses, opportunities and threats analysis

| | Council survey | Community survey | |
		ICOMOS responses	Local historic & heritage society responses
Strengths	• Protection offered through the Heritage Overlay • The overall local heritage system • Involvement of the local community	• The work of Heritage Advisors and Planners • Protection offered through the Heritage Overlay	• Involvement of the local community • The extensive work of particular local councils • Protection offered through the Heritage Overlay
Weaknesses	• Expenses, lack of funding • The planning scheme amendment process • Poor public understanding of heritage • Insufficient enforcement and penalties	• Poor quality heritage studies • Heritage Overlay • Poor public understanding of heritage • Expenses, lack of funding	• The failure of many local councils to protect local heritage • Insufficient enforcement and penalties • Too much discretion within the planning system
Opportunities	• State funding • State guidance and assistance • Education and training	• State funding • Specific improvements to the Heritage Overlay • Better collaboration between State and local governments	• State funding • Greater enforcement and penalties • Reforms to VCAT decision-making
Threats	• Development pressures • Expenses, lack of funding • The planning scheme amendment process	• Expenses, lack of funding • Poor public understanding of heritage • Lack of qualified heritage professionals	• The failure of councils to protect local heritage • Development pressures • Expenses, lack of funding

- Both council and community respondents also identified the inability to enforce maintenance and reduce 'demolition by neglect'[11], and insufficient penalties for illegal demolition of heritage places as weaknesses. The latter was not surprising, given the recent media coverage of such demolitions.

- Council and community survey respondents agreed that more State Government involvement in the form of both funding (the specifics of which were not provided) and support (such as guidance, training and collaboration) provided the best opportunities to improve the local heritage system. They also agreed that greater enforcement of maintenance and penalties for illegal demolition of heritage places, and improved access to heritage information online presented opportunities for improvement.

- Council and community survey respondents identified development pressures as the main threat to local heritage. The respondents also identified a lack of heritage knowledge within both the council and community as significant threats. Community survey respondents saw council inaction (particularly around identifying, protecting and supporting local heritage) as a threat.

3.9 Local heritage workshops

A series of local heritage workshops were held in October and November 2019 with representatives from local councils, the State Government and the heritage community. The purpose of the workshops was to better understand the main issues identified in council and community surveys as affecting local heritage outcomes[12] and collaboratively devise and refine potential solutions to them. The issues were grouped into the following topic areas:

- Identification and protection process

- State direction and guidance

- Council knowledge

- Public knowledge and appreciation of heritage.

Many issues and practical solutions were discussed in the five workshops. The main issues and potential solutions identified for each topic area are presented below.

Identification and protection process

Resourcing / political will

The workshop participants identified that resourcing was a major issue affecting the identification and protection of local heritage. However, the extent to which this was an issue varied considerably between councils. On the whole, it was identified that resourcing represents approximately 70–80% of the problem. Generally, resourcing was less of a

concern for metropolitan councils than rural councils. Some metropolitan councils identified that resourcing was only 5–10% of the problem, as they had councillors who were very receptive to spending money on heritage. Most rural councils identified that resourcing was at least 80% of the problem. Overall, participants identified that councillor support for local heritage was linked to the resourcing of local heritage.

Political will was also identified as an issue, particularly for the implementation of heritage studies. The workshop participants noted that a lack of political will, most commonly as a result of opposition from owners (discussed below), can result in councillors deciding to abandon planning scheme amendments to implement heritage studies. It is acknowledged that heritage studies can create uproar in the community. However, abandoning an amendment or implementing creative solutions, such as voluntary listings, to circumvent this is not acceptable. Protecting heritage is a council's responsibility under the *Planning and Environment Act 1987* and that responsibility needs to be taken seriously, even if there is community opposition.

Participants suggested that information and/or training could be provided to councillors and council executives to improve perceptions about local heritage protection, such as the economic and social value of heritage, and remind them of their obligations to ensure that heritage is protected.

Opposition from owners

The workshop participants noted that the local heritage identification and protection process is time consuming and expensive. The participants identified that one of the reasons for this is the public's perceptions of local heritage listing. Common feedback from participants was that some members of the public view the HO in a negative light, believing it to prevent development or changes to a property, reduce property value and add unnecessary expense, both in applying for a planning permit and increased insurance premiums. This results in opposition from property owners during the planning scheme amendment process, which in turn increases the cost of planning scheme amendments through lengthy PPV hearings for which an expert witness and legal counsel are often required. Participants identified that there is an opportunity to improve public perceptions about local heritage protection through education on how the local heritage system works (e.g. the roles and responsibilities of those involved), the implications of heritage listings (e.g. the HO does not mean that a place cannot change) and the benefits of heritage protection. Participants also identified the need for guidance on how best to engage with the community when undertaking heritage studies.

Heritage study information

The workshop participants identified that another reason why the identification and protection process is time consuming and expensive is because of the requirements of DELWP and Planning Panels Victoria (PPV) during the planning scheme amendment phase. Each place of

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11   This is the process of allowing a building to deteriorate to the point that demolition becomes necessary or that restoration becomes unfeasible.

12   Only issues within the scope of the Review were considered.

potential significance needs to be thoroughly researched and comparatively analysed to ensure that it meets the threshold of local significance and warrants inclusion in the HO. The minimum level of documentation expected has increased in the past 30 years. Participants suggested that there is potential to reduce the documentation required to demonstrate heritage significance, thereby reducing the labour and cost required for a heritage study. Participants also suggested that councils could band together and pool resources to conduct group heritage studies and planning scheme amendments.

State direction and guidance

State Government direction

The workshop participants identified a lack of direction on local heritage from the State Government as a significant issue. Participants felt that many councils were unaware of their obligations under the *Planning and Environment Act 1987* to ensure heritage places are identified and conserved or were unsure how best to approach this task. In addition, they were confused about where to go for help on these matters. The participants identified that there was no single point of contact at DELWP with whom they could speak regarding local heritage matters, concerns or advice, and cited instances where they received inconsistent advice from their DELWP Planning representatives. The participants suggested the need for a stronger, consistent direction from DELWP regarding local heritage and the need for this direction to be better integrated with other aspects of planning. In particular, they frequently suggested the need for dedicated local heritage staff within DELWP.

State Government guidance

The workshop participants identified a range of issues where they felt there was a lack of guidance from the State Government. These issues included:

- the process for undertaking and project managing heritage studies, including community consultation
- the relationship between individually significant, contributory and non-contributory places in the HO
- the local threshold for the HO
- how to write statements of significance and update those from older heritage studies
- how best to manage reactive heritage assessments during the demolition referral process
- the process for applying an interim HO, especially for those places under immediate threat
- heritage guidance in assessing planning permit applications
- when and how to use HERMES.

They also noted that the information that does exist is hard to locate, as it is spread across different websites (some participants were unaware of the existence of several documents), and is often out of date, no longer reflecting best-practice thinking or approaches.

Workshop participants suggested, in particular, that the *Planning Practice Note 1 – Applying the Heritage Overlay* be updated to provide clearer guidance on these and a number of other issues. Where these issues could not be addressed through the Practice Note, it was suggested that new documents and other guidelines be developed to fill the gap. They also suggested that some types of guidance could be provided in the form of training sessions.

