

Heritage (ACT Heritage Guidelines) Notice 2007 (No 1)*

Notifiable Instrument NI2007—254

made under the

***Heritage Act 2004* s 26 Public consultation about heritage guidelines**

1 Name of instrument

This instrument is the *Heritage (ACT Heritage Guidelines) Notice 2007 (No 1)*.

2 Effect of the proposed guidelines

These Guidelines provide a consistent and accessible set of requirements to protect and manage historic heritage places (registered, provisionally registered or nominated for provisional registration in the Heritage Register) in the Australian Capital Territory. These guidelines do not apply to registered heritage precincts for which specific guidelines are already in force. Additional guidelines are in development for Aboriginal, Natural heritage and Heritage Objects. These guidelines directly affect the advice given by the Heritage Council to the ACT Planning and Land Authority about the impact of development applications on heritage significance, particularly in relation to determining ways of avoiding or minimising the effect of a development on the heritage significance of the places.

Heritage Guidelines are in Attachment A: ACT Heritage Guidelines

3 Further information

Copies of the guidelines may be viewed at: the Heritage Unit, Level 2, Macarthur House, 12 Wattle Street, Lyneham; www.tams.act.gov.au/live/heritage; the ACTPLA Customer Service Centre, Ground Floor, Dame Pattie Menzies House, 16 Challis Street, Dickson; and at all Canberra Connect Shopfronts and Public Libraries during office hours.

*Name amended under Legislation Act, s 60

4 Invitation to make comments

Interested parties are invited to make written comments by close of business 28 September 2007. Please forward comments to:

The Secretary
ACT Heritage Council
GPO Box 158
CANBERRA ACT 2601

.....
Gerhard Zatschler
Secretary, ACT Heritage Council

27 August 2007

Chapter 1

Chapter 2 DRAFT ACT HERITAGE GUIDELINES 2007

Edition dated [Date of tabling in Legislative Assembly of last Guidelines added]

This edition was made by the ACT Heritage Council under s.25(1) of the *Heritage Act 2004* and duly presented to the ACT Legislative Assembly.

Persons using any of these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If the Guidelines have previously been accessed in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

These guidelines have been prepared by the Heritage Unit on behalf of the ACT Heritage Council with assistance from:

- Philip Leeson Architects; and
- Mark Butz - Futures by Design.

<u>Underlined text</u> is a hyperlink to be added

TABLE OF CONTENTS

DRAFT 13 DECEMBER 2006	i
ACT HERITAGE GUIDELINES	iii
PART A INTRODUCTION	3-1
Purpose of the Guidelines	3-1
Structure of the Guidelines	3-1
Legislative basis for the Guidelines	3-2
Guiding principles	3-2
Using the Guidelines	3-3
PART B STATUTORY HERITAGE GUIDELINES	i
B.1 HERITAGE GUIDELINES FOR ALTERATIONS AND ADDITIONS TO A HERITAGE PLACE	1
B.1-1.0 DEMOLITION	2
B.1-2.0 SITING	3
B.1-3.0 FORM AND SCALE	3
B.1-4.0 ROOFS	6
B.1-5.0 DOORS AND WINDOWS	7
B.1-6.0 ARCHITECTURAL DETAILS	8
B.1-7.0 UTILITIES AND SERVICES	9
B.1-8.0 APPLIED FINISHES	9
B.1-9.0 DRIVEWAYS AND PARKING STRUCTURES	11
B.1-10.0 OUTBUILDINGS AND ANCILLARY STRUCTURES	11
B.1-11.0 LANDSCAPES, GARDENS AND TREES	12
B.1-12.0 FENCES	12
B.1-13.0 POOLS AND TENNIS COURTS	13
B.2 HERITAGE GUIDELINES FOR: NEW DEVELOPMENT WITHIN OR ADJACENT TO A HERITAGE PLACE	1
B.2-1.0 CHARACTER	2
B.2-2.0 SCALE	2
B.2-3.0 BUILDING FORM	5
B.2-4.0 SITING	5
B.2-5.0 MATERIALS AND COLOUR	6
B.2-6.0 ARCHITECTURAL DETAILS	6
B.3 HERITAGE GUIDELINES FOR: REPAIRS AND MAINTENANCE IN A HERITAGE PLACE	1
B.3-1.0 ESSENTIAL REPAIRS AND MAINTENANCE	3

B.3-2.0	WEATHER PROTECTION	3
B.3-3.0	FIRE PROTECTION	4
B.3-4.0	SECURITY	4
B.4	HERITAGE GUIDELINES FOR: COMMERCIAL AND INDUSTRIAL HERITAGE	1
B.4-1.0	CHANGE OF USE OR ADAPTATION	2
B.4-2.0	SIGNIFICANT INTERIORS	2
B.4-3.0	SHOP FRONTS, AWNINGS AND VERANDAHS	3
B.4-4.0	SIGNAGE	3
B.4-5.0	UTILITIES AND SERVICES	5
B.4-6.0	DISABLED ACCESS AND FACILITIES	6
B.5	HERITAGE GUIDELINES FOR: RURAL HERITAGE	1
B.5-1.0	ALTERATIONS, ADDITIONS AND NEW DEVELOPMENT IN RURAL HERITAGE PLACES	2
B.5-2.0	RURAL RUINS AND OTHER PHYSICAL EVIDENCE	3
B.5-3.0	ARCHAEOLOGICAL EVIDENCE	3
B.5-4.0	RURAL GRAVEYARDS AND CEMETERIES	3
B.5-5.0	CULTURAL LANDSCAPES	5
B.6	HERITAGE GUIDELINES FOR: RURAL VILLAGES	1
B.7	HERITAGE GUIDELINES FOR: HERITAGE PRECINCTS	1
PART C	ADDITIONAL INFORMATION	1
C.1	DICTIONARY	1
C.2	DEVELOPMENT PROCESS	1
C.3	STATEMENTS OF HERITAGE EFFECTS	1
C.4	CONSERVATION MANAGEMENT PLANS	1
C.5	CONSERVATION PRINCIPLES FROM THE AUSTRALIA ICOMOS BURRA CHARTER 1999	1
C.6	CONSERVATION PRINCIPLES AND POLICY FROM THE AUSTRALIAN NATURAL HERITAGE CHARTER 2nd Edition	1
C.7	DESIGN CHECKLIST FOR MATERIALS AND FINISHES FOR ALTERATIONS AND ADDITIONS TO HERITAGE PLACES	

Chapter 3 PART A INTRODUCTION

Purpose of the Guidelines

Heritage Guidelines provide a consistent and accessible set of requirements to protect and manage heritage places and heritage objects in the Australian Capital Territory (ACT), in relation to development and other activities.

Structure of the Guidelines

PART A	PART B	PART C
INTRODUCTION	HERITAGE GUIDELINES FOR:	ADDITIONAL INFORMATION
Purpose	ACTIVITIES	C.1 Dictionary
Structure	B.1 Alterations & additions	C.2 Development process
Legislative basis	B.2 New development	C.3 Statements of Heritage Effects
Guiding principles	B.3 Repairs & Maintenance	C.4 Conservation Management Plans
Important information	<i>applied in conjunction with:</i>	C.5 Burra Charter - extract
	PLACES & OBJECTS	C.6 Australian Natural Heritage Charter - extract
	B.4 Commercial & industrial heritage	C.7 Design Checklist for materials & finishes for alterations & additions
	B.5 Rural heritage	
	B.6 Rural villages	
	B.7 Heritage precincts	
	B.8 Heritage objects (non-Aboriginal)	

Part A provides general information about use of the Guidelines

Part B provides a set of Heritage Guidelines for activities which may affect historic heritage places and objects.

Additional Heritage Guidelines relate to some specific types and locations of heritage places and objects, and these are applied in conjunction with Heritage Guidelines for activities.

These Guidelines are part of a set of Guidelines developed by the Heritage Council to manage heritage issues in the ACT. Other Guidelines include those specific to the Garden City Precincts, Aboriginal Heritage, Natural Heritage and Heritage Objects.

Part C provides material as guidance which may apply to all of the Heritage Guidelines.

Note: These sections are taken to be part of the statutory Heritage Guidelines.

Legislative basis for the Guidelines

The *Heritage Act 2004* ('the Act') provides for the conservation of heritage places and objects to achieve the greatest sustainable benefit to the community. This recognises that heritage places and objects are irreplaceable assets and finite resources.

Under s.25 of the Act the Heritage Council may make Heritage Guidelines in relation to the conservation of the heritage significance of places or objects.

This includes places and objects as defined in s.8 of the Act which either:

- are registered (including provisionally registered) in the Heritage Register under Part 6 of the Act; or
- have been nominated for provisional registration in the Heritage Register because they meet one or more of the heritage significance criteria in s.10 of the Act; or
- in the case of an Aboriginal place or object, have been reported to the Heritage Council under s.51 of the Act.

The Heritage Council makes Heritage Guidelines after undertaking public consultation as required by s.26 of the Act. The Heritage Guidelines come into effect as a statutory instrument at the time they are tabled as a disallowable instrument in the ACT Legislative Assembly (s.25).

Under s.27 of the Act, a range of functions must be carried out in accordance with any Heritage Guideline which applies directly or indirectly to a place or object.

