

AUSTRALIA'S *Commonwealth Heritage*



DEVELOPING MANAGEMENT PLANS

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INTRODUCTION

UNDER THE *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999* (EPBC ACT) A COMMONWEALTH AGENCY MUST PREPARE A MANAGEMENT PLAN FOR ALL COMMONWEALTH HERITAGE PLACES UNDER THEIR CONTROL OR OWNERSHIP.

This section provides guidance on how agencies can prepare a management plan.

WHAT IS A MANAGEMENT PLAN?

A management plan is a tool intended to help managers to conserve and protect the Commonwealth Heritage values of a place included in the Commonwealth Heritage List. It is a written document identifying in detail the heritage values of a place and the conservation policies to be followed.

A management plan for a Commonwealth Heritage place under the EPBC Act is comparable to a conservation management plan which heritage practitioners are familiar with preparing. The term 'management plan' is used for consistency with other parts of the EPBC Act.

DOES A COMMONWEALTH AGENCY HAVE TO PREPARE A MANAGEMENT PLAN?

Management plans must be prepared for Commonwealth Heritage places in accordance with the EPBC Act s341S and Regulation 10.03B, Schedule 7A. In addition the plan must not be inconsistent with the Commonwealth Heritage management principles as set out in the EPBC Regulation 10.03D, Schedule 7B.

If a management plan has not yet been prepared for a Commonwealth Heritage place, then the agency must take all reasonable steps to ensure that the place is managed in accordance with the Commonwealth Heritage management principles.

Management plans must be completed in a timely manner for all Commonwealth Heritage places. It is recommended that agencies prioritise the preparation of management plans and allow for their preparation in all forward planning processes. Priority may be based on:

- Anticipated future development proposals;
- Divestment proposals; and
- The absence of a guiding heritage management document for a place.

The agency must review its plan for managing a Commonwealth Heritage place at least every five years (EPBC Act s341X (1)). Public comments on the plan must also be sought.

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WHAT IS REQUIRED IF A MANAGEMENT PLAN HAS ALREADY BEEN PREPARED?

A management plan for a Commonwealth Heritage place must meet the requirements of the EPBC Act. A management plan which was prepared prior to the introduction of the Commonwealth Heritage List (in 2004) is unlikely to provide adequate consideration of, or protection for, the official Commonwealth Heritage values, as it would pre-date the introduction of the Commonwealth Heritage List. It may, however, be possible to amend an existing plan to provide for the management of the Commonwealth Heritage values of the place. The existing plan will need to undergo a review process to assess whether the plan meets the EPBC Act requirements. Areas which will require updating will also need to be identified. Commonwealth agencies commonly engage a heritage consultant to undertake this task.

Should the review of the management plan conclude that the plan is sufficient to protect the Commonwealth Heritage values it can be retained. If the existing plan is deemed insufficient to protect Commonwealth Heritage values it will be necessary for a new management plan to be developed or amendments made to the existing plan.

A management plan should be reviewed every five years (EPBC Act section 341X (1)). The review needs to assess whether the plan is consistent with the Commonwealth Heritage management principles and if it is effective in protecting and conserving the Commonwealth Heritage values of the place (EPBC Act section 341X (2)).

Particular events that should trigger a review of a management plan are:

- Any change to the official Commonwealth Heritage values of the place; and
- Any major changes to the place

WHERE CAN I FIND THE REQUIREMENTS FOR A MANAGEMENT PLAN?

The requirements of a management plan for a Commonwealth Heritage place are contained in the EPBC Regulation 10.03B, Schedule 7A. The plan must also be consistent with the Commonwealth Heritage management principles which are contained in the EPBC Regulation 10.03D, Schedule 7B.

These requirements are broadly consistent with the Australia ICOMOS *Burra Charter 1999* and the *Australian Natural Heritage Charter* (Australian Heritage Commission, 2002). These publications are among a number of best practice documents that provide guidance when developing a management plan. A number of other guideline documents have also been produced to support agencies in their task of preparing a management plan. These guides are outlined below.

The Department of the Environment, Water, Heritage and the Arts has prepared a comprehensive guideline on management plan requirements. This guide - *Management Plans for Places on the Commonwealth Heritage List. A guide for Commonwealth agencies* can be found on the Department's website at the following address:

➤ www.environment.gov.au/heritage/publications/index.html

The publication *Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission, 2002) should also be used as a reference for consultation with Indigenous stakeholders on issues relating to the identification, management and use of places with Indigenous heritage values.