Participants also noted issues with engaging a quality heritage consultant. In 2010, Heritage Victoria released the *Model Consultants Brief for Heritage Studies* to assist councils seeking a consultant to undertake such work. Participants identified that this document was too general and wanted it to be tailored for different council types, different thematic studies and study stages. Participants also identified that the document did not provide enough guidance to ensure that consultants provide a heritage study report and recommendations that meet council needs and is more 'amendment-proof'. It was suggested that the Model Consultants Brief be updated to address these issues.

Another significant issue that the workshop participants identified was ensuring that local heritage places are maintained in a good condition. It is rare that planning permits are granted to demolish a heritage place. One way people try to improve the likelihood of a permit being granted is to allow a building to deteriorate to the point that demolition becomes necessary or that restoration becomes unfeasible, a process known as 'demolition by neglect'. One participant wrote in the council survey that there is a 'lack of legislative power of local government to require and enforce the maintenance of local heritage places'. Workshop participants wanted guidance on how to deal with enforcing heritage maintenance. In 2014, the Heritage Council commissioned the National Trust to undertake a 'lab' (workshop) on 'demolition by neglect'. The lab reached a consensus that a local law was the most appropriate way to deal with the issue and proposed to draft a local law that could be used by all councils throughout Victoria. Unfortunately, the creation of a draft local law did not eventuate. Since this time, several councils in Victoria have implemented their own local law. Participants suggested the creation of a draft local law as potential solution to this problem.

Council knowledge

Knowledge for planners

Planners are at the frontline of local heritage: strategic planners are tasked with undertaking projects to identify, protect and support local heritage, while statutory planners are tasked with assessing planning permit applications for heritage places. However, workshop participants identified that graduate planners often enter the workforce with minimal heritage knowledge or interest, having had little exposure to heritage in their planning degrees. The participants also noted that local heritage was not a core or frequently occurring aspect of planning for most councils, which means there is little opportunity for on-the-job training and learning. Participants suggested that Heritage Council lobby the Planning Institute of Australia, which

accredits planning degrees, and individual universities to include a heritage subject within their planning degrees. Participants also noted the need for ongoing heritage training for planners.

Intra-council knowledge

The workshop participants identified that heritage knowledge within councils is often poor, particularly amongst councillors and executives but also non-planning officers, which affects local heritage decisions. They also noted that local heritage is not well enough integrated within other aspects of planning and council services, such as urban design, structure planning and capital works. To address this gap, participants suggested the dissemination of heritage information, primarily through the development of a heritage information pack that could be easily shared throughout council and training sessions.

Inter-council knowledge

The workshop participants also identified a gap in knowledge sharing between councils. Participants reported not knowing what other councils were doing in the local heritage space. To address inter-council knowledge sharing, participants suggested a range of solutions. These included better use of existing planning communication material, such as *Planning Matters*, and communication channels, such as the Heritage Council's Local Government Forum and *Heritagechat*, to help councils stay up-to-date on advancements.

Public knowledge and appreciation of heritage

Public knowledge

The workshop participants identified a lack of public knowledge about the system as well as negative perceptions (such as heritage being costly, a barrier to change and preventer to development) as significant issues, which often result in political backlash and opposition from property owners during the planning scheme amendment process. Workshop participants had a number of suggestions on ways this could be mitigated, including better and more accessible information about how the system actually works and the potential social and economic benefits of recognising and preserving heritage to local economies, focusing on positive messages about what can be done (rather than focusing only on constraints).

Public appreciation

The workshop participants identified that communities need to have more exposure to 'their' heritage and to positive messages about heritage from a wider variety of sources in order to better appreciate it. They suggested that events are an excellent way to do this. The workshop participants also identified that the public need to see the value of heritage to appreciate it and noted that more work could be done to investigate the benefits that heritage offers communities.

3.10 Analysis summary

The following provides a summary of the key learnings from the analysis of local heritage provisions in Victoria.

Areas working well

- Almost all councils (96%) have completed a stage 2 heritage study to identify places of local significance. Some councils, such as the Frankston City Council, have undertaken heritage studies to identify place-types not commonly investigated, including post-war heritage.

- The Heritage Overlay is working well:

  - There are 21,419 HOs in Victoria (as of 5 April 2019)

    - 2,323 are for State significant places on the VHR

    - 17,992 are for individually local significant places

    - 1,103 are for locally significant precincts.

  - Every council has at least 10 HOs in place – 25 councils have over 200, nine councils have over 500, two councils have over 1,000.

  - Some councils, such as the Yarra City Council, have identified and protected a substantial amount of its local heritage.

  - More than 186,000 properties are protected by the HO.

  - Council and community survey respondents identified the protection that is provided through the HO as the biggest strength of the local system.

- Many councils are doing something to support local heritage property owners:

  - 73% of all councils run a heritage advisory service. While this figure is down from 89% when it was funded by the State Government, it still remains the most common supportive measure. The council and community survey respondents identified these services as a key strength of the system.

  - 18 councils offer grants, and seven councils offer loans to support heritage property owners to undertake conservation works.

  - Some councils, such as the Glenelg Shire Council, are utilising all of the above measures to support local heritage.

- A number of councils are promoting and celebrating their local heritage in different ways:

  - 26 councils run local heritage events, either by themselves or in partnership with another organisation.

  - Some councils, such as the Whitehorse City Council, are utilising many different measures to promote and celebrate local heritage.

Areas for improvement

- Heritage is not always a primary consideration or priority within councils, often being seen as something 'extra' to the core component of planning. This means it is sometimes missed or rushed in at the end, increasing the likelihood of it being seen as a roadblock.

- There is a general lack of understanding of (and confusion about) both State and local heritage systems and how they work together – both within local government itself, which is concerning, and within the community.

- There is a general lack of understanding of the benefits of heritage conservation, including benefits to the local economy and amenity of an area – both within government and the community.

- There is a pressing need for increased direction from the State to better enable councils to both understand and efficiently comply with their responsibilities under the *Planning and Environment Act 1987*. This is in the form of:

  - People able to provide specialist direction: many local government officers feel, rightly or wrongly, that there is no-one to speak to for consistent direction regarding their obligations for protecting and managing local heritage or for advice on how to best protect and manage their local heritage

  - A significant update and revamp of existing written guidance: existing documentary guidance to support efficient best-practice local heritage management and protection (e.g. *Planning Practice Note 1*, model

brief for heritage studies etc.) is often out of date, hard to find and doesn't include information required in the current more complex planning environment

  - Facilitation of knowledge sharing and best practice: council planners often operate in isolation with no prior background in heritage and struggle to know what best practice is, where to find the right information/guidance and how to assess the quality of the advice they receive from consultants.

- Despite the good work done by the earlier program of State Government funding (which ceased in 2012), a base-level of heritage protection is still to be achieved across the State (4% still to complete heritage studies, nearly 10% still to translate base-level studies into HOs and almost 20% identified geographic gaps in studies).

- There is a large and ongoing key leadership role for the State to play in setting (and maintaining as things change) direction and expectations, facilitating alignment in approach and best practice across the 79 municipalities, and providing quality and consistent advice.

- Local councils also need to ensure that they are meeting their obligations to conserve heritage places under the *Planning and Environment Act 1987*. Local heritage outcomes are ultimately dependent on council action: completing heritage studies to identify places of local heritage significance and acting to protect them through the planning scheme.

How to turn it around – Greater Shepparton City Council

Classification: Rural City	
LGA size: 2,422km²	
LGA population: 66,007	
Number of HOs: 378	

Greater Shepparton City Council is a regional LGA located approximately 180km north of Melbourne. It comprises Shepparton and its surrounds. Over the past decade, Greater Shepparton City Council has embarked on an extensive program to improve the identification, protection, support and communication of local heritage in the municipality.