For example, in relation to the development process, the Heritage Council applies Heritage Guidelines in providing advice to the Planning and Land Authority ('the Authority') about the effects of development on heritage significance of a place or object and ways of avoiding or minimising these effects (s.60 of the Act). The Authority is required to consider Heritage Guidelines in approving development.

Heritage Guidelines must also be considered in the processes of giving a Heritage Direction (s.62), making a Heritage Order (s.69) and making of a Heritage Agreement (s.99).

Guiding principles

The ACT Heritage Guidelines are a more specific application of the general principles and processes set out in the Australia ICOMOS Burra Charter 1999 ('the Burra Charter').

The Burra Charter (extract at C.5) is accepted nationally as the benchmark for heritage practices. Where no specific Heritage Guideline applies to a place or practice, the principles and processes of the Burra Charter should be used as general guidance.

The Burra Charter has been prepared by Australia ICOMOS (International Council on Monuments and Sites), the peak professional body concerned with conservation of culturally significant places, and is available at: <http://www.icomos.org/australia/burra.html>
See also C.5 Extract from the Burra Charter 1999.

The Australian Natural Heritage Charter, 2nd edition (2002) (extract at C.6) offers 'best practice' principles for conservation and management of natural heritage, and is available at: <http://www.ahc.gov.au/publications/anhc/pubs/charterfinal.pdf>
See also C.6 Extract from the Australian Natural Heritage Charter

To the greatest extent possible, the Heritage Guidelines and the Heritage Council use the same definitions as the Burra Charter and the Australian Natural Heritage Charter to describe principles and processes. See also C.1 Dictionary.

In addition to the requirements of the Heritage Act, these Guidelines seek to be consistent with the general guidance on consultation relating to Aboriginal places and objects provided in *Ask First: A guide to respecting Indigenous heritage places and values*.

This is available at: <http://www.ahc.gov.au/publications/indigenousheritage/pubs/askfirst.pdf>

Using the Guidelines

1. For a registered place or object, the Heritage Register entry for the place or object identifies any relevant Heritage Guideline which applies to that place or object.

Note: For a place or object in an old heritage register which existed prior to commencement of the Act on 9 March 2005, any requirement stated in that register for the conservation of the heritage significance of the place or object is taken by the Act (ss.129; 131) to be a Heritage Guideline applying to the place or object without any lessening of its effect.

2. Where registered places or objects have multiple heritage values, a number of Heritage Guidelines may apply.

Users may need to consult a number of Heritage Guidelines depending on the nature and location of the proposed activity.

3. Each set of Guidelines indicates which provisions are mandatory (rule-based) conservation requirements and which provisions are discretionary (based on performance standards and determined by the decision maker).

4. The Heritage Council from time to time prepares new or revised Heritage Guidelines. When these come into effect as a statutory instrument they are incorporated into a new edition of this Heritage Guidelines document.

In addition, the Heritage Council may correct in the Heritage Guidelines a mistake or omission or change in terminology.

Persons using any part of this Guidelines document are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register.

If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

5. Some proposed activities may raise issues which lie outside the scope of current Heritage Guidelines and which may require a determination from the Heritage Council. In the first instance users may talk with staff of the Heritage Unit and may make one free appointment with the Heritage Advisory Service (contact 02-6295-3311).

6. For meanings of terms used in all Heritage Guidelines refer to C.1 Dictionary.

7. More detailed specialist advice may be required in preparing documentation for development applications.

See also C.2 Development process, C.3 Statements of Heritage Effects and C.4 Conservation Management Plans.

Chapter 4 PART B STATUTORY HERITAGE GUIDELINES

<u>B.1</u>	<u><i>Alterations and Additions to a Heritage Place</i></u>
<u>B.2</u>	<u><i>New Development within or adjacent to a Heritage Place</i></u>
<u>B.3</u>	<u><i>Repairs and Maintenance in a Heritage Place</i></u>
	The above are applied in conjunction with Heritage Guidelines for:
<u>B.4</u>	<u><i>Commercial and Industrial Heritage</i></u>
<u>B.5</u>	<u><i>Rural Heritage</i></u>
<u>B.6</u>	<u><i>Rural Villages</i></u>
<u>B.7</u>	<u><i>Heritage Precincts</i></u>

B.1 HERITAGE GUIDELINES FOR: ALTERATIONS AND ADDITIONS TO A HERITAGE PLACE

Edition dated [Date of tabling in Legislative Assembly of last Guidelines added]

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

APPLICATION OF B.1

B.1 Heritage Guidelines for Alterations and Additions to a Heritage Place are applicable to a heritage place which either:

- is registered in the Heritage Register under Part 6 of the Heritage Act; or
- has been nominated for provisional registration in the Heritage Register because it meets one or more of the heritage significance criteria in s.10 of the Act; or
- in the case of an Aboriginal place, has been reported to the Heritage Council under s.51 of the Act.

Heritage Guidelines are to be used in conjunction with the Heritage Register entry, which identifies features which are intrinsic to the heritage significance of a place. These are referred to throughout the Guidelines as significant features. Subsequent cultural heritage reports or a Conservation Management Plan may identify additional significant features.

Proposed development shall comply with the Heritage Guidelines in order to be consistent with the Territory Plan. For more information refer to *C.2 Development Process*.

Users may need to consult a number of Heritage Guidelines depending on the nature and location of a proposed activity.

These Guidelines (B.1) do not apply to Heritage Precincts.

For more information refer to *B.7 Heritage Guidelines for Heritage Precincts*.

For all development affecting heritage places and objects a Statement of Heritage Effects (SHE) will be required as part of Development Approval documentation. The SHE shall assess the likely impacts of development on a heritage place and outline the steps to be taken to minimise adverse effects. The Heritage Guidelines identify issues of particular importance and conservation requirements which are to be specifically addressed in the SHE. For more information refer to *C.3 Statements of Heritage Effects*.

The SHE must be consistent with a Conservation Management Plan where one applies to the place or object, or where the Heritage Council directs that one be prepared.

For more information refer to *C.4 Conservation Management Plans*.

OBJECTIVES OF B.1

- (i) To allow for the adaptation of heritage places
- (ii) To ensure that alterations and additions retain significant features and do not detract from the form, scale and setting of heritage places
- (iii) To encourage well designed contemporary architecture in heritage places

B.1-1.0 DEMOLITION

Mandatory Conservation Requirements

- B.1-1.1 No demolition of any part of a heritage place is permitted unless carried out in accordance with a Development Approval.
- B.1-1.2 Total or substantial demolition of significant features is not permitted unless in exceptional circumstances, including where:
- the place is so structurally unsound as to be beyond reasonable economic repair. The application must include an assessment by a qualified structural engineer which outlines options for repair; or
 - the place poses a significant health and safety risk that is beyond reasonable economic repair. The application must include an assessment by a qualified structural engineer and an assessment by a qualified environmental health professional which outline options for repair, or an order under the Building Act which requires demolition; or
 - in the opinion of the Heritage Council the heritage significance of the place has been extensively and irreversibly diminished
- B.1-1.3 Approval for total demolition of significant features will only be granted as part of an approval for a replacement structure which conforms to all provisions applying to new structures within or adjacent to a heritage place.
- B.1-1.4 Where, in the opinion of the Heritage Council, neglect of a place has contributed to a structure becoming so structurally unsound as to necessitate total demolition, redevelopment of the site shall not exceed the existing gross floor area of the demolished structure. Additions to a replacement structure shall not be permitted within 3 years of completion of the replacement structure.
- B.1-1.5 Where demolition is proposed, a Demolition Plan shall be lodged as part of a Development Application. The Demolition Plan shall:
- locate and itemise on a scaled plan the demolition of all fabric, including structure (roofs, walls, floors) exterior cladding, interior linings, windows, doors and internal and external details (trim, corbels, mouldings etc), balconies, terraces and outbuildings and ancillary structures
 - describe the methods by which adjacent significant features are to be protected; and
 - include a photographic record documenting any significant features which will be affected by demolition and identifying the location of each photograph on the scaled plan.
- B.1-1.6 On completion of demolition, certification shall be provided to the Authority that the demolition is in accordance with the Demolition Plan.
- B.1-1.7 If during demolition, a situation arises which may lead to a change in the extent of demolition necessary, the Demolition Plan shall be amended and lodged for approval by the Authority and shall proceed only after approval is given.

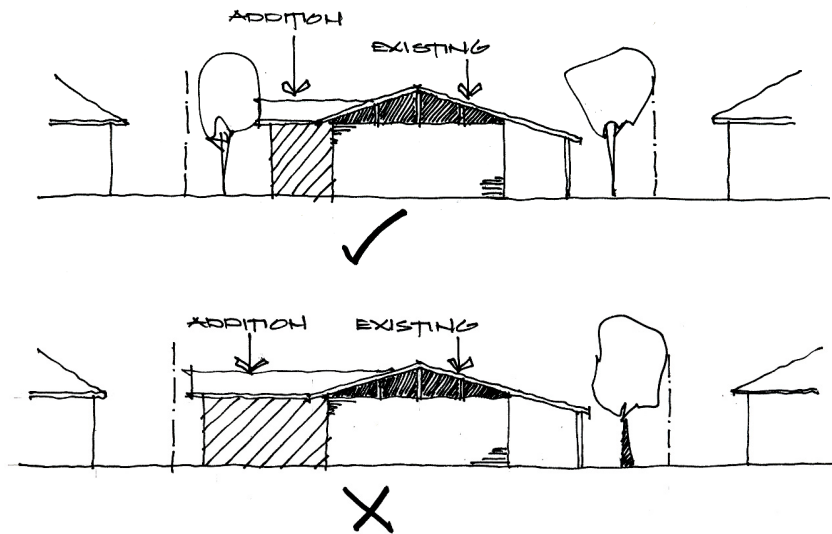
Requirements subject to the discretion of the decision maker

- B.1-1.8 Significant features which are demolished without approval should be reconstructed.

