



MAKING A HERITAGE STRATEGY

INTRODUCTION

A HERITAGE STRATEGY ENABLES AN AGENCY TO PLAN AND DIRECT ITS ACTIVITIES RELATING TO HERITAGE MATTERS. IT SETS THE AGENCY'S BENCHMARKS IN RELATION TO ITS MANAGEMENT AND PROTECTION OF HERITAGE PLACES UNDER ITS CARE AND ENSURES THAT THE AGENCY IS COMPLIANT WITH THE *ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999* (EPBC ACT).

THE PREPARATION OF A HERITAGE STRATEGY ALSO INCLUDES THE ESTABLISHMENT OF AN AGENCY HERITAGE REGISTER WHICH HELPS THE AGENCY TO IDENTIFY AND MONITOR ITS HERITAGE PLACES.

This section outlines the key requirements which need to be met in relation to a heritage strategy. A brief overview of how to identify Commonwealth Heritage values is also included. Agencies are encouraged, at an early stage, to contact the Heritage Division of the Department of the Environment, Water, Heritage and the Arts to discuss the preparation of a heritage strategy.

WHAT IS A HERITAGE STRATEGY?

A heritage strategy is a written document that integrates heritage conservation and management within an agency's overall property planning and management framework. Its purpose is to help an agency manage and report on the steps it has taken to protect and conserve the Commonwealth Heritage values of properties under its ownership or control.

WHO NEEDS TO PREPARE A HERITAGE STRATEGY?

Each Commonwealth agency that owns or controls one or more places with Commonwealth Heritage values must prepare a heritage strategy (see EPBC Act s341ZA). The complexity of the strategy will be determined by the size of the agency's heritage property holdings and management responsibilities.

WHEN DOES A HERITAGE STRATEGY HAVE TO BE PREPARED?

Commonwealth agencies are required to prepare their heritage strategies within two years from the time they first own or control a heritage place (see EPBC Act s341ZA). The strategy must also be provided to the Federal Environment Minister within these time periods. Extensions to these submission requirements should be discussed with the Heritage Division of the Department of Environment, Water, Heritage and the Arts.

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WHEN SHOULD A HERITAGE STRATEGY BE REVIEWED?

An agency must review its heritage strategy every three years and give the Minister a written report of the review (see EPBC Act s341A (5)). Under the EPBC Regulation, 10.03F, the report must cover the following:

- An outline of consultation undertaken with relevant stakeholders in the review process;
- A summary of the agency's achievements against its objectives for management of its heritage places;
- An evaluation of the success of each of the matters included in a Commonwealth agency heritage strategy in achieving the identification, protection, conservation and presentation of Commonwealth heritage values;
- An update on the extent to which the identification and assessment of Commonwealth heritage values of all agency property has been achieved, and the values included in an agency's heritage places register;
- An update on the progress and timeliness of the preparation of management plans for Commonwealth heritage places;
- An outline of any physical and management changes that have occurred to the agency's Commonwealth Heritage places since the last strategy was prepared, and of any expected changes;
- An update on progress with Commonwealth Heritage training programs;
- A specification of the timeframe for updating the heritage strategy following the review; and
- An update on other heritage issues relevant to the agency's management of Commonwealth Heritage places in accordance with the Commonwealth Heritage management principles. (see section – *Applying the principles*). The Commonwealth Heritage management principles are those management principles set out in the EPBC Regulation, Schedule 7B.

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WHAT ARE THE REQUIREMENTS FOR PREPARING A HERITAGE STRATEGY?

The EPBC Regulation 10.03E, Schedule 7C sets out a number of requirements which must be addressed or included in a heritage strategy. The following list outlines these requirements.

A heritage strategy must include:

1. General Matters

(a) a statement of the agency's objective for management of its heritage places

The clearest way for an agency to recognise its heritage management responsibilities is to include them in its corporate plan as an objective. Wording of the objective may be as simple as:

'The (agency) recognises its responsibility to identify and care for the heritage property in its control, consistent with current best practice in conservation and property management.'

(b) a description of how the heritage strategy operates within the agency's corporate planning framework

The executive of the agency must ensure that the corporate plan, at the relevant program level, covers management of its heritage properties. In addition, corporate budgeting and financial reporting processes (including annual reports) should include, and make transparent, an appropriate budget to manage property with heritage values.

(c) a list of key positions within the agency, the holder of which are responsible for heritage matters

The strategy must identify relevant personnel and their roles in identifying and managing heritage values, those responsible for decisions, approvals and actions, and those responsible for reviewing and reporting to the Minister (see also *Requirement (g)*). A corporate level position with overall heritage responsibility must be identified.