➤ www.environment.gov.au/heritage/ahc/publications/commission/books/ask-first.html

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The *Burra Charter* is available from Australia ICOMOS or may be viewed on their website at:

↘ www.icomos.org/australia

Copies of the *Australian Natural Heritage Charter* and *Ask First: A guide to respecting Indigenous heritage places and values* are available from:

↘ www.environment.gov.au/about/publications/list.html#heritage

or by contacting the Department of the Environment, Water, Heritage and the Arts.

A detailed structure and content of a management plan (to meet the EPBC Regulation) for a Commonwealth Heritage place is also provided later in this section.

WHAT HAPPENS WHEN A HERITAGE PLACE IS ON MULTIPLE LISTS?

The heritage values of a place on the Commonwealth Heritage List might be protected under more than one provision of the EPBC Act. For example, a Commonwealth Heritage place might also be on the National Heritage List or World Heritage List. Where this is the case, the EPBC Act may prescribe additional management requirements and/or principles. A plan for managing a Commonwealth Heritage place can be in the same document as other plans that the EPBC Act or another Commonwealth law requires or permits (EPBC Act s341W).

To avoid duplication, agencies must not make a plan for managing a Commonwealth Heritage place that is in a Commonwealth reserve and covered by another plan under the EPBC Act. A similar provision applies to the Territory of Heard Island and McDonald Islands (s341U).

WHO NEEDS TO BE CONSULTED OR NOTIFIED DURING THE PREPARATION OF A MANAGEMENT PLAN?

Agencies preparing management plans must seek and consider comments from the public or other interested parties about the matters to be addressed by the proposed plan. A minimum comment period of 20 days is required under the EPBC Act. This consultation requirement is set out in the EPBC Act s341S(6)(b) and in the Regulation 10.03C. Agencies must also ask the Federal Environment Minister, for advice on a proposed plan or any amendments to an existing plan. The Minister consults with the Australian Heritage Council in the provision of this advice.

Agencies are also encouraged to consult with the Heritage Division of the Department of the Environment, Water, Heritage and the Arts throughout the development of the plan. The most useful points of consultation are during the preparation of the brief and later at a time when the values statements are being prepared. Stakeholder consultation prior to a public exhibition of a plan is also encouraged.

Agencies must publish a notice on the internet and in the Government Gazette if it makes, amends or revokes a plan. This notification requirement is set out in the EPBC Act s341S(3).

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HOW DOES A COMMONWEALTH AGENCY WRITE A MANAGEMENT PLAN?

The *Burra Charter*, the *Australian Natural Heritage Charter* and *Ask First: A guide to respecting Indigenous heritage places and values* provide a good starting point for developing a management plan for a place included on the Commonwealth Heritage List. The steps in the process of preparing and implementing a plan are outlined below:

GATHER AND ANALYSE EVIDENCE AND DESCRIBE THE HERITAGE VALUES:

- Identify the place and its associations;
- Identify/contact people or groups with an interest in the place;
- Gather and record information (documentary, oral, physical) about the place sufficient to understand its significance; and
- Provide a description of the Commonwealth Heritage values and any other heritage values of the place.



DEVELOP POLICIES:

- Identify obligations arising from identified and potential Commonwealth Heritage values;
- Gather information about other factors affecting the future of the place (agency needs and resources, external factors, physical condition); and
- Develop management policies.



IMPLEMENTATION AND ONGOING MANAGEMENT:

Once a management plan has been prepared:

- Prepare a strategy for the implementation of management policies;
- Conserve, manage and maintain the place in accordance with a management plan;
- Present and interpret the significance of the place; and
- Monitor and document change, and review management plans regularly.

This process facilitates a logical flow between the major steps in the process of preparing a management plan. Each step is given equal weight. The form of the resulting management plan will reflect the complexity of the individual place. It is expected therefore that plans will vary in look and content.

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HOW SHOULD THE PLAN BE STRUCTURED?

The structure and content of a management plan should be considered carefully. It must be compliant with the requirements as set out in the EPBC Regulations (see Regulation 10.03B, Schedule 7A). A recommended form for a management plan is set out in the following table with cross references to the eleven Schedule 7A requirements. Agencies commonly engage a heritage consultant to complete this task.

MANAGEMENT PLAN REQUIREMENTS EPBC Regulation cross referenced in green	SUGGESTED CONTENT FOR A MANAGEMENT PLAN
Executive Summary	The principal findings of the management plan are to be summarised and should appear at the beginning of the report as an Executive Summary. This section should be concise and written in language that is easily understood by a wide audience.
Introduction Schedule 7A (a) and (b)	<p>The introduction should include:</p> <ul style="list-style-type: none"> • A statement of the objective of the management plan; • A brief description of the area including address, real property description and co-ordinates for non-urban places; • Location plans showing the state and local context of the place; • A site plan showing all significant features of the site, administrative boundaries and boundaries for the current heritage listings of the place (if different); • Cadastral plans or appropriate topographic plans with Australian Map Grid (AMG) references; • Details of current heritage listings for the place; • An outline of the methodology employed by the consultant/s in the preparation of the report; • Who was involved in preparing the plan; and • Acknowledgements.