B.1-2.0 SITING

Mandatory Conservation Requirements

- B.1-2.1 The siting of alterations and additions shall not have an adverse effect on significant views to or from a heritage place.
- B.1-2.2 Alterations and additions to an existing street front facade shall only be permitted where the alterations and additions do not detract from significant features.
- B.1-2.3 Additions shall not be permitted which would adversely affect spatial relationships which are of heritage significance. (e.g. Fig. 1)

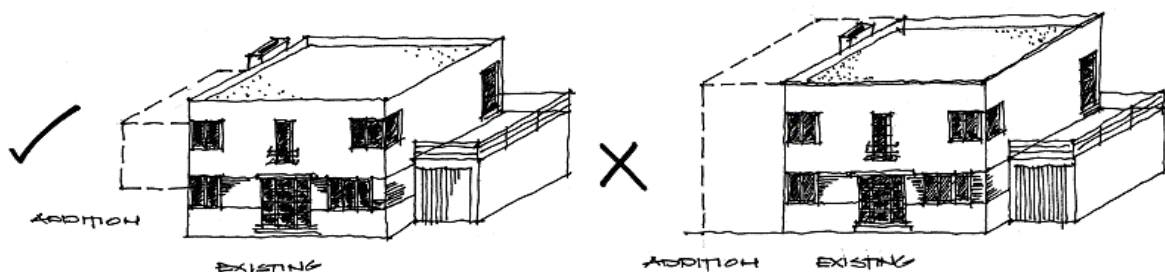


B.1 Figure 1 – Additions need to maintain significant spatial relationships
This figure is an example. An example is part of the Heritage Guidelines.
It illustrates but does not limit the meaning of a Guideline to which it relates

B.1-3.0 FORM AND SCALE

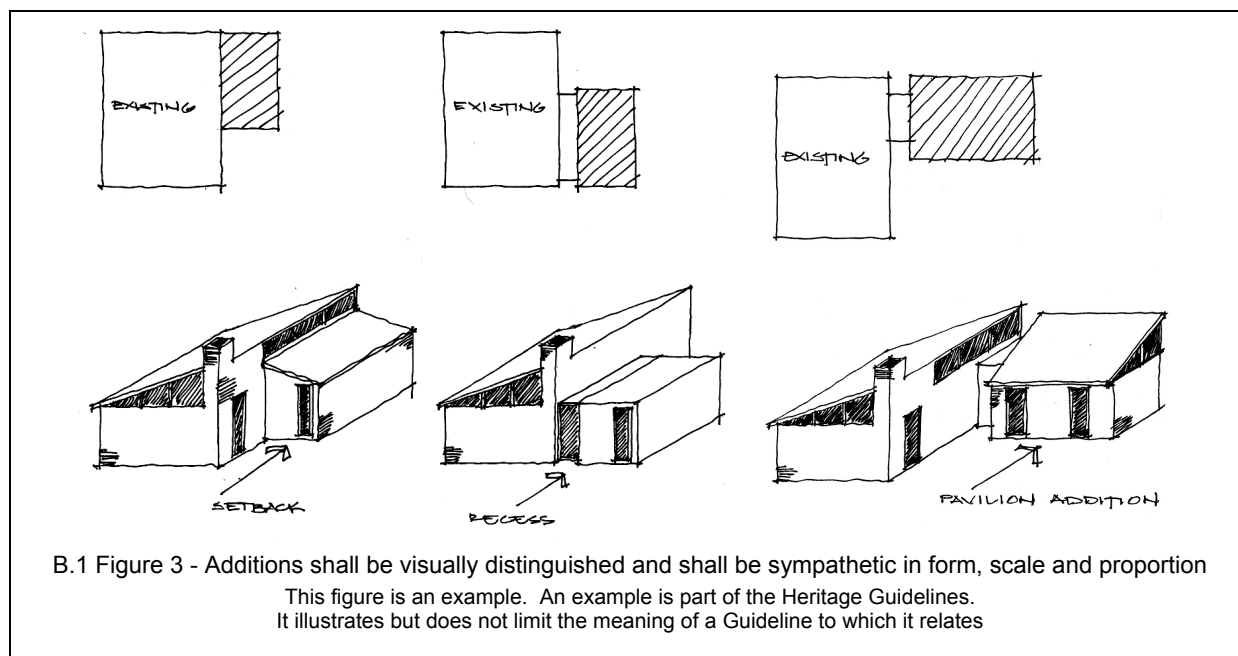
Mandatory Conservation Requirements

- B.1-3.1 An existing heritage structure shall remain the dominant form, when viewed from the public domain. (e.g. Fig. 2)



B.1 Figure 2 - Existing structures shall remain the dominant form
This figure is an example. An example is part of the Heritage Guidelines.
It illustrates but does not limit the meaning of a Guideline to which it relates

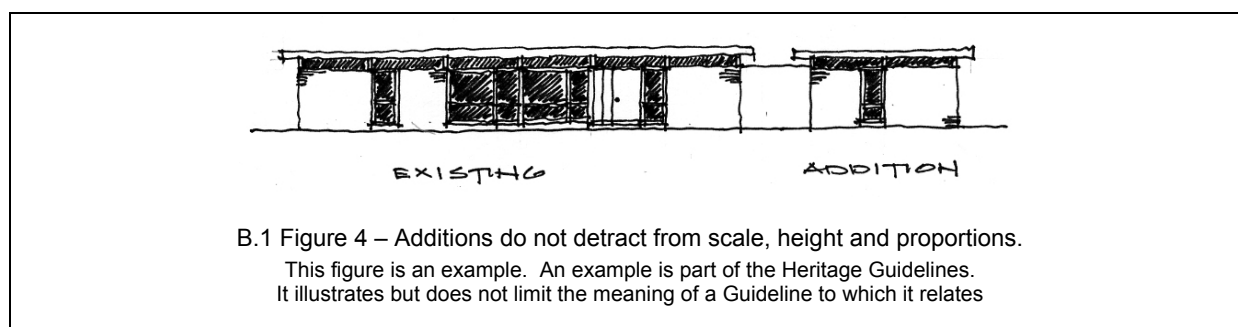
- B.1-3.2 Alterations and additions shall not detract from the form, scale and proportion of an existing structure. (e.g. Fig. 3)
- B.1-3.3 Alterations and additions visible from the public domain shall be set back from the nearest front face of an original building or be separated by a recess, change of material, glazing strip etc. (e.g. Fig. 3)



- B.1-3.4 Alterations to the original built form such as enclosure of an originally open space in a porch, verandah, or pergola shall not be permitted where these are visible from the public domain.

Requirements subject to the discretion of the decision maker

- B.1-3.5 The scale of additions represented by grid or bay proportions, eave height, roof height, proportions of door and window openings and ratio of solid to void, should not detract from the scale of an existing building. (e.g. Fig. 4)



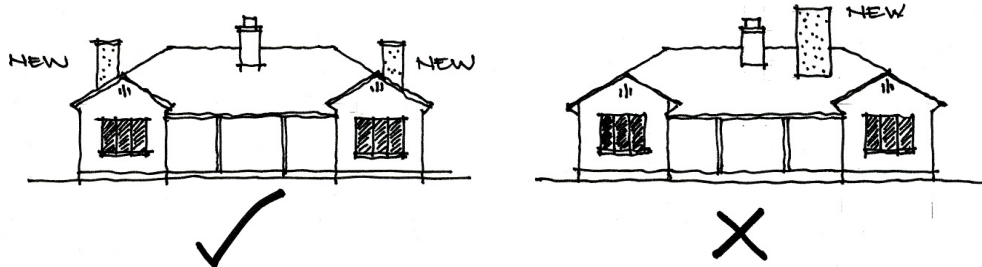
- B.1-3.6 Where additions use similar materials and detail to the original they should be distinguishable from the original by the use of simplified versions of the detail, and articulation of the form to separate the old from the new. Alternatively, additions should be of contemporary design which does not detract from the original in terms of materials, form and scale.
- B.1-3.7 Alterations and additions should be reversible. New work should be constructed to avoid permanent damage at junctions with original fabric.
- B.1-3.8 Where an original facade visible from the public domain has been demolished or altered, and detailed evidence of its design, materials and location is available,

reconstruction of the facade is encouraged.