(d) an outline of a process for consultation and liaison with other government agencies on heritage matters

The process for consultation and liaison should address when and at what stage other relevant agencies with an interest in heritage matters will be consulted. The strategy should identify relevant state and Commonwealth legislation concerning the national and cultural heritage environment (see section *Other resources* for a reference to legislation). A checklist for approvals and/or consultation requirements would be a useful administrative tool.

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- e) *an outline of a process for consultation and liaison with the community on heritage matters, including, in particular, a process for consultation and liaison with Indigenous stakeholders on Indigenous heritage matters*

The agency should provide a policy approach for consultation and liaison with the community on places with historic, Indigenous and natural heritage values. Consultation and liaison processes relevant to specific place circumstances must be outlined in management plans for individual Commonwealth Heritage places. If there is no plan in place the Commonwealth Heritage management principles, as a best practice approach, should be used in the interim to guide the management of the Commonwealth Heritage place.

The benefits of consultation include not just the gaining of additional knowledge or experience of a property but also assists in the resolution of conflict prior to any commitment to a management regime. Community involvement should start with a consultation plan, which includes consultation with Indigenous people. If a place appears to have heritage values for Indigenous people, steps for effective consultation can be found in *Ask First: A guide to respecting Indigenous heritage places and values* (see section *Key resources*).

An investigation of the Native Title status of the place is also recommended. You can find out more from the National Native Title Tribunal – free call 1800 640 501.

- f) *an outline of a process for resolution of conflict arising from the assessment and management of Commonwealth heritage values*

The strategy needs to address the possible conflicts that may arise from the assessment and management of Commonwealth Heritage values of places. If a matter can be mediated, the strategy should identify the way in which the mediator would be selected or identify the person that will conduct the mediation.

- g) *an outline of processes for monitoring, reviewing and reporting on the implementation of an agency's heritage strategy*

The strategy must provide for regular monitoring, review and reporting on the conservation of Commonwealth Heritage values. It must include a timetable for the review process over the life of the strategy, identifying who is responsible for the review and reporting to the Minister.

It is also important to set in place mechanisms to monitor and evaluate the success of the strategy. An agency must review its heritage strategy every three years.

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2. Heritage identification and assessment matters

(a) an outline of the process for identifying and assessing the Commonwealth Heritage values of all agency property

Each Commonwealth agency needs to be aware of the extent of heritage property under its control. If it has not already done so recently, it must undertake an inventory program to identify and assess its Commonwealth Heritage values. Any assessment of a place must be assessed against the Commonwealth Heritage criteria. Expert heritage advice should be sought in the preparation of this aspect of a heritage strategy.

(b) a statement of the timeframes for the completion of the agency's heritage strategy:

This includes:

- The agency's program for heritage identification and assessment;
- The agency's register of places and their Commonwealth Heritage values; and
- The report to the Minister that includes details of the identification and assessment program and a copy of the agency's register. The strategy must outline the details of an agency's program, how it will be completed and who will be responsible.

The requirements for heritage assessments and a register are addressed in EPBC Regulation 10.03G.

3. Matters relating to the management of Commonwealth Heritage values

(a) a description of how the agency's heritage places register will be maintained, updated and made accessible to the public

An agency's heritage place register should be kept in electronic format. If an agency manages a large number of heritage properties, it may find efficiencies in the use of database software. The register should be accessible to all property management staff, including those responsible for property maintenance. Once data is entered, it should be reviewed and updated on a regular basis.

(b) a statement of the timeframe for the preparation of management plans for the agency's Commonwealth Heritage places

The strategy should include a section on roles and responsibilities to identify who is required to complete the plans and who has authority to approve the final product. The time-frame should consider any works or major changes proposed for properties with Commonwealth Heritage values. Management plans should be a priority for these places. Note: A management plan can be made for more than one place.

(c) an outline of the existing use of places with Commonwealth Heritage value, by the agency

This requirement could be addressed by reference to the agency's heritage register which includes a sequential description of the use of a place with Commonwealth Heritage value (see EPBC Regulation, 10.03G(2) (e)).

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(d) an outline of current or expected development works, disposal or other proposals that may affect Commonwealth Heritage values

Information about anticipated major works that may affect the Commonwealth Heritage values are required to be provided, if the information is available for the three year period of the strategy. Should development work, disposal or other proposals or a Commonwealth Heritage place be proposed during the period of the strategy, then these should be addressed in the management plan for the place.