Issue

Shepparton was a place that did not recognise and protect its heritage, despite its history of over 150 years as the agricultural and associated manufacturing centre of the Goulburn Valley. A push to modernise the city in light of the 1960s and 1970s post-war boom saw the loss of many of its historic buildings, including the old Shepparton Post Office in 1973. It was not until the early 2000s that the Council undertook its first heritage studies, the *City of Greater Shepparton Heritage Study Stage I* (Soma Design Partnership Pty Ltd, 2001) and *Stage II* (Allom Lovell and Associates Pty Ltd, 2004). Council officers recalled that the implementation of these studies was a fraught experience, with affected residents questioning why they had to conserve their properties when civic 'historic' buildings had consistently been demolished. There was little interest in local heritage.

Action

Greater Shepparton's turnaround came about in 2010. Driven by the Strategic Planning Team and the Heritage Advisor, the Council undertook the *City of Greater Shepparton Heritage Study Stage IIB* (Heritage Concepts Pty Ltd, 2010, revised 2013). This study eventually resulted in the protection of scores of heritage places. It was, however, one recommendation within the study that really turned the tide for local heritage in the LGA: the formation of the Greater Shepparton Heritage Advisory Committee (HAC).

The HAC was established in January 2012. It currently consists of 10 members from various historical societies and cultural groups (including two Aboriginal groups), and up to six members of the community, two councillors, strategic planning staff and Council's Heritage Advisor. The HAC meets 11 times a year to provide advice to the Council on the identification, conservation, preservation and promotion of places of cultural heritage significance in the municipality. Importantly, the Greater Shepparton HAC has played a key

Corio Street, Shepparton, part of the Shepparton Residential Precinct North.
Image supplied by Greater Shepparton City Council

role in many of the heritage improvements since its creation, particularly those around celebrating and promoting local heritage; here the commitment and enthusiasm of the volunteer members has been crucial. The most notable of these are:

- The biennial Greater Shepparton Cultural Heritage Awards event. Established in 2013, the Awards recognise outstanding contributions to cultural heritage conservation, research, education, promotion, interpretation, training and awareness-raising within the LGA.

- The biennial Heritage Lecture, since named the Bruce Wilson Memorial Heritage Lecture, after the former mayor, long-time councillor, history and heritage enthusiast, and inaugural Chair of HAC. Established in 2016, the event sees a distinguished heritage expert invited to present a lecture to the public.

- The biennial Heritage Open Day event. Inspired by Open House Melbourne, the Open Day event was established in 2017 and offers Greater Shepparton residents and tourists

the opportunity to visit various heritage places free of charge. Bus and walking tours are also provided free of charge. The 2017 event was so popular that the 2019 Heritage Open Day was expanded to two days, and future events may be held annually.

The Council complements this communication and promotion with a comprehensive section on the council website dedicated to local heritage, and through various media releases and advertising materials. Information about heritage places and events is shared through the Visitor Information Centre, which also offers guided heritage and art tours.

Leading on from the work of the HAC, the Greater Shepparton City Council sought to improve the identification and protection of local heritage. The Council, with strong background research undertaken by HAC members, began preparing the *City of Greater Shepparton Heritage Study Stage IIC* (Heritage Concepts Pty Ltd, 2017), which identified places primarily in the rural environment and smaller townships. A total of 178 interim HOs were applied to these places, while permanent controls were sought through Amendment C205. At the time of writing, the amendment was unanimously adopted by the Council in April 2020 and is under active consideration by the Minister for Planning. In 2019, the Council also developed the *Heritage Strategy 2019*. The document provides direction to Council for the ongoing work that is required to protect and manage heritage within the LGA. For example, the Strategy provides plans to investigate 20th-century heritage places, particularly those post–World War II, and to develop a thematic environmental history focusing on post-war migration to the region.

Coinciding with the 2017 study were efforts to support the owners of local heritage places. The Council, inspired by the HAC, created the Heritage Grants Program, a supportive measure designed to help owners improve the physical condition or appearance of a property within the Heritage Overlay. For the 2017–18 and 2018–19 financial years, the Council grants were worth up to $5,000 for each successful applicant. For 2019–20, the HAC worked with the Council to increase that amount up to $15,000. These grants provide 50% of the cost of works, with grant recipients providing the other 50%. Council officers describe it as 'one of the best

initiatives [they] have ever undertaken', as it communicates the message that Council is supportive of heritage property owners. The Council has also operated a free heritage advisory service since 2010.

Outcome

Greater Shepparton has greatly improved its local heritage management since 2010 and increased awareness of the municipality's heritage and its value. It has identified and protected a wide variety of heritage, with plans to do even more in the future. It has provided advice and financial support to owners of local heritage places and developed an extensive platform to communicate, promote and celebrate local heritage in the local community and even beyond.

Lessons

The Greater Shepparton case highlights that the heritage focus of a council can be changed. Over the past decade, the work of council officers, the Heritage Advisor and volunteers through the HAC has seen Greater Shepparton embrace the importance of its local heritage. It has increased the identification and protection of heritage, and introduced measures to support the custodians of heritage places and celebrate the local heritage of Greater Shepparton. All of these contributions are considered crucial to the integrated best-practice management of local heritage.

References

- Allom Lovell and Associates Pty Ltd on behalf of Greater Shepparton City Council 2004, *City of Greater Shepparton Heritage Study Stage II*, Greater Shepparton City Council, Shepparton.

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- Heritage Concepts Pty Ltd on behalf of Greater Shepparton City Council 2010, *City of Greater Shepparton Heritage Study Stage IIB*, Greater Shepparton City Council, Shepparton.

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- Soma Design Partnership Pty Ltd on behalf of Greater Shepparton City Council 2001, *City of Greater Shepparton Heritage Study Stage I*, Greater Shepparton City Council, Shepparton.

4. Recommendations

This chapter contains the key recommendations for improving the local heritage system in Victoria based on the key issues and findings identified in Chapter 3. Rather than proposing three strategic initiatives, as outlined in the Review scope, one major strategic initiative is recommended, which is supported by three principal pillars. While these are outside the Heritage Council's authority to deliver, they are changes that will best ensure long-term solutions to the key problems identified and reinforce the strengths of the current system. In parallel with these are recommendations for eight smaller practical improvements that are within the remit of the Heritage Council to lead in partnership with DELWP, the National Trust, MAV and representatives from local councils. This chapter also briefly outlines a high-level starting point for a program to showcase and inform both councils and the public about best-practice local heritage management, and the benefits that appreciation and protection of local heritage can offer.

4.1 Strategic initiative

Revitalisation of the State's role in providing leadership in the protection and management of local heritage

Local heritage is, like most other aspects of planning, the responsibility of local councils. Thus, local heritage outcomes are ultimately dependent on council action. However, that does not absolve the State Government of any responsibility, as it must ensure that councils observe their responsibilities under the *Planning and Environment Act 1987*. There is an ongoing leadership role for the State Government to play in improving the local heritage system. In analysis of the data, a number of significant issues have become clear:

- there is a gap in dedicated leadership at the State level to ensure that councils understand that heritage is a core component of planning and they are responsible for its identification and protection under the *Planning and Environment Act 1987*

- there is a gap in State-level support to ensure that documents guiding this core identification and protection are developed and consistently updated, and that one-on-one advice and support is available for councils that may need it

- a base-level of local heritage protection has not been achieved across the State.