B.1-4.0 ROOFS

Mandatory Conservation Requirements

- B.1-4.1 The original roof form of a heritage place shall be retained.
- B.1-4.2 The original roof fabric shall be retained unless it is beyond repair, in which case it is to be reconstructed. The SHE shall consider important elements such as structural members, roof cladding, gutters and downpipes.
- B.1-4.3 Where it is no longer economically or technically feasible to carry out repairs and maintenance, reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to C.7 Checklist for Materials & Finishes. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.1-4.4 Roofs to additions shall be designed so that the existing roof of a heritage structure remains the dominant roof form.
- B.1-4.5 An original chimney shall be retained, regardless of internal modifications.
- B.1-4.6 Alterations and additions to roofs shall not detract from the roof of an existing heritage place. The SHE shall consider important elements such as form, pitch, material, colour, eave detail and ridge height.
- B.1-4.7 New attic rooms and associated elements such as dormer windows and skylights inserted into existing roofs shall not be visible from the public domain.
- B.1-4.8 A new chimney on an existing roof shall not have an adverse effect on the existing scale and composition of the roof scape. A new chimney shall not detract from an existing chimney in scale and materials, but shall be obvious as new work. (e.g. Fig. 5)



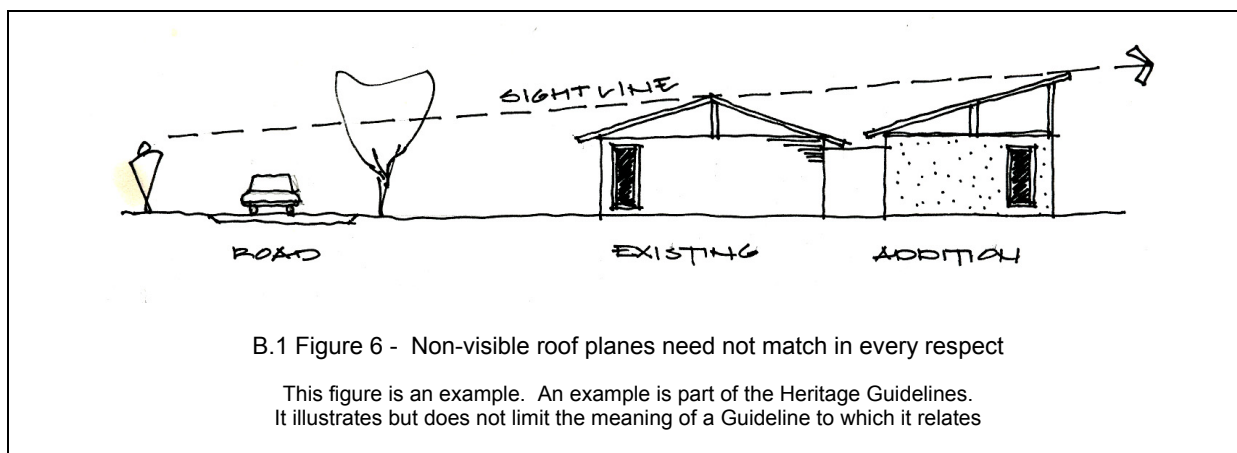
B.1 Figure 5 - New chimneys shall not detract from significant scale and composition.

This figure is an example. An example is part of the Heritage Guidelines.
It illustrates but does not limit the meaning of a Guideline to which it relates

- B.1-4.9 New services such as but not limited to solar hot water heaters, ventilators, antennae, and satellite dishes shall not be visible from the public domain.

Requirements subject to the discretion of the decision maker

- B.1-4.10 Roofs of additions which are not visible from the public domain or visually separated from the existing roof do not need to match the original roof in every respect. (e.g. Fig. 6)



- B.1-4.11 Where a replacement or new roof is to match an original roof, the use of matching relocated or second hand original materials on roof planes visible from the public domain is encouraged. For more information refer to C.7 Checklist for Materials & Finishes.

B.1-5.0 DOORS AND WINDOWS

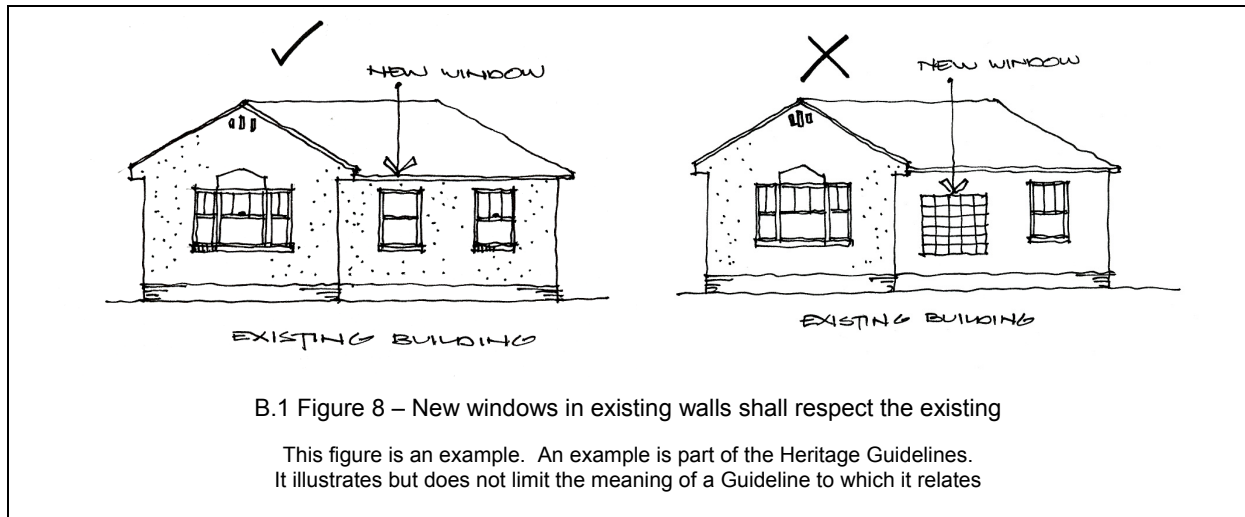
Mandatory Conservation Requirements

- B.1-5.1 All doors and windows which are significant features shall be retained, regardless of internal modifications, unless they are beyond repair, in which case they are to be reconstructed.
- B.1-5.2 A door or window which is a significant feature shall be demolished and reconstructed only where it is no longer economically or technically feasible to carry out repairs and maintenance. Reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to C.7 Checklist for Materials & Finishes. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required
- B.1-5.3 The installation of a new door or window opening in an existing wall visible from the public domain shall not be permitted.
- B.1-5.4 Windows and doors to alterations and additions shall not detract from original fabric in terms of form, scale and proportion. (e.g. Fig. 7)



Requirements subject to the discretion of the decision maker

- B.1-5.5 A new opening in an existing wall which is visible from the public domain should be a simplified interpretation of the existing to show it is new but shall respect the scale, form and proportion of existing openings (e.g. Fig. 8).



- B.1-5.6 Existing door and window openings should be used to facilitate access between the old and the new in order to minimise the amount of demolition required.

B.1-6.0 ARCHITECTURAL DETAILS

Mandatory Conservation Requirements

- B.1-6.1 All elements of external fabric associated with architectural detail and style indicators which are significant features shall be retained unless they are beyond repair, in which case they are to be reconstructed. The SHE shall consider important elements such as wall finishes, mouldings, string courses, ornamental details in brick or timber, and balustrades.
- B.1-6.2 An element of architectural detail shall not be demolished and reconstructed except in cases where it is no longer economically or technically feasible to carry out repairs and maintenance. Reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to *C.7 Checklist for Materials & Finishes*. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.1-6.3 If damage does not affect an entire building element, only the damaged portion shall be reconstructed.
- B.1-6.4 Historic reproduction details shall not be added to an existing place which is visible from the public domain where none previously existed.
- B.1-6.5 Architectural detailing to alterations and additions shall not detract from the existing in terms of form, scale and colour.

Requirements subject to the discretion of the decision maker

- B.1-6.6 Architectural detailing to alterations and additions may be a simplified interpretation of the existing detailing.

B.1-7.0 UTILITIES AND SERVICES

Mandatory Conservation Requirements

- B.1-7.1 All fittings and fixtures for utilities and services which are significant features shall be retained.
- B.1-7.2 New fittings and fixtures for utilities and services shall be installed inconspicuously with minimum damage to the fabric of the place.
- B.1-7.3 Where the retention of fittings and fixtures which are significant features would preclude an acceptable adaptive re-use for the place, approval may be given for its removal. A photographic record shall be prepared and lodged with the Heritage Unit documenting the existing system prior to its removal.

Requirements subject to the discretion of the decision maker

- B.1-7.4 New fittings and fixtures should either replicate the existing where there is evidence to support use of such designs, or be modern fittings located in an unobtrusive setting, subject to legislative requirements.
- B.1-7.5 The upgrading of existing electrical and fire services to minimise the risk of fire is encouraged.
- B.1-7.6 The impact of any external heating or cooling services which are visible from the public domain should be minimised and the impact of the service on the internal climatic environment should be considered.
- B.1-7.7 The visual impact of fire services should be minimised. The decision maker may consider alternative solutions or grant discretionary exemptions if requested.
- B.1-7.8 Modern security doors, block-out shutters and window grilles which are visible from the public domain should be avoided in favour of less obtrusive options such as deadlocks to doors and windows, peep-holes and electronic security systems.