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<p>Historical background</p> <p>Schedule 7A (c)</p>	<p>This section should include:</p> <ul style="list-style-type: none"> • A concise history of the place and its component parts including some historical context; • A history of its establishment up to the present day including its role, physical development and associations; • A summary of economic and social influences associated with the development of the place; • A summary of the defining historical events associated with the place; • A summary of the geographic influences on the development of the place; • A biography of the designer or builder (if appropriate); • A summary of its current and former uses; • An outline of the conservation of the place; • A chronology of major events; • An annotated list of other reports providing more detailed historical evidence about specific parts/aspects of the place. • Document any unresolved questions about the development of the place or any conflicts arising from the documentary evidence; and • Recommendations relating to areas which require further research.

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<p>Place description</p> <p>Schedule 7A (c) and (e)</p>	<p>This description forms the basis for understanding the place and its heritage values. The description must cover all of the elements of the place in detail and include:</p> <ul style="list-style-type: none"> • A description of the current condition of the place; • A framework against which to measure any change in condition of the place and its heritage values; • Plans and photographs (with sources, dates and captions) which are required to illustrate and/or support key aspects of the description. These should include floor plans for major building elements and any up to date current photographs illustrating key aspects of the place and its condition. • An outline of the physical context of the place. If the place is a cultural landscape describe the topography, vegetation, ecosystems and landscape modifications; • References to supporting information in other reports; • An analysis and comparison of the place with other similar places to reveal its qualities, condition and intactness; • Discussions of any conflicts arising from physical evidence; and • Areas recommended for further research such as archaeological or other fabric investigations.

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<p>Heritage Significance Schedule 7A (d) and (f)</p>	<p>This section must include a statement of the official Commonwealth Heritage values of the place. This statement can be found in the place report for the listed place. All place reports can be found in the Australian Heritage Database. See below for web address. The official statement of significance for the listed place should also be included in the description of the heritage significance of the place.</p> <p>Research should also be conducted to identify any other heritage values. This should include a search of the following:</p> <p><i>National</i></p> <ul style="list-style-type: none"> • National and Commonwealth places can be identified in the Australian Heritage Database. See: www.environment.gov.au/cgi-bin/ahdb/search.pl • A check should also be made to confirm whether there are any matters of national environmental significance (NES) which need to be considered. Seven matters of NES are specifically referred to in the EPBC Act. <p>NES matters can be identified using the map, co-ordinate or local government search options from the following link: www.environment.gov.au/erin/ert/epbc/index.html</p> <p><i>State, territory and local</i></p> <p>Conduct a search of the following:</p> <ul style="list-style-type: none"> • State and territory heritage lists. Links to all states and territory statutory lists can be accessed from: www.environment.gov.au/heritage/index.html • Indigenous heritage registers in your state or territory. These are generally maintained by either a state Indigenous agency or a National Park or other conservation agency. • Protected species listings for flora and fauna. Links to each state and territory list can be accessed from: www.environment.gov.au/biodiversity/threatened/index.html; and • Planning instruments with heritage provisions and controls such as Local Environment Plans (LEPs), Regional Environment Plans (REPs), Master plans, Development Control Plans (DCPs) and Heritage overlays.

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<p>Heritage Significance Schedule 7A (d) and (f)</p>	<p>Inclusion of a place on one or more of the above statutory lists will require that the administrative systems, processes and arrangements (relating to these other listings) are incorporated into a management plan for a Commonwealth Heritage place. It may also involve working with all levels of government to ensure that all heritage values are respected in any decisions made about the place.</p> <p>The preparation or review of a management plan may reveal new information about the heritage significance of a place. Any research which supports the potential for additional Commonwealth Heritage values should be documented and included in a preliminary statement against the relevant criterion. Alternatively, if you reveal a potential loss of Commonwealth Heritage values, you should document the circumstances surrounding the change and contact the Heritage Division.</p>
<p>Opportunities and constraints Schedule 7A (b) and (g)</p>	<p>This section should:</p> <ul style="list-style-type: none"> • Discuss any obligations arising from the inclusion of the place on the Commonwealth Heritage List and/or other heritage registers; • Describe any existing management frameworks, including applicable Commonwealth, state and local statutory requirements. Outline how heritage management matters will be incorporated into these existing arrangements, including incorporation into an agency's own management system; • List owner/occupier needs and operational requirements; • Describe any proposals for change and any potential pressures these changes may have on the heritage values of a place; and • Outline a process for making decisions about matters which have the potential to impact on heritage values and for situations where expert advice should be sought.