Three principal pillars are proposed to resolve these issues through a revitalisation and refocusing of the State Government's leadership role.

Figure 4.1 Strategic initiative

Revitalisation of the State's role in providing leadership in the protection and management of local heritage		
PILLAR 1	**PILLAR 2**	**PILLAR 3**
Dedicated local heritage roles	**Clear and consistent guidance material**	**Direct support to achieve State-wide base-level protection**
Dedicated roles to provide necessary focused leadership, direction and advice on local heritage protection and management	Create and maintain a centralised, up-to-date repository of guidance material that provides a clear framework for local councils on expectations and efficient best-practice local heritage management	Direct, short-term support and assistance to ensure base-level studies are completed and translated into the planning scheme

Dedicated local heritage roles

The most effective way to provide a long-term solution to the issues of councils being unaware or overwhelmed by their obligations regarding the protection and management of local heritage or not being confident of how best to approach this is through the establishment of dedicated roles within DELWP to provide consistent leadership, direction and planning advice for local heritage matters. This was a suggestion that appeared in the survey feedback and was one that workshop participants overwhelmingly supported, noting that such a role currently exists within Heritage Tasmania.

DELWP Planning is the logical location for such roles, as it is concerned with administering the *Planning and Environment Act 1987*. The exact details of the roles should be determined by DELWP but it is recommended that they sit within one of the core Planning teams tasked with local heritage oversight and responsibilities under the *Planning and Environment Act 1987*. The advantages of positioning the new roles with DELWP Planning is that heritage matters would be better integrated within the State Government's local planning considerations and there would be a consistent approach to advice and guidance across the Department.

At a high-level, the responsibilities of the roles would be to provide consistent leadership, direction and advice, not just to councils but also within DELWP, to ensure heritage considerations are visible and treated as a core component of planning. While the roles' immediate priorities would be to facilitate the delivery of the other two pillars, its long-term goals would also include activities, such as:

- providing consistent advice to councils

- building positive relationships with council executives and management to better facilitate constructive conversations about local heritage recognition and protection, and how they can support economic growth

- providing regular communication of State planning policy in relation to heritage

- drafting heritage controls

- provide training sessions to councils and within DELWP to ensure a consistent understanding of best practice, and on new policy and guidance

- achieving better integration of local heritage into other aspects of planning, e.g. structure planning and urban design

- demonstrating how heritage is compatible with urban and regional growth

- advising councils on how to establish supportive measures.

Clear and consistent guidance material

The most effective way to provide a long-term solution to the issue of a lack of documents guiding the core identification and protection of local heritage is through the creation and regular updating of a centralised repository of guidance material. This will provide a clear framework for local councils on expectations and efficient best-practice local heritage management. This suggestion appeared in the survey feedback and was strongly supported in the workshops.

At a high-level, the new local heritage roles would create and maintain this centralised repository of guidance material. The immediate priorities would be the creation of this repository and consolidating the guidance that already exists. The medium-term priorities would be to update the existing guidance material, such as the Planning Practice Note 1 and the Model Consultants Brief, maintaining and promoting good examples and exemplars, and creating material for identified gaps, such as:

- an agreed minimum level of documentation needed to apply the HO

- local threshold guidelines, similar to those for State heritage

- heritage design guidelines, similar to those for urban design.

Direct support to achieve State-wide base-level protection

The previous funding program for heritage studies was based on a clear objective of ensuring that all councils identified and protected a base-level of heritage within their LGA. However, the reality is that until all councils have done so it cannot be claimed that an appropriate level of local heritage is protected across Victoria. Without such protection, irreplaceable links to the history of local areas may be lost. It is crucial that every council has an appropriate base-level of their heritage identified and protected. It is clear that some sort of direct support will be required to achieve this State-wide protection.

At a high-level, the new local heritage roles would provide support to councils to undertake and implement base-level heritage studies. Support could take the form of personalised advice (pillar 1) or improvements to guidance material to make completing heritage studies simpler (pillar 2). However, it is acknowledged that some councils, particularly rural councils, lack the resources necessary to undertake and implement heritage studies. The State Government may need to provide some funding to the nearly 4% of councils who have yet to undertake a stage two heritage study. A mix of funding or direct support (e.g. the reintroduction of a 'flying squad' to complete planning scheme amendments) may be needed to help the nearly 10% of councils that have completed a base-level heritage study but have not yet translated it into the HO. It is also acknowledged that some councils are not undertaking and implementing heritage studies due to a lack of political will. Where councils do not meet their obligations to conserve heritage under the *Planning and Environment Act 1987* and cooperation to rectify this cannot be achieved, the State Government should consider options to hold them accountable and remedy the situation.

4.2 Practical improvements

Following are recommendations for eight smaller initiatives or 'practical improvements' to develop solutions to a number of issues raised during the Review. As many of these relate to promoting understanding of cultural heritage or furthering past projects of the Heritage Councils, they broadly fall within the remit of the Heritage Council to lead under section 11(1) of the *Heritage Act 2017*, in partnership with DELWP, the National Trust, MAV and representatives from local councils.

PI 1 — Develop a 'demolition by neglect' model local law

Recent media stories, as well as information gathered during the Review, confirm that the inability to require maintenance of local heritage places and prevent 'demolition by neglect' is a key concern for both the public and councils. In 2014, the Heritage Council commissioned the National Trust to undertake a 'lab' (workshop) on 'demolition by neglect'. The lab reached a consensus that a local law was the most appropriate way to deal with the issue and proposed to draft a model local law that could be used as a starting point by all councils throughout Victoria. Since this time, Ballarat and Greater Geelong City councils have implemented their own local laws, demonstrating that this approach is valid and that a local law to address the issue is possible. It is recommended that the Heritage Council progresses the outcomes of the National Trust Lab on 'demolition by neglect', including the evaluation of the effectiveness of local laws in Ballarat and Greater Geelong, so that a model local law can be created and distributed, and training be provided on how it can be used.

PI 2 — Create 'Heritage 101' information pack for councils and the public

Sitting at the heart of many of the issues raised during the Review is a lack of up-to-date, easy-to-find information, and misinformation, about what is heritage, how the heritage system works, the different roles of State and local authorities, the implications of heritage listing and the benefits of heritage protection. Whilst a few councils have filled this gap by creating their own documents, it makes sense to have a consistent message and language used across the State. It is recommended that the Heritage Council create a 'Heritage 101' pack, in print (e.g. brochures) and/or online, to educate and inform both councils and the public about the basics of local heritage and the benefits of local heritage protection. The information should be presented graphically as much as possible and use positive language, i.e. focusing as much on what can be done, as opposed to what cannot.

PI 3 — Create 'Heritage 101' induction pack for new councillors

Issues were raised about councillors not being informed about or interested in the importance of local heritage and their responsibilities to ensure its protection, resulting in important heritage work not being undertaken or progressing. It is recommended that Heritage Council work with the MAV to create a Heritage 101 pack for new councillors, to provide relevant information on the basics of heritage and their obligations. This should be clear and concise, as new councillors have a number of responsibilities and have to get across a range of issues when they start their terms.