B.1-8.0 APPLIED FINISHES

Mandatory Conservation Requirements

- B.1-8.1 The painting or rendering of an originally uncoated surface shall not be permitted except in exceptional circumstances, such as where the fabric is so damaged that a protective coating is the only viable method of conservation. The SHE shall demonstrate how the selected coating material will minimise adverse impact on the building and on neighbouring properties.
- B.1-8.2 Removal from an external wall of render which is a significant feature shall not be permitted except in exceptional circumstances where the material is beyond repair. In this case the replacement render shall match the significant render as closely as possible. For more information refer to [C.7 Checklist for Materials & Finishes](#).

Requirements subject to the discretion of the decision maker

- B.1-8.3 Where an earlier colour scheme is identified as a significant feature but later paint schemes have been applied, the earlier scheme should be reconstructed.
- B.1-8.4 A new colour scheme for a heritage place should be appropriate for the era of the place.
- B.1-8.5 Where a heritage place is within a row or sub-precinct the adoption of a consistent or co-ordinated approach to paint colours is encouraged.

- B.1-8.6 Services fixtures and fittings should be painted to blend with background colours unless it can be demonstrated they were picked out in contrast in an original scheme.

B.1-9.0 DRIVEWAYS AND PARKING STRUCTURES

Mandatory Conservation Requirements

- B.1-9.1 All patterns, arrangements and materials for vehicle movement and parking which are significant features shall be retained.
- B.1-9.2 The location, design and materials of an additional driveway, parking area or parking structure shall not have an adverse effect on significant features. The SHE shall address matters such as but not limited to garages, carports, ticket vending machines, signage, boom gates and paving materials.
- B.1-9.3 Any additional driveway and parking structure shall be located as unobtrusively as possible.

Requirements subject to the discretion of the decision maker

- B.1-9.4 A parking area should not be located forward of the front building line of a heritage place where no parking area previously existed and where access is possible to the side or rear.
Where no alternative is available, a parking area may be provided forward of the front building line in the form of uncovered hardstand car space(s) constructed in an unobtrusive material.
- B.1-9.5 Additions to an existing on-site parking area should minimise any adverse effect that the increased scale of the parking area may have on the heritage place.

B.1-10.0 OUTBUILDINGS AND ANCILLARY STRUCTURES

Mandatory Conservation Requirements

- B.1-10.1 All outbuildings and ancillary structures which are significant features shall be retained unless it is no longer economically or technically feasible to carry out repairs and maintenance, or they are part of an adaptive re-use which is approved by the decision maker.
- B.1-10.2 Reconstruction work shall match the original fabric in all respects as far as practicable in terms of current building practice. For more information refer to C.7 Checklist for Materials & Finishes. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.1-10.3 A new outbuilding or ancillary structure shall be sited to ensure that it is as unobtrusive as possible in relation to the heritage place.
- B.1-10.4 The form, scale, materials and colours of an outbuilding or ancillary structure shall not detract from significant features.

Requirements subject to the discretion of the decision maker

- B.1-10.5 An outbuilding or ancillary structure should not be located forward of the front building line unless it is located wholly underground or it can be demonstrated that there is no reasonable alternative location. The siting, form, scale, materials and colours of an outbuilding and ancillary structure should not detract from significant features.

B.1-11.0 LANDSCAPES, GARDENS AND TREES

Mandatory Conservation Requirements

- B.1-11.1 All landscape elements which are significant features shall be retained and conserved.
- B.1-11.2 All protected trees shall be retained in accordance with the provisions of *Tree Protection Act 2005*.
- B.1-11.3 The SHE shall include a Landscape Plan which identifies:
- landscape elements which are significant features to be retained
 - existing landscape features to be removed
 - proposed new soft landscaping showing species, numbers and anticipated mature height, planting locations, planting methods and irrigation systems
 - the way in which new landscaping will reflect existing landscape elements which are significant features in terms of mature height and character; and
 - areas of hard landscaping such as but not limited to driveways, paving, retaining walls and water features.
- B.1-11.4 The SHE shall demonstrate that new landscaping adjacent to a significant feature will not damage, or have the potential to damage, that feature.

Requirements subject to the discretion of the decision maker

- B.1-11.5 Hard surfacing other than the minimum required for pedestrian and vehicular access should be avoided between the building line and the front boundary.
- B.1-11.6 Landscape screening of a hard surfaced area visible from the public domain is encouraged.
- B.1-11.7 A retaining wall or earth mounding which is visible from the public domain should not have an adverse effect on the streetscape character of a heritage place or heritage precinct.
- B.1-11.8 New planting should not obscure an existing view of a heritage place to and from the public domain, unless such planting reinstates original plantings for which there is documentary or physical evidence.
- B.1-11.9 Existing vegetation found to be invasive should be managed, or removed and replaced with a suitable non-invasive species. This process should be specified in the Landscape Plan within the SHE.

B.1-12.0 FENCES

Mandatory Conservation Requirements

- B.1-12.1 All development associated with fences, including hedges on the boundary of a property, shall be in accordance with the provisions of the Territory Plan.
- B.1-12.2 All fences and gates which are significant features shall be retained, unless they are beyond repair, in which case they are to be reconstructed.
- B.1-12.3 A fence or gate which is a significant feature, and which is visible from the public domain, shall be reconstructed only where it is no longer economically or technically feasible to carry out repairs and maintenance. Reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to *C.7 Checklist for Materials & Finishes*. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing

Demolition Plan, may be required.

- B.1-12.5 If damage does not affect a whole item or component, only the damaged portion shall be reconstructed.
- B.1-12.5 A previously demolished fence or gate shall only be reconstructed in accordance with its original location and design.
- B.1-12.6 A fence or gate which is a significant feature shall not be increased in height.
- B.1-12.7 A new fence shall not obscure a previously available view of the place to and from the public domain, unless it is a reconstruction of an earlier fence for which there is documentary or physical evidence.
- B.1-12.8 A new fence shall not detract from the heritage place in terms of location, scale, form and materials.

B.1-13.0 POOLS AND TENNIS COURTS

Mandatory Conservation Requirements

- B.1-13.1 Pools and tennis courts which are significant features shall be retained, unless it is no longer economically or technically feasible to carry out repairs and maintenance. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.1-13.2 A new or replacement pool or tennis court and its surrounds shall not detract from the heritage place and landscape setting. The SHE shall address matters such as siting, paving surrounds, surfaces, fencing, and housing and location of plant and equipment.

Requirements subject to the discretion of the decision maker

- B.1-13.3 Landscape screening of a pool or tennis court which is visible from the public domain is encouraged.

B.2 HERITAGE GUIDELINES FOR: NEW DEVELOPMENT WITHIN OR ADJACENT TO A HERITAGE PLACE

Edition dated [Date of tabling in Legislative Assembly of last Guidelines added]

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

APPLICATION OF B.2

B.2 Heritage Guidelines for new Development within or adjacent to a Heritage Place apply to new development within the curtilage of a heritage place and/or on sites adjacent to a heritage place.

They are applicable to a heritage place which either:

- is registered in the Heritage Register under Part 6 of the Heritage Act; or
- has been nominated for provisional registration in the Heritage Register because it meets one or more of the heritage significance criteria in s.10 of the Act; or
- in the case of an Aboriginal place, has been reported to the Heritage Council under s.51 of the Act.

Heritage Guidelines are to be used in conjunction with the Heritage Register entry for each registered place. The Heritage Register entry identifies features which are intrinsic to the significance of that place. These are referred to throughout the Guidelines as significant features. Subsequent cultural heritage reports or a Conservation Management Plan may identify additional significant features.

Proposed development shall comply with the Heritage Guidelines in order to be consistent with the Territory Plan. For more information see *C.2 Development Process*.

Users may need to consult a number of Heritage Guidelines depending on the nature and location of a proposed activity.

B.2 Heritage Guidelines for new Development within or adjacent to a Heritage Place do not apply to Heritage Precincts.

For more information refer to *B.7 Heritage Guidelines for Heritage Precincts*.

For all development affecting heritage places and objects a Statement of Heritage Effects (SHE) will be required as part of Development Approval documentation. The SHE shall assess the likely impacts of development on a heritage place and outline the steps taken to minimise adverse effects. The Heritage Guidelines identify issues of particular importance and conservation requirements which are to be specifically addressed in the SHE.

For more information refer to *C.3 Statements of Heritage Effects*.

The SHE must be consistent with a Conservation Management Plan where one applies to the place or object, or where one is required by the Heritage Council to be prepared.

For more information refer to *C.4 Conservation Management Plans*.

OBJECTIVES OF B.2

- (i) To allow for new development within or adjacent to heritage places
- (ii) To ensure that new development responds appropriately to the character of an adjacent heritage place
- (iii) To ensure that new development retains significant features and does not detract from the form, scale and setting of a heritage place
- (iv) To encourage well designed contemporary architecture

B.2-1.0 CHARACTER

Mandatory Conservation Requirements

B.2-1.1 New development adjacent to a heritage place shall not detract from the significant features of the place.

B.2-1.2 The Statement of Heritage Effects (SHE) shall outline how the design and siting of new development avoids adverse impact on the attributes of the natural and cultural environment that comprise the character of a heritage place.