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<p>Conservation management policy</p> <p>Schedule 7A (h) and (k)</p>	<p>This section sets out the policies to conserve and protect the identified heritage values. Each policy topic should include a summary of the major issues considered.</p> <p>In general, the policies may include but are not limited to the consideration of:</p> <p><i>Fabric and setting</i></p> <ul style="list-style-type: none"> • The nature, extent, and degree of intactness of the fabric representing the heritage values, including contents. • The condition of the fabric/landscape representing the heritage values, including contents, and the implications arising from this. • The impacts of any changes on the setting and by surrounding development (if applicable); • Environmental pressures or hazards which may contribute to the deterioration of significant fabric. • The nature, urgency and potential impact of any current or proposed maintenance works. • Any recommended works or other actions arising, prioritised in terms of urgent works (to be actioned immediately), short term works (two years), medium works (five years), long term works (tens years) and desirable works. <p><i>Use</i></p> <ul style="list-style-type: none"> • Feasible and compatible uses of the place. • Visitor/tourism pressures, including consideration of the capacity of the place to absorb the current and potential number of visitors without adverse effects. • Management of visitors without adverse effects. • Management of visitors in order to manage their impacts, inclusive of wear and tear on significant fabric. • How the place will be adapted for new uses and how the new uses will be compatible with the heritage values. <p><i>Interpretation</i></p> <ul style="list-style-type: none"> • Interpretation and promotion of heritage values. This may include interpretation measures or programs that are currently being implemented; proposals for future interpretation actions or programs; and recommended actions to achieve an effective, long-term interpretation strategy.

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<p>Conservation management policy Schedule 7A (h) and (k)</p>	<p><i>Management</i></p> <ul style="list-style-type: none"> • Best practice management and conservation processes, utilising the <i>Burra Charter</i>, <i>Natural Heritage Charter</i> or <i>Ask First</i> and other charters as appropriate. • Current ownership and management structure, and the measures that have been put in place to protect and manage the heritage values of the place, and the manner in which they work. • How and under what circumstances heritage advice is to be sought. • How records of intervention and maintenance are to be kept. • How unforeseen discoveries or disturbance of heritage are to be managed. • Research, training and resources. • How the condition of those elements representing Commonwealth Heritage values, and other values, are to be monitored and reported. • The implications of the various heritage listings for the place, including legislative and regulatory measures and the manner in which they work. • What research, induction and staff training will be applied by the managing agency. • What financial resources will be applied by the managing agency to improve the recognition of heritage and the management of heritage values, including maintenance and conservation works. <p><i>Future developments</i></p> <ul style="list-style-type: none"> • Planning and management of any works proposed, including adaptive reuse. • Any current or potential development pressures (eg encroachment, adaptation etc) and the possible impact of these on the heritage values of the place. • Management for any divestment proposals that may affect the Commonwealth Heritage values, now and in the future. • How disposal of the place will occur and the measures taken to ensure on-going protection of heritage values. <p><i>Community involvement</i></p> <ul style="list-style-type: none"> • Community and stakeholder expectations for the place (if applicable) and how these will be met. • Stakeholder and community consultation and liaison arrangements and procedures.

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Conservation management policy Schedule 7A (h) and (k)	<p><i>Review</i></p> <p>A management plan should be reviewed every five years in accordance with the EPBC Act s341X or if any of the following occur:</p> <ul style="list-style-type: none"> • The Commonwealth Heritage values of the place change; or • Major changes are proposed.
Policy implementation Schedule 7A (i) and (j)	The management plan should identify who will be responsible for implementing the conservation policies, a timeframe for the policy implementation, and the process involved. No new policies should be introduced in this section.
Appendices	Any information which may be critical to understanding the report or its preparation is to be included as an Appendix. Photos and plans could be placed here.
Referencing	Referencing should be consistent and include the following information: author's name, title of document, publisher, place published, year of publication, page number/s. All figures, including illustrations, photographs and plans, should have captions and be sourced. The caption should be a description of the item and must be dated. The source of information, including all quotations, must be footnoted and referenced.

HOW IS A MANAGEMENT PLAN ENDORSED?

Agencies may seek to have a management plan endorsed by the Federal Environment Minister (EPBC Act s341T). To be endorsed, the plan must provide for the conservation of the Commonwealth Heritage values and not be inconsistent with the Commonwealth Heritage management principles.

It should be noted that endorsement does not relieve an agency from its obligations to refer an action that has, will have, or likely to have, an impact on a Commonwealth Heritage place.

The information provided above has been prepared to assist Commonwealth agencies to understand their obligations under the EPBC Act. It should not be used as a substitute for direct reference to the legislation.