PI 4 — Facilitate discussions to clarify demolition application processes

Recent media stories, as well as information gathered during the Review, confirm that the management of the demolition of places of potential heritage significance is a key concern for councils. DELWP has done work on this but the feedback from participants is that there is still confusion, particularly around the council processes to best manage it. While recommendations relating to planning processes are out of the scope of this Review, there is a clear need for an improvement to the process of applying interim HOs and managing demolition applications under Section 29A of the *Building Act 1993*. There is a role for the Heritage Council to act as a facilitator for development of such improvements. It is recommended the Heritage Council facilitates discussions with its LGSC and DELWP officers to address concerns and clarity around the demolition application process and how best to manage it.

PI 5 — Local government heritage forum expansion

The Review revealed issues around the way in which heritage information is delivered. Workshop participants expressed concerns about a lack of knowledge about the current state of the local heritage space, both with the State Government and other councils. In 2018, the Heritage Council commenced holding an annual, one-day forum for local government planners, officers and Heritage Advisors working within the local heritage space. This forum has taken the place of local heritage forums that were held several times a year by Heritage Victoria for planning and heritage consultants. The forum features presentations from State and local government representatives on matters of importance to local heritage, such as heritage projects and best-practice processes, and provides professional development and networking opportunity for attendees. The forum was held in 2018 in Docklands and 2019 in Whittlesea, and one was planned for 2020 but due to the COVID-19 pandemic, the forum will be replaced by an online event in October or November to publicise the findings of this report. Workshop participants greatly appreciated the forum and expressed a desire for them to be held more frequently, so as to better disseminate local heritage information and network with those in similar council roles. They also expressed a desire for more practical and interactive sessions. It is recommended that the Heritage Council increases the frequency of the local heritage forum to two a year and they include more workshop-based, practically focused sessions.

PI 6   Clarification of the role of HERMES and the VHD

The issue of the inconsistent use of HERMES and the VHD for local heritage was identified. Councils are instructed to store their heritage studies and statements of significance in HERMES, so that these are made available to the public through the VHD. However, the survey results show that the majority of councils do not adhere to this, possibly because they are not aware of this requirement or do not have the training to use HERMES. Workshop participants expressed a desire for greater clarification around when and how to use HERMES. It is recommended, therefore, that the Heritage Council works with Heritage Victoria to resolve the role and quality of local heritage data in HERMES and how this then appears in the VHD, and provides training and information where needed.

PI 7   Advocate a tertiary heritage planning subject

Planners are at the frontline of local heritage, being tasked with its identification, protection and support. The Review revealed a significant concern among council officers about the ability of graduate planners to undertake this work. There are currently four tertiary institutions in Victoria that offer planning degrees: La Trobe University, Monash University, RMIT University and The University of Melbourne. Of these, only La Trobe runs a subject on heritage planning and it is offered as an elective. The Planning Institute of Australia (PIA), the national body representing the planning profession, accredits planning degrees to ensure appropriate graduate knowledge in six key planning areas. Unfortunately, heritage planning is not one of these areas. The end result is that most planners are not exposed to heritage and a graduate planner is typically without a basic understanding of, or interest in, heritage. Workshop participants wanted to see heritage planning become a core component of planning degrees. It is recommended that the Heritage Council advocate to relevant educational bodies the need to include a mandatory subject on heritage planning in their planning degrees.

PI 8   Promote the use of Heritagechat among planners

As mentioned above, the Review revealed issues around the way in which heritage information is delivered. Workshop participants expressed concerns about a lack of knowledge about the current state of the local heritage space. There is an opportunity to address this through the use of Heritagechat, an online email forum for heritage professionals moderated by Heritage Victoria. Heritagechat is not well used by council planners; many workshop participants did not know it existed or believed it to be for heritage consultants and professionals concerned with State heritage only. Greater Heritagechat participation among council planners would help them stay up to date on heritage matters and build associated networks. It is recommended that the Heritage Council liaise with Heritage Victoria about the best ways to promote and encourage the use of Heritagechat among council planners.

4.3 Promotional program

A key theme in the majority of the data gathered as part of this Review is the lack of knowledge and information on local cultural heritage amongst councils and the public. This is also to be addressed through the other key deliverable, a promotional program run by the Heritage Council to showcase best-practice local cultural heritage protection and management, and the benefits that appreciation and protection of local heritage can bring. There are two distinct audiences for this promotional program – councils and the community – with each having their own needs. As such, the promotional program will involve two different aspects:

- council information sessions
- community roadshow.

Promotional program 1 – Council information sessions

The data has revealed that there is a lack of information available to councils, both at the officer and executive levels, regarding local heritage. Utilising the Heritage Council's powers to promote public understanding of heritage and conduct community and information programs, it is recommended that information sessions be held with both council officers and executives (councillors and executive management), building on the delivery of information through the practical improvements to create 'Heritage 101' information and induction packs for councils and the public, and councillors, respectively . These sessions should focus on explaining the benefits that heritage protection provides for a council and showcasing examples of best-practice heritage management arrangements, using the case studies featured in this report as a starting point. The former will be of more concern to executives and the latter to officers. Given good attendance at the council workshops, it appears that there is appetite for the Heritage Council to run these information sessions as standalone, face-to-face events. However, they could also be delivered at the DELWP Planning regional forums, especially those aimed at council officers.

Promotional program 2 – Community roadshow

Likewise, the data has revealed that there is a lack of information available to the community. The needs of the community are quite different to those of councils. The promotion of heritage to the broader community is to focus more on improving understanding of the heritage systems, celebrating examples of local heritage and the benefits that heritage protection provides for local communities. The communication of this information will hopefully improve the public's acceptance and appreciation of local heritage, and drive councils to undertake more action on local heritage. To promote local heritage to the community, it is recommended that a community roadshow be run across Victoria. This would give community members an opportunity to interact with heritage professionals and better understand the heritage systems, building on the delivery of information through

4. Recommendations   **49**

the practical improvement to create a 'Heritage 101' information pack. This roadshow could be delivered as a standalone event, like NSW's 'Heritage Near Me' roadshow discussed in Chapter 2, or it could be less structured and consist of targeted activities at other heritage events, such as the National Trust's 'Australian Heritage Festival', the Open House Melbourne Weekend or the heritage events of councils.

The successful take up of the strategic initiative and other recommendations will influence how and when the promotional program is rolled out. Providing a high level of detail is premature at this stage. It is recommended that the Heritage Council seek guidance from communication professionals on how best to plan and run this program and to identify what resources would be required. Implementation would then be about seeking guidance on the planning and rollout of the program and resourcing.

5. Implementation

This final chapter proposes a high-level implementation pathway for the Review's main recommendations. As it is not within the Heritage Council's authority to deliver the strategic initiative recommendation, the pathway focuses on short-term communication and advocacy actions. For the practical improvements, more detail is provided, outlining relative priorities for the primary actions required from the Heritage Council, the primary partner organisations with whom the Heritage Councils needs to work and an estimate of the level of Heritage Council resources that would be required to deliver the improvements.

Table 5.1 Heritage Council resourcing and priority definition meanings

	Term	Definition
Heritage Council resourcing definitions	Low	Staffing costs only
	Medium	Staffing costs + minimal budget costs
	High	Staffing costs + significant budget costs
Priority definitions	High	HCV Action start date < 6 months
	Medium	HCV Action start date 6 – 12 months
	Low	HCV Action start date > 12 months

5.1 Strategic initiative

Revitalisation of the State's role in providing leadership in the protection and management of local heritage

The strategic initiative is designed to reinforce the State Government's leadership role with respect to local heritage and requires support from the Minister for Planning and agreement from DELWP Planning to implement.