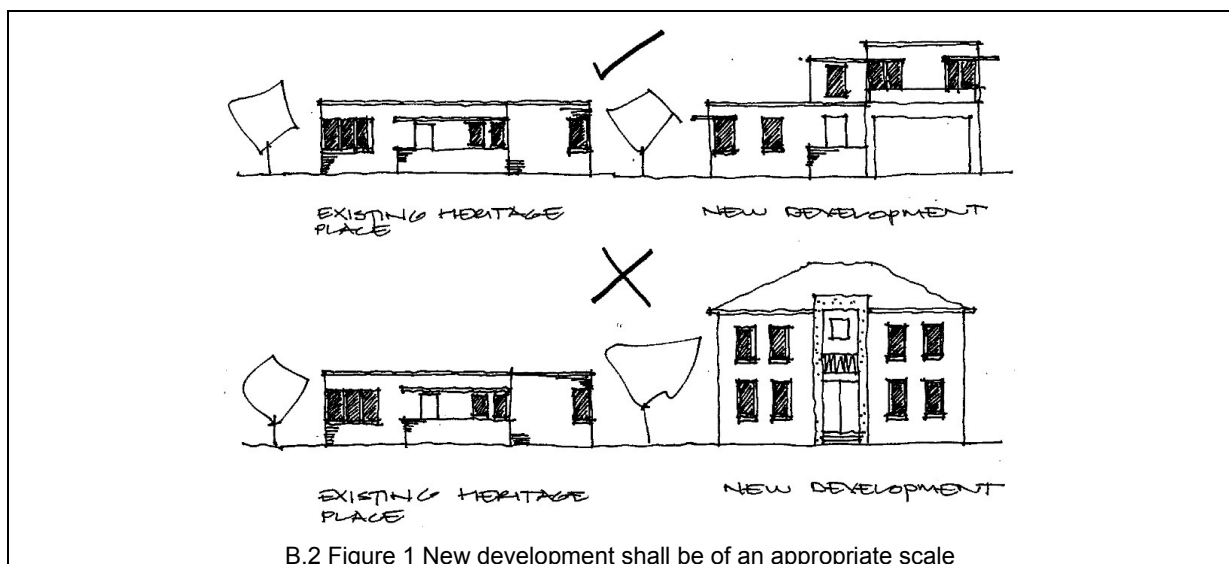
Attributes which may need to be assessed include, but are not limited to:

- relationship to landform
- landscape elements
- street and subdivision patterns
- setbacks
- scale and form of buildings
- history and style of buildings, materials, building techniques, architectural details
- purpose and density of development; and
- views and vistas.

B.2-2.0 SCALE

Mandatory Conservation Requirements

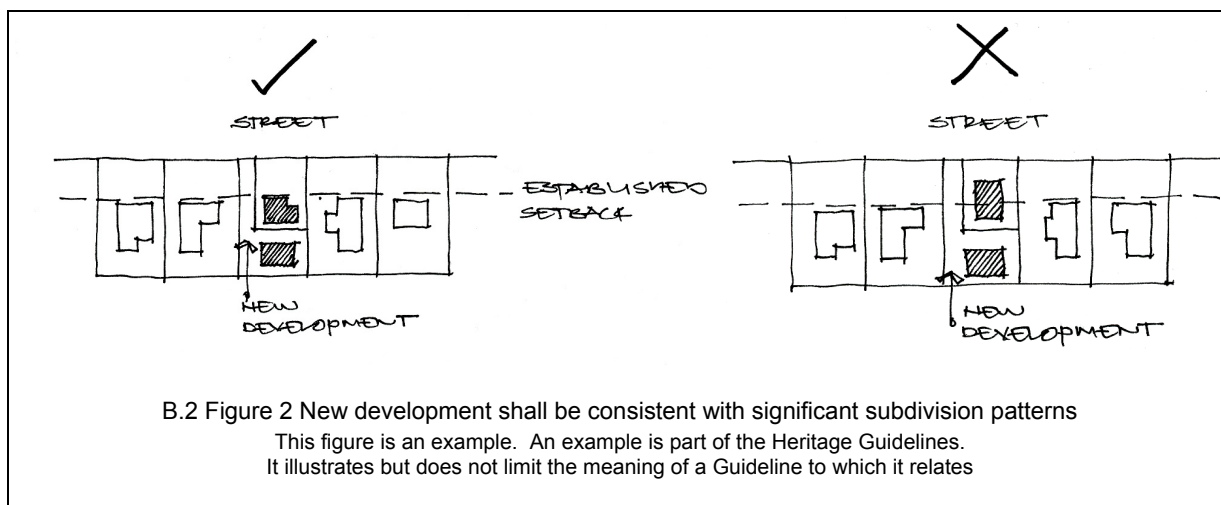
B.2-2.1 The scale of new development shall not have an adverse impact on an adjacent heritage place and setting (e.g. Fig. 1).



B.2 - Heritage Guidelines for New Development Within or Adjacent to a Heritage Place

This figure is an example. An example is part of the Heritage Guidelines.
It illustrates but does not limit the meaning of a Guideline to which it relates

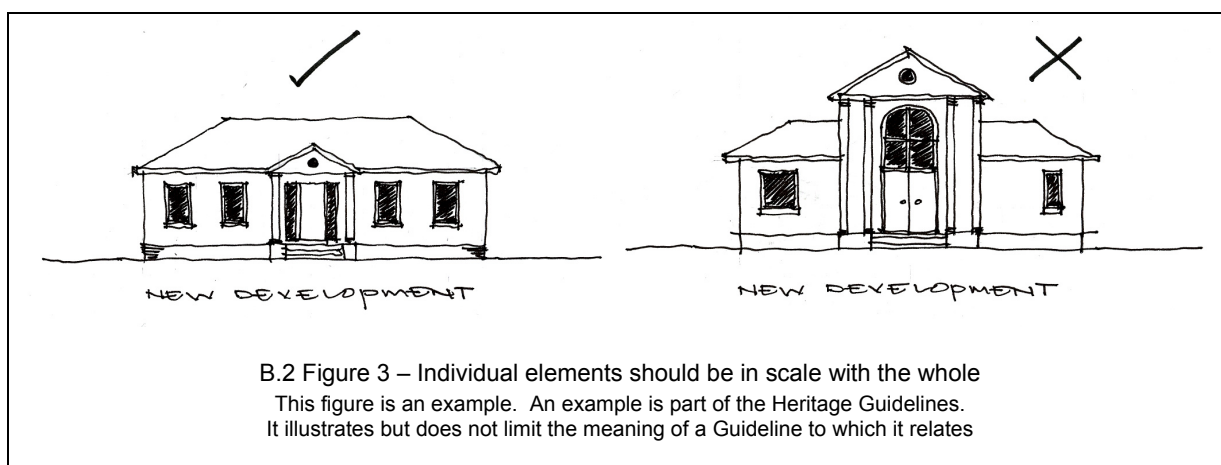
B.2-2.2 New development including subdivision and amalgamation of blocks shall be consistent with existing significant subdivision patterns (e.g. Fig. 2).



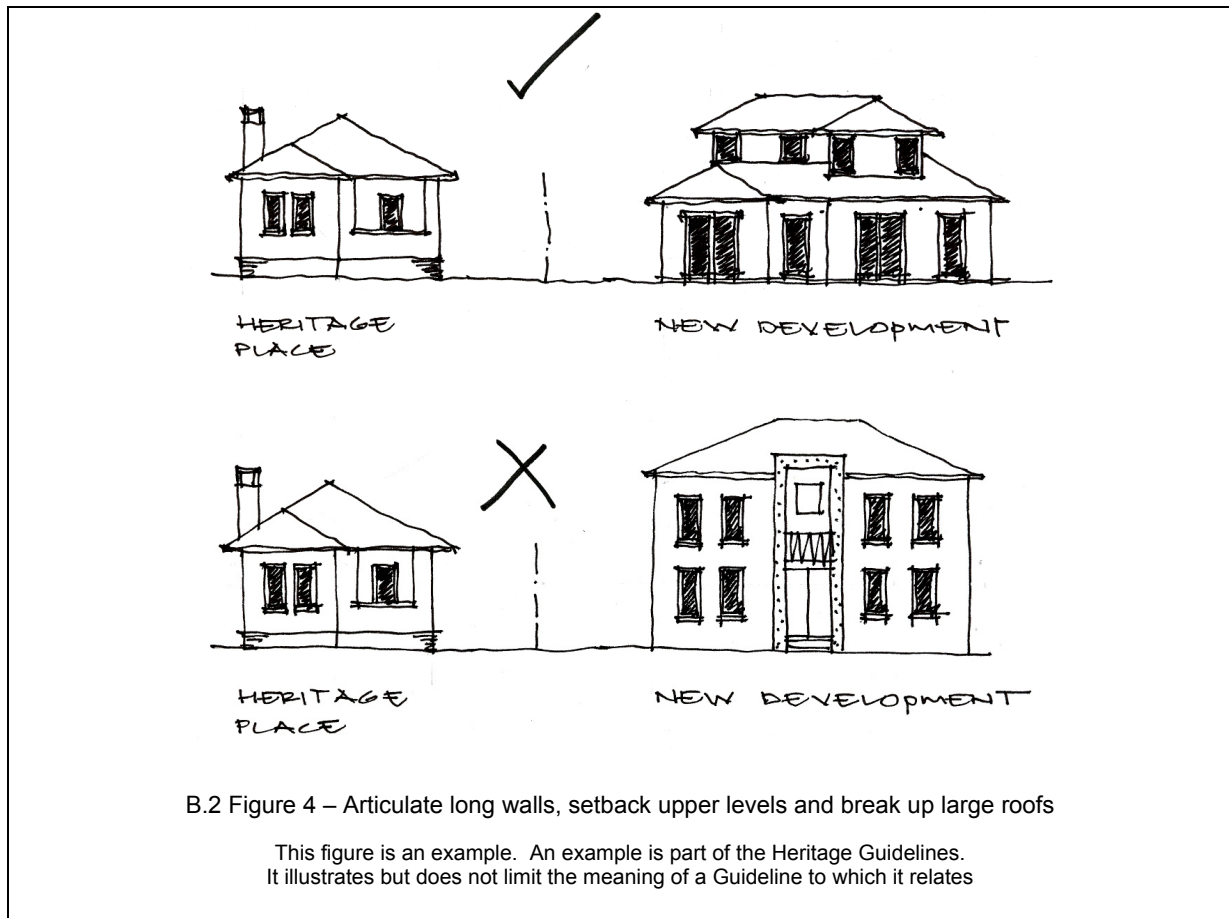
B.2-2.3 The SHE shall provide justification for the scale of new development in relation to the scale of the heritage place and its setting. The SHE shall address matters such as building heights, wall articulation and floor levels in relation to the heritage place.