It is important to note that some development works may have to be referred under the EPBC Act. Refer to the section *Making a referral* for further information.

(e) an outline of the process to ensure that Commonwealth Heritage values are considered in the agency's planning for future development, works, divestment or other proposals

Agencies should identify heritage issues early in the project planning process to ensure proposals for development and other significant changes do not destroy or degrade heritage values. Consultation with the Heritage Division of the Department of the Environment, Water, Heritage and the Arts is encouraged, or seek advice from a heritage consultant to help identify options for managing change. Management plans should also address issues relating to change. The heritage strategy should outline how heritage values are being considered in the agency's property planning processes, and the consultation arrangements for each stage of planning.

Management plans can guide major changes to a place to ensure heritage values are conserved (see section *Developing management plans*).

(f) a plan and budget for the maintenance and long-term conservation of Commonwealth Heritage values

As a matter of good practice the plan and budget should be reconciled with (and made transparent in) an agency's audited annual report. The plan should also include how the budget is prepared.

(g) an outline of the process by which the success of the agency in conserving Commonwealth Heritage values will be monitored and reviewed

An agency must review its heritage strategy every three years and report to the Minister on the review. To facilitate its process of triennial reviews, the agency should establish benchmarks against which it can measure success in conserving the heritage values of properties under its ownership or control.

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4. Commonwealth Heritage training and promotion matters

(a) a program for training of agency staff about Commonwealth Heritage obligations and best practice heritage management

The scope of training needs for heritage property identification and management should be made explicit by linking it to the relevant corporate objectives.

(b) A program for promoting community awareness of Commonwealth Heritage values, as appropriate

A promotion program could include publication, public education and awareness initiatives.

HOW TO IDENTIFY COMMONWEALTH HERITAGE VALUES?

Identifying heritage values can be a complex issue. This may be undertaken by gathering information about a specific property through research and review of available physical, oral, documentary and other information; including information from Indigenous people. The Heritage Division of the Department of the Environment, Water, Heritage and the Arts can assist agencies in this task. It may be necessary to engage appropriately qualified specialists to assist in undertaking a heritage assessment.

In some cases agencies may wish, or need to dispose of places that have not been assessed for heritage values. For information on the matters to consider in these circumstances see section *Making a referral* of this guide at the discussion heading – *The sale, leasing or other disposal of a listed place or a place yet to be assessed for heritage values*.

Some common ways of identifying heritage values include:

(a) Heritage studies

Thematic or regional studies are generally considered a good approach for generating the identification of heritage places. They can be developed from histories of land use, agency activities or other regional characteristics or themes related to the Commonwealth Heritage criteria. Expert assistance is usually required to prepare these studies.

(b) Search of Heritage lists

Heritage places may have already been identified on a range of statutory and non statutory lists. This information can be included in an agency register but must be entered on the advice of people with appropriate experience, knowledge and training in heritage assessment. On the ground inspections may also be required to check the characteristics or condition of the place.

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Agency register

All places that are included in the Commonwealth Heritage List, along with those places with potential heritage values, need to be entered in the agency register. The requirements for an agency register are set out in the EPBC Regulation, 10.03G(2).

The Heritage Division of the Department of the Environment, Water, Heritage and the Arts can provide advice on the establishment and management of an agency register. Early consultation on this matter is encouraged prior to any work on the establishment of a register within an agency's record management system.

The complexity of an agency register will depend upon the number of places the agency has. If there are many heritage places in the agency's estate, then an electronic database may need to be developed. The register could also be linked to an asset management database that includes processes for monitoring, compliance and review.

Heritage registers have been established by agencies such as the Department of Conservation and Land Management in Western Australia, the Commonwealth Scientific and Industrial Research Organisation and the Department of Defence. The Heritage Division of the Department of the Environment, Water, Heritage and the Arts can provide advice on establishing an agency's database. Early consultation on this matter is encouraged prior to any work on the establishment of a database. Expert advice on database construction may also be required to ensure efficient and effective operation.

Seeking advice

Agencies must seek appropriate professional advice when identifying and assessing heritage values. The Heritage Division of the Department of the Environment, Water, Heritage and the Arts can provide guidance on these matters. Expert assistance is usually required for heritage assessment and register construction tasks.

In particular it is important to ensure that relevant Indigenous people are actively involved in the process of identifying their heritage places and values. Be aware that Indigenous involvement in the identification processes may be the only way to establish some values (see section *Key publications* for the Ask first publication).

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 a direct reference to the applicable legislation.