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
DELWP	DELWP Planning	Low	High	Aug 2020

Action 1 – Meet with the Minister to discuss and advocate the strategic initiative

The Chair and Executive Officer of the Heritage Council to meet with the Minister for Planning to discuss the findings of the Review and, in particular, the recommended strategic initiative and seek his support for the report and its recommendations.

Action 2 – Meet with DELWP Executives to discuss the findings of the Review

The Chair and Executive Officer of the Heritage Council to meet with DELWP leadership to discuss the findings of the Review.

5.2 Practical improvements

A total of eight practical improvements are recommended. It is recommended that the Heritage Council, in association with other organisations, begin working on these as outlined below.

PI 1   **Develop a 'demolition by neglect' model local law**

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	NT, LGSC (HCV)	Low–medium	Medium	Oct 2020

Action 1 – Liaise with the National Trust

The Heritage Council to:

- liaise with the National Trust regarding the outcomes of the 2014 'lab' on 'demolition by neglect' and the present status of a model local law requiring the maintenance of local heritage places

- investigate the councils who have such a local law in place to discuss how it is working.

Action 2 – Develop publishable model local law & instructions on its use

The Heritage Council to work with the LGSC (HCV) to commission a lawyer to develop the model local law and create a guide for council officers on how it can be implemented.

Action 3 – Launch model local law

The Heritage Council to work with the LGSC (HCV) to launch the model local law and its guide to councils, and hold training sessions on how it can be used. The model local law and instructions should be launched, either at a face-to-face event or via email or mail. Training sessions should be held, either in person or online.

PI 2 — Create 'Heritage 101' information pack for councils and the public

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	LGSC (HCV)	Medium	High	Oct 2020

Action 1 – Determine needed information

The Heritage Council to work with the LGSC (HCV) to review the identified knowledge gaps in order to determine what information is needed and whether any of this information already exists.

Action 2 – Develop communication material

The Heritage Council to develop material that addresses the identified knowledge gaps using existing information and seeking out additional information in consultation with the LGSC (HCV). This material may need to be professionally designed and be available in both online and hard copy forms.

Action 3 – Distribute communication material

The Heritage Council to distribute material to councils, MAV, the National Trust and historical societies. Hard copies should be distributed at relevant Heritage Council events, such as the community roadshows.

PI 3 — Create 'Heritage 101' induction pack for new councillors

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	MAV	Low	High	Sept 2020

Action 1 – Determine needed information

The Heritage Council to liaise with MAV about what information is already given to councillors as part of their induction training and review what local heritage information is needed to make appropriate council decisions.

Action 2 – Develop induction pack

The Heritage Council to work with MAV to develop an induction training pack containing a slideshow and notes that explains the local heritage system in Victoria, including council processes. The pack should also explain the obligation of councils to ensure their local heritage is protected and the benefits that heritage protection offers to councils and the local community.

Action 3 – Distribute induction pack

The Heritage Council to work with MAV to determine the best way to distribute the induction training pack.

PI 4 — Facilitate discussions to clarify demolition application processes

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	DELWP	Low–medium	Medium	Nov 2020

Action 1 – Facilitate discussions

The Heritage Council to facilitate discussions with the LGSC (HCV) and DELWP Planning regarding the guidance that is required to help councils understand the best practice for applying interim HOs and managing demolition applications under Section 29A of the *Building Act 1993* on places of potential heritage significance. The outcome of these discussions will determine the appropriate next steps and what further support the Heritage Council and the LGSC (HCV) can provide in the development of any guidance required.

PI 5 — Local government heritage forum expansion

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	LGSC (HCV)	Medium–high	Medium	Oct 2020

Action 1 – Create proposal for new forum structure and content for Heritage Council approval

The LGSC (HCV) to develop a detailed proposal for consideration at the December 2020 Heritage Council meeting for holding two local government heritage forums a year commencing in FY2021–22. The proposal will outline the focus, structure, timing and costs of each forum.

PI 6 — Clarification of the role of HERMES and the VHD

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	Heritage Victoria	Low–medium	Medium	Mar 2021

Action 1 – Facilitate discussions

The Heritage Council to hold discussions with Heritage Victoria to clarify the role of HERMES and the VHD in relation to local heritage information.

| PI 7 | **Advocate a tertiary heritage planning subject** | | | | |

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	–	Low	Low	Jun 2021

Action 1 – Meet with PIA

The PIA accredits planning degrees in Australia according to its accreditation policy, which is administered by the PIA Education Committee. The Chair and Executive Officer of the Heritage Council to meet with the PIA, preferably the President and Education Committee, to discuss and advocate the need for a mandatory heritage planning subject as part of all planning degrees.

Action 2 – Meet with universities

The Chair and Executive Officer of the Heritage Council to meet with those responsible for the curriculum of planning degrees at La Trobe University, Monash University, RMIT University and The University of Melbourne to discuss and advocate the need for a mandatory heritage planning subject as part of all planning degrees.

| PI 8 | **Promote the use of Heritagechat among planners** | | | | |

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	Heritage Victoria	Low	Low	Jan 2021

Action 1 – Liaise with moderator of Heritagechat

Heritagechat is administered by Heritage Victoria. The Heritage Council to liaise with the officer responsible for administration regarding appropriate ways to encourage the better use of Heritagechat among council planners and to understand what extra provisions might be needed to accommodate an influx of new users.

Action 2 – Contact council planners

The Heritage Council to contact council planners to promote Heritagechat and encourage its use. The Heritage Council should also encourage its use at any Heritage Council event, such as the local government heritage forums or the council information sessions.

5.3 Promotional program

A promotional program is to be run by the Heritage Council to showcase best-practice local cultural heritage protection and management, and the benefits that appreciation and protection of heritage can bring.

Promotional program 1 – Council information sessions

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	LGSC, council reps.	Medium	High	Aug 2021

Action 1 – Confirm content with local council representatives

The Heritage Council to meet with representatives from the case study councils to confirm the suitability and best way for the case study content to be disseminated through information sessions and taken up by other councils.

Action 2 – Organise information sessions

The Heritage Council to organise information sessions for council executives and officers. The sessions need to explain that councils have statutory obligations to ensure their local heritage is protected and affirm the benefits that local heritage can offer their communities, as well as highlight best-practice local heritage protection and management arrangements.

Action 3 – Deliver information sessions

The Heritage Council to deliver the information sessions. It is recommended that there are two separate sessions, as there are two separate audiences. The information sessions could be a standalone event or they could be part of another event, such as the MAV Rural and Regional Planning Conference or the Heritage Council local government heritage forum.

Promotional program 2 – Community roadshow

Lead agency	Implementation partner	Heritage Council resourcing	Priority	Action start date
HCV	–	Medium–high	High	Oct 2020

Action 1 – Scoping content and requirements for a roadshow

The Heritage Council Secretariat to scope in detail the requirements for a State-wide community roadshow event that celebrates local heritage and the benefits that protection of heritage can bring to local communities. The roadshow could be a standalone event, which tours the State, or it could be part of events, such as the National Trust's 'Australian Heritage Festival' – or a combination.

Action 2 – Detailed recommendation

The Heritage Council Secretariat to present fully scoped and detailed options to the Heritage Council at its February meeting for rollout in FY2021–22.