Requirements subject to the discretion of the decision maker

B.2-2.4 The individual elements of new development should be in scale with the whole (e.g. Fig. 3).



- B.2-2.5 New development that is larger than surrounding buildings should have its scale visually reduced by articulating long walls into bays, by increasing setbacks to upper levels and by breaking up large roof elements (e.g. Fig 4).



B.2-3.0 BUILDING FORM

Mandatory Conservation Requirements

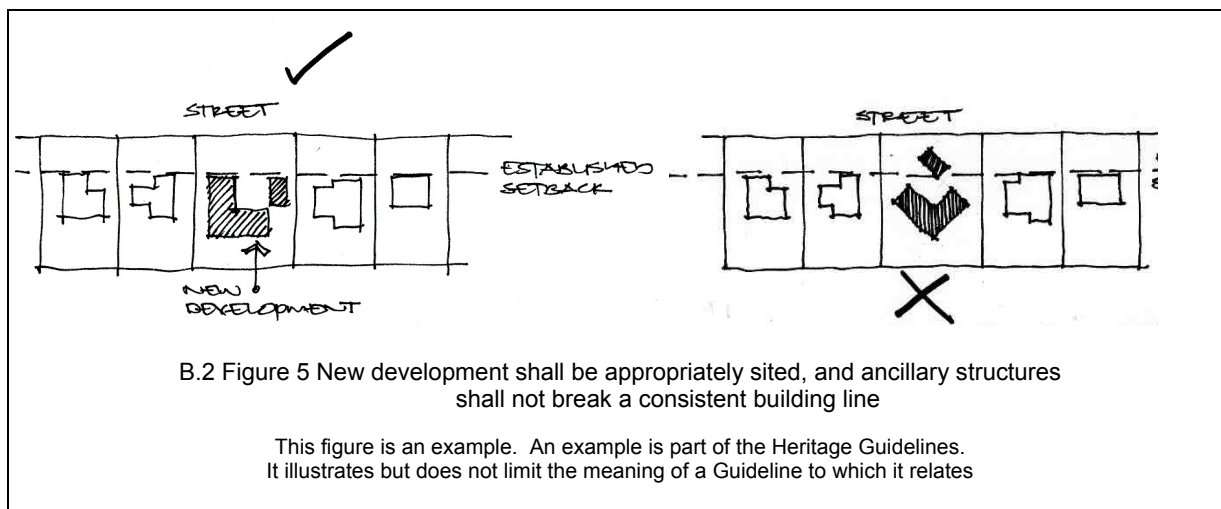
- B.2-3.1 The form of new development shall not detract from the predominant form of an adjacent heritage place and setting.
- B.2-3.2 The SHE shall provide justification for the form of adjacent new development and demonstrate:
- the relationship of ridge and parapet heights, roof shape, roof pitch and eave lines of new development to the heritage place; and
 - the relationship of facades of new development visible from the public domain relate to the heritage place in terms of proportion, materials and ratio of solid to void.

B.2-4.0 SITING

Mandatory Conservation Requirements

- B.2-4.1 The siting of a new development shall not have an adverse impact on an adjacent heritage place and setting.
- B.2-4.2 New development shall be sited to retain significant views and vistas to and from a heritage place.

- B.2-4.3 New development shall be sited so that it does not have an adverse impact on archaeological remains which are significant features.
- B.2-4.4 Ancillary structures, garages and carports shall not break a consistent building line (e.g. Fig. 5).



- B.2-4.5 The SHE shall provide justification for the siting of adjacent new development in relation to the established pattern of front, side and rear setbacks and the location of significant features within the heritage place.

B.2-5.0 MATERIALS AND COLOUR

Mandatory Conservation Requirements

- B.2-5.1 The materials, textures and colours used in new development shall not detract from the characteristic materials, textures and colours used in an adjacent heritage place.
- B.2-5.2 The SHE shall assess the characteristic materials, textures and colours found at the heritage place and shall provide justification for the materials, textures and colours of adjacent new development.

Requirements subject to the discretion of the decision maker

- B.2-5.3 The direct imitation of materials and colours used in an adjacent heritage place is discouraged.

B.2-6.0 ARCHITECTURAL DETAILS

Mandatory Conservation Requirements

- B.2-6.1 The architectural details of all elements of new development shall not detract from an adjacent heritage place.
- B.2-6.2 The use of historically inappropriate details shall not be permitted.
- B.2-6.3 The SHE shall identify the characteristic architectural details of a heritage place and shall provide justification for the architectural details on adjacent new development.

Requirements subject to the discretion of the decision maker

B.2-6.4 The direct imitation of architectural details used in an adjacent heritage place is discouraged.

B.3 HERITAGE GUIDELINES FOR: REPAIRS AND MAINTENANCE IN A HERITAGE PLACE

Edition dated [Date of tabling in Legislative Assembly of last Guidelines added]

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

APPLICATION OF B.3

B.3 Heritage Guidelines for Repairs and Maintenance in a Heritage Place set out minimum standards for repair and maintenance of a building, structure or object which has heritage significance.

The Guidelines are applicable to a heritage place which either:

- is registered in the Heritage Register under Part 6 of the Heritage Act; or
- has been nominated for provisional registration in the Heritage Register because it meets one or more of the heritage significance criteria in s.10 of the Act; or
- in the case of an Aboriginal place, has been reported to the Heritage Council under s.51 of the Act.

Heritage Guidelines are to be used in conjunction with the Heritage Register entry for each registered place. The Heritage Register entry identifies features which are intrinsic to the significance of that place. These are referred to throughout the Guidelines as significant features. Subsequent cultural heritage reports or a Conservation Management Plan may identify additional significant features.

Users may need to consult a number of Heritage Guidelines depending on the nature and location of a proposed activity.

INTRODUCTION

Routine, ongoing repairs and maintenance to heritage places and objects are essential to the retention of heritage significance. Weatherproofing, fire protection, security and essential maintenance are important aspects of keeping a building, structure or object in good condition.

These guidelines set out minimum standards for repairs and maintenance to ensure that heritage significance is not diminished.

The guidelines do not require owners to undertake restoration works.

Where repairs and maintenance works need to be carried out, owners may be eligible to apply for financial assistance through the ACT Heritage Grants Program. For more information see <http://www.tams.act.gov.au/live/heritage/heritagegrants>.

Technical advice is available from the Heritage Advisory Service (contact 02-6295-3311).

Failure to meet these minimum standards for repairs and maintenance may cause the heritage significance of a place or object to be diminished or may cause damage to an Aboriginal place or object. In such cases, the owner or occupier may be committing an offence under [s.74](#) or [s.75](#) of the Heritage Act.

In extreme cases, the Minister may give the owner or occupier of a place or object a written direction (a Heritage Direction) to do something (e.g. essential repairs and maintenance) or to not do something (e.g. to cease works which may be a threat to heritage significance). This direction is given under [s.62](#) of the Heritage Act. If a person fails to comply with a Heritage Direction, they may be committing an offence under [s.65](#) of the Heritage Act. The

Territory may arrange for the works to be carried out and for expenses to be charged to the person who failed to comply with the direction (s.66).

OBJECTIVES OF B.3

- (i) To allow for ongoing repairs and maintenance to heritage places
- (ii) To ensure that repairs and maintenance are carried out in a manner appropriate to the character of a heritage place
- (iii) To ensure that repairs and maintenance retain significant features and do not have an adverse impact on a heritage place

B.3-1.0 ESSENTIAL REPAIRS AND MAINTENANCE

Mandatory Conservation Requirements

B.3-1.1 Essential repairs and maintenance of a building, structure or object shall be carried out at a frequency and to a standard necessary to prevent or address damage or deterioration which may have an adverse impact on heritage significance.

B.3-1.2 Essential repairs and maintenance includes, but is not limited to:

- measures (including inspection) required to control pests including (but not limited to) termites, rodents, birds and other vermin
- measures (including inspection) required to protect against damage by weather, fire or human agency; and
- measures required to maintain a stable environment for in-situ archaeological relics.