5. Implementation   53

5.4 External impacts

Since this project was initiated, the budgetary and operational environment has been severely impacted by the 2019–20 Victorian bushfires and the COVID-19 pandemic. It is vital that, even in these difficult circumstances, local heritage is seen as a core aspect of planning, not a financial burden that can be ignored. As mentioned in Chapter 3, heritage conservation can provide substantial economic benefit to communities, both directly and indirectly.

However, it is important to be realistic about the ability of the State Government, the Heritage Council and other organisations to deliver the recommendations in the short to medium term. The recommendations outlined above are the best option for achieving substantial change in the protection, management and promotion of local heritage. However, given the current environment, alternative implementation options are needed to continue the momentum and allow for incremental improvements to be made.

The following implementation options could be considered as an initial step towards the strategic initiative:

- A selection of current DELWP Planning officers could be upskilled (as needed) to work together to deal with heritage queries and provide consistent advice through

their existing roles. This option would build confidence in the advice provided though it does not address all of the leadership gaps identified in Chapter 3 and does not fulfil the other necessary functions of the recommended dedicated local heritage roles, particularly those relating to providing documentary guidance and direct support to achieve base-level protection.

- DELWP Planning to commit to undertaking the creation of new guidance documents and updating existing ones in staggered, prioritised steps. While this allows for documents to be created or updated when other commitments allow, it may mean the acute knowledge gaps identified in Chapter 3 are not able to be addressed quickly enough or are not being addressed at all.

- DELWP Planning to provide guidance and encouragement only to ensure that the remaining councils undertake and implement a base-level heritage study.

Similarly, given COVID-19 restrictions on gatherings, it may not be possible for the Heritage Council to deliver the promotional program in-person. The Heritage Council could look to deliver the information sessions and community roadshow in an online format.

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Appendices

Appendix 1 – Comparison of state and territory heritage systems

Jurisdiction	State heritage system	Local heritage system
ACT	Places of territory significance are protected through the ACT Heritage Register (ACTHR). The ACT Heritage Council (ACTHC) is an 11-member statutory authority/body that advises and decides on listings in the ACTHR. ACT Heritage, part of the Environment, Planning and Sustainable Development Directorate, supports the ACTHC and Minister. It also maintains the ACTHR.	There is no local government and thus no local heritage system.
NSW	Places of State heritage significance are protected through the NSW State Heritage Register (NSWHR). The Heritage Council of NSW is a nine-member statutory authority/body that advises and recommends listings in the NSWHR. The Minister ultimately approves this listing. The Office of Environment and Heritage (OEH), a division of the NSW Department of Planning and Environment, maintains the NSWHR.	Places of local significance are protected through a local council's local environment plan or regional environment plan. They are also listed in the NSWHR.
NT	Places of territory significance are protected through the NT Heritage Register (NTHR). The NT Heritage Council (NTHC) is an 11-member statutory authority/body that advises and recommends listings in the NTHR. The Minister, or delegated CEO of the Department of Tourism, Sport and Culture, approves the listing. The NTHC maintain the NTHR.	Despite there being local government, there is no local heritage system.
QLD	Places of State heritage significance are protected through the Queensland Heritage Register (QHR) The Queensland Heritage Council is a 12-member statutory authority/body that advises and decides on listings in the QHR. It is supported by a secretariat from the Heritage Branch of the Department of Environment and Science. The DES maintains the register.	Places of local significance are protected through a local council's local heritage register and/or planning scheme.

Jurisdiction	State heritage system	Local heritage system
SA	Places of State heritage significance are protected through the South Australian Heritage Register (SAHR). The South Australian Heritage Council is a nine-member statutory authority/body that advises and decides on listings in the SAHR (although the Minister can stop entry for pubic good). It is supported by the Department of Environment and Water. The Local Government Minister or delegate maintains the register.	Places of local heritage significance are protected through a local council's development plan. They are also listed on the SAHR.
TAS	Places of State significance are protected through the Tasmanian Heritage Register (THR). The Tasmanian Heritage Council (THC) is a 15-member statutory authority/body that advises and decides on listings in the THR. The THC or delegate also maintains the THR. Heritage Tasmania (HT), a business unit of the Department of Primary Industries, Parks, Water and Environment, supports the THC.	Places of local heritage significance are protected through the Tasmania Planning Scheme.
VIC	Places of State heritage significance are protected through the Victorian Heritage Register (VHR). The Heritage Council of Victoria (HCV) is a 10-member statutory authority/body that advises and decides on listings in the VHR. It is supported by a secretariat from the Department of Environment, Land, Water and Planning. Heritage Victoria (HV) is a government agency that maintains the VHR.	Places of local significance are protected through a local council's planning scheme.
WA	Places of State heritage significance are protected through the State Register of Heritage Places (SRHP). The Heritage Council of Western Australian is a nine-member statutory authority/body that advises and recommends listings in the SRHP. The Council works with and through the Assistant Director General Heritage Services of the Department of Planning, Lands and Heritage, which also maintains the register.	Places of local significance are identified in a local council's local heritage survey (formerly known as a local government inventory/ municipal inventory) and protected through a local council's planning scheme.

Appendices 57

Appendix 2 – Stocktake table

Council (Type)	Council grouping	Council area (km^2)	Council population (2018)	Number of individual heritage places of state significance* (5/4/19)	Number of individual heritage places of local significance (5/4/19)	Total number of individual places (5/4/19)	Total number of precinct places (5/4/19)	Total number of heritage places (5/4/19)	Total number of heritage properties (7/11/19)
Alpine (S)	Rural Small	4,788	12,730	15	150	165	1	166	464
Ararat (RC)	Rural City	4,211	11,795	14	109	123	7	130	284
Ballarat (C)	Rural City	739	107,325	61	107	168	28	196	10,959
Banyule (C)	Metro Middle	63	130,237	21	167	188	2	190	1,430
Bass Coast (S)	Rural Large	866	35,327	7	160	167	4	171	463
Baw Baw (S)	Rural Large	4,028	52,015	16	303	319	10	329	843
Bayside (C)	Metro Inner	37	105,718	20	571	591	28	619	2,181
Benalla (RC)	Rural City	2,353	14,024	16	30	46	2	48	322
Boroondara (C)	Metro Inner	60	181,289	66	455	521	73	594	14,805
Brimbank (C)	Metro Middle	123	208,714	13	107	120	7	127	1,360
Buloke (S)	Rural Small	8,000	6,184	3	217	220	10	230	774
Campaspe (S)	Rural Large	4,519	37,592	27	186	213	12	225	1,214
Cardinia (S)	Metro Outer	1,283	107,120	7	235	242	18	260	809
Casey (C)	Metro Outer	409	340,419	3	181	184	3	187	513
Central Goldfields (S)	Rural Small	1,533	13,209	24	83	107	1	108	2,655
Colac Otway (S)	Rural Large	3,438	21,503	11	222	233	12	245	914
Corangamite (S)	Rural Large	4,408	16,140	25	229	254	12	266	725
Darebin (C)	Metro Middle	54	161,609	7	245	252	47	299	5,303
East Gippsland (S)	Rural Large	20,940	46,818	32	249	281	1	282	480
Frankston (C)	Metro Middle	130	141,845	7	63	70	1	71	127
Gannawarra (S)	Rural Small	3,735	10,547	4	21	25	0	25	91
Glen Eira (C)	Metro Inner	39	153,858	21	109	130	17	147	3,275
Glenelg (S)	Rural Large	6,219	19,665	33	239	272	10	282	985
Golden Plains (S)	Rural Large	2,703	23,120	20	114	134	12	146	559
Greater Bendigo (C)	Rural City	3,000	116,045	108	682	790	47	837	6,884
Greater Dandenong (C)	Metro Middle	130	166,094	1	67	68	0	68	158
Greater Geelong (C)	Rural City	1,248	252,217	121	1,070	1,191	55	1,246	8,599
Greater Shepparton (C)	Rural City	2,422	66,007	8	357	365	13	378	1,001
Hepburn (S)	Rural Large	1,473	15,812	43	836	879	12	891	1,866
Hindmarsh (S)	Rural Small	7,524	5,645	4	35	39	2	41	175
Hobsons Bay (C)	Metro Middle	64	96,470	27	246	273	34	307	6,893
Horsham (RC)	Rural City	4,267	19,875	6	21	27	0	27	52
Hume (C)	Metro Outer	504	224,394	18	177	195	1	196	400
Indigo (S)	Rural Large	2,040	16,490	48	679	727	3	730	1,566
Kingston (C)	Metro Middle	91	163,431	7	109	116	6	122	455
Knox (C)	Metro Middle	114	163,203	2	48	50	0	50	105
Latrobe (C)	Rural City	1,426	75,211	8	130	138	12	150	417
Loddon (S)	Rural Small	6,696	7,513	13	270	283	0	283	666
Macedon Ranges (S)	Rural Large	1,748	49,388	48	250	298	12	310	1,707
Manningham (C)	Metro Middle	113	125,508	11	185	196	9	205	679
Mansfield (S)	Rural Small	3,844	8,979	8	53	61	0	61	394
Maribyrnong (C)	Metro Middle	31	91,387	22	164	186	1	187	4,700
Maroondah (C)	Metro Middle	61	117,498	2	118	120	13	133	297
Melbourne (C)	Metro Inner	37	169,961	386	587	973	53	1,026	12,867
Melton (C)	Metro Outer	528	156,713	10	113	123	5	128	426
Mildura (RC)	Rural City	22,083	55,515	14	222	236	14	250	698
Mitchell (S)	Rural Large	2,862	44,299	22	160	182	14	196	1,035
Moira (S)	Rural Large	4,046	29,799	8	150	158	15	173	1,375
Monash (C)	Metro Middle	82	200,077	6	90	96	7	103	1,320
Moonee Valley (C)	Metro Middle	43	127,883	23	333	356	39	395	4,312
Moorabool (S)	Rural Large	2,111	34,158	25	157	182	0	182	335
Moreland (C)	Metro Middle	51	181,725	37	379	416	83	499	8,667
Mornington Peninsula (S)	Metro Outer	724	165,822	46	375	421	12	433	1,678
Mount Alexander (S)	Rural Large	1,530	19,514	117	1,039	1,156	17	1,173	2,848
Moyne (S)	Rural Large	5,482	16,887	42	27	69	19	88	1,135
Murrindindi (S)	Rural Small	3,880	14,478	7	93	100	4	104	421
Nillumbik (S)	Metro Outer	432	64,941	7	245	252	0	252	435
Northern Grampians (S)	Rural Small	5,730	11,431	18	15	33	0	33	43
Port Phillip (C)	Metro Inner	21	113,200	133	288	421	35	456	16,878
Pyrenees (S)	Rural Small	3,435	7,353	22	65	87	11	98	496
Queenscliffe (B)	Rural Small	9	2,982	15	121	136	11	147	717
South Gippsland (S)	Rural Large	3,296	29,576	9	97	106	0	106	137
Southern Grampians (S)	Rural Large	6,654	16,135	21	501	522	3	525	989
Stonnington (C)	Metro Inner	26	116,207	55	372	427	85	512	10,266
Strathbogie (S)	Rural Small	3,303	10,645	15	70	85	0	85	117
Surf Coast (S)	Rural Large	1,553	32,251	18	127	145	1	146	294
Swan Hill (RC)	Rural City	6,115	20,759	6	193	199	3	202	309
Towong (S)	Rural Small	6,675	6,054	10	87	97	2	99	204
Wangaratta (RC)	Rural City	3,645	29,087	12	211	223	13	236	1,356
Warrnambool (C)	Rural City	121	34,862	17	199	216	29	245	1,534
Wellington (S)	Rural Large	10,817	44,019	27	294	321	12	333	1,418
West Wimmera (S)	Rural Small	9,108	3,862	4	7	11	0	11	12
Whitehorse (C)	Metro Middle	64	176,196	8	256	264	15	279	1,263
Whittlesea (C)	Metro Outer	490	223,322	11	152	163	2	165	287
Wodonga (C)	Rural City	433	41,429	4	50	54	1	55	128
Wyndham (C)	Metro Outer	542	255,322	13	108	121	0	121	453
Yarra (C)	Metro Inner	20	98,521	139	300	439	57	496	22,505
Yarra Ranges (S)	Metro Outer	2,468	158,173	19	370	389	3	392	925
Yarriambiack (S)	Rural Small	7,326	6,658	12	62	74	0	74	92
Alpine Resorts	Non-LGA	N/A	N/A	1	0	1	0	1	1
Falls Creek (ARMB)	Non-LGA	N/A	N/A	-	-	-	-	-	-
Mt Buller & Mt Stirling (ARMB)	Non-LGA / Rural Small	N/A	N/A	-	-	-	-	-	-
Mt Hotham (ARMB)	Non-LGA	N/A	N/A	-	-	-	-	-	-
Southern (ARMB)	Non-LGA	N/A	N/A	-	-	-	-	-	-
French Island and Sandstone Island	Non-LGA	N/A	N/A	0	25	25	0	25	25
Port of Melbourne	Non-LGA	N/A	N/A	7	3	10	0	10	15
		Total		**2,324**	**17,992**	**20,316**	**1,103**	**21,419**	**186,565**

Has council undertaken a heritage study in the past three years?	Does council have place-type gaps in its heritage studies?	Does council have geographical gaps in its heritage studies?	Has council translated all its heritage studies into HOs?	Does council have a heritage strategy or plan?	Does council have a consultant Heritage Advisor?	Does council have internal heritage staff?	Does council have a Heritage Advisory Committee?	Does council have measures to support the protection of historic heritage places?	Does council have mechanisms to communicate knowledge and celebrate historic heritage places?	Does council have its local heritage data on HERMES?
No	Yes	No	Yes	No	Yes	No	No	No	No	Yes
Yes	Yes	No	Yes	Yes	Yes	No	No	No	Yes	No
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Heritage Victoria
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Hobsons Bay City Council
Hume City Council
Indigo Shire Council
Latrobe City Council
Lovell Chen

Macedon Ranges Shire Council
Maribyrnong City Council
Maroondah City Council
Melbourne City Council
Melton City Council
Mitchell Shire Council
Monash City Council
Moonee Valley City Council
Moorabool Shire Council
Moreland City Council
Mornington Peninsula Shire Council
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Nillumbik Shire Council
Northern Grampians Shire Council
Port Phillip City Council
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Royal Historical Society of Victoria Inc.
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Southern Grampians Shire Council
Towong Shire Council
Wangaratta Rural City Council
Wellington Shire Council
Whitehorse City Council
Whittlesea City Council
Wyndham City Council
Yarra City Council
Yarra Ranges Shire Council
Yarriambiack Shire Council

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