B.3-1.3 The requirement for essential repairs and maintenance extends to, but is not limited to:

- foundations, footings and supporting structure of any building or object
- structural elements such as walls, columns, beams floors, roofs and roof structures, and verandah or balcony structures
- exterior and interior finishes and details
- systems and components (such as ventilators or ventilation systems) intended to reduce or prevent damage due to dampness
- fixtures, fittings and moveable objects attached to the building or object, or to its curtilage or setting
- landscape elements associated with the building or object, including (but not limited to) vegetation, garden walls, paths, fences, and statuary ornaments.

B.3-2.0 WEATHER PROTECTION

Mandatory Conservation Requirements

B.3-2.1 The building, structure, object or elements shall be repaired and maintained (including being cleaned and secured) at a frequency and to a standard necessary to ensure a reasonable level of protection against damage or deterioration due to weather.

This includes, but is not limited to, systems or components such as:

- surface and sub-surface drainage systems
- roof drainage systems including gutters, rainwater heads, downpipes and stormwater drainage
- water storages, dams, ponds retention basins, watercourses, batters, levee banks and other flood and erosion mitigation measures
- roofs, walls, doors and windows and other components intended to exclude sun, rain, wind, hail, snow or other weather elements;

- systems or components which might be at risk of damage or dislodgement by high winds, including damage by falling trees and branches
- damp proof courses, flashings, ventilation systems and other measures intended to prevent ingress of water or dampness or to reduce its effects
- lightning conductors; and
- any other system or component designed to protect the building or its curtilage or setting against damage or deterioration due to weather.

B.3-2.2 Doors and windows of a building shall not be boarded up as an alternative to repair except in cases where the building is unoccupied, or this is required as a short term measure pending repair.

B.3-2.3 An opening to a building shall be boarded up in cases where the opening is designed or intended to have a door, window or other closure, and the intended door, window or other closure is not in place.

B.3-3.0 FIRE PROTECTION

Mandatory Conservation Requirements

B.3-3.1 Any material which has the potential to create a fire hazard for a building, structure or object shall be removed and shall not be permitted to accumulate. Such material includes, but is not limited to, vegetation, debris and rubbish.

B.3-3.2 Fire monitoring and protection systems shall be maintained to an adequate level.

B.3-4.0 SECURITY

Mandatory Conservation Requirements

B.3-4.1 Fencing and/or surveillance systems appropriate to the nature and location of the building, structure or object shall be installed and maintained to secure significant features from theft or wilful damage.

B.3-4.2 The building, structure, object or elements shall be repaired and maintained at a frequency and to a standard necessary to ensure a reasonable level of security. This includes (but is not limited to) systems or components such as:

- boundary and internal fences and gates including associated locking mechanisms
 - walls, roof, other building elements, doors and windows and other closures, including associated locking mechanisms; and
 - any electronic surveillance or alarm system installed in the place.
-

B.4 HERITAGE GUIDELINES FOR: COMMERCIAL AND INDUSTRIAL HERITAGE

Edition dated [Date of tabling in Legislative Assembly of last Guidelines added]

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

APPLICATION OF B.4

B.4 Heritage Guidelines for Commercial and Industrial Heritage are applicable to a heritage place which either:

- is registered in the Heritage Register under Part 6 of the Heritage Act; or
- has been nominated for provisional registration in the Heritage Register because it meets one or more of the heritage significance criteria in s.10 of the Act; or
- in the case of an Aboriginal place, has been reported to the Heritage Council under s.51 of the Act.

Heritage Guidelines are to be used in conjunction with the Heritage Register entry for each registered place. The Heritage Register entry identifies features which are intrinsic to the significance of that place. These are referred to throughout the Guidelines as significant features. Subsequent cultural heritage reports or a Conservation Management Plan may identify additional significant features.

Proposed development shall comply with the Heritage Guidelines in order to be consistent with the Territory Plan. For more information see *C.2 Development Process*.

Users may need to consult a number of additional Heritage Guidelines depending on the nature and location of a proposed activity.

Depending on the nature of activity proposed, these B.4 Guidelines should be referred to in conjunction with the requirements outlined in:

- *B.1 Heritage Guidelines for Alterations and Additions to a Heritage Place*,
- *B.2 Heritage Guidelines for New Development within or adjacent to a Heritage Place*; and
- *B.3 Heritage Guidelines for Repairs and Maintenance in a Heritage Place*.

For all development affecting heritage places and objects a Statement of Heritage Effects (SHE) will be required as part of Development Approval documentation. The SHE shall assess the likely impacts of development on a heritage place and outline the steps taken to minimise adverse effects. The Heritage Guidelines identify issues of particular importance and conservation requirements which are to be specifically addressed in the SHE.

For more information refer to *C.3 Statements of Heritage Effects*.

The SHE must be consistent with a Conservation Management Plan where one applies to the place or object, or where one is required by the Heritage Council to be prepared.

For more information refer to *C.4 Conservation Management Plans*.

OBJECTIVES OF B.4

- (i) To ensure the ongoing use and long term viability of commercial and industrial heritage places
- (ii) To enable change of use and adaptation to meet current commercial requirements without having an adverse impact on commercial and industrial buildings, structures and objects which are significant features

B.4-1.0 CHANGE OF USE OR ADAPTATION

Mandatory Conservation Requirements

- B.4-1.1 A change of use or an adaptation within the existing use shall not have an adverse impact on significant features of a place containing a commercial and industrial building, structure or object.
- B.4-1.2 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise any adverse impact that a change of use or adaptation may have on significant features. The SHE shall address matters such as:
 - demolition
 - alterations and additions
 - required upgrades to utilities and services, plant and equipment; and
 - carparking and landscaping.
- B.4-1.3 Approval to remove significant features to enable adaptive re-use shall require safe storage of those features and on-site interpretation of their significance by way of photographs, drawings and explanatory material.

Requirements subject to the discretion of the decision maker

- B.4-1.4 Where change is proposed relating to an existing use or a new use, the use should be compatible with the place and should result in minimal adverse impact on significant features.
- B.4-1.5 If a new use cannot be suited to an existing space without adverse impact, a new space should be added outside the existing structure; or alternatively, a use requiring a new finish or considerable mechanical upgrading should be confined to an area within the place which is of low heritage significance.
- B.4-1.6 Existing access patterns should be conserved without modification.
- B.4-1.7 Where a place or part of a place has historically been accessible to the public, any change of use should aim to provide for continued public accessibility.

B.4-2.0 SIGNIFICANT INTERIORS

Mandatory Conservation Requirements

- B.4-2.1 A change of use or adaptation of a place shall not have an adverse impact on an interior which is a significant feature.
- B.4-2.2 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise any adverse impact that a change of use or adaptation may have on an interior which is a significant feature. The SHE shall address matters such as:
 - demolition
 - remodelling
 - subdivision of internal spaces and consolidation to create larger spaces; and

- retention of public access.

B.4-3.0 SHOP FRONTS, AWNINGS AND VERANDAHS

Mandatory Conservation Requirements

- B.4-3.1 Awnings and shop fronts which are significant features of a heritage place shall be retained, unless they are beyond repair, in which case they shall be reconstructed.
- B.4-3.2 An awning or shop front which is a significant feature shall be demolished and reconstructed only where it is no longer economically or technically feasible to carry out repairs and maintenance. Reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to C.7 Checklist for Materials & Finishes. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.4-3.3 The Statement of Heritage Effects (SHE) shall outline steps to be taken to avoid or minimise any adverse impact on significant features, including adjacent fabric.

Requirements subject to the discretion of the decision maker

- B.4-3.4 In the case of a building façade which is a significant feature, the addition of a fixed awning or verandah where none previously existed should be avoided.
- B.4-3.5 The accurate reconstruction of a missing shop front, awning or verandah is encouraged where detailed evidence exists.
- B.4-3.6 Where reconstruction is desired and evidence of the original does not exist, a simple shopfront or awning of the general form and dimensions of the period should be constructed.
- B.4-3.7 On a new building, the design of shop fronts, awnings and verandahs should be contemporary but should not detract from such elements where they exist on an adjacent heritage place.

B.4-4.0 SIGNAGE

Mandatory Conservation Requirements

- B.4-4.1 A new sign or multiple signs attached to a heritage place shall not detract from the place and its setting, shall not cover or obscure significant features and shall not be fixed in such a way that its removal would damage significant features.
- B.4-4.2 A new painted sign shall not be permitted on an unpainted masonry wall.
- B.4-4.3 A surviving historic sign shall be retained in its original location, unless it is no longer economically or technically feasible to carry out repairs and maintenance, in which case it shall be reconstructed in the same location.
- B.4-4.4 Reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to C.7 Checklist for Materials & Finishes. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.4-4.5 The location and design of new signage adjacent to a surviving historic sign shall not have an adverse impact on the significance of the historic sign.
- B.4-4.6 For new development with multiple tenancies, a signage policy which complies with this Guideline shall be prepared for the whole of the place and lodged with the

Development Application. New tenants shall comply with any current signage policy.

- B.4-4.7 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise any adverse impact on significant features. The SHE shall address matters such as size, design, materials, colours, construction or illumination.

Requirements subject to the discretion of the decision maker

- B.4-4.11 A new sign should be sited only in a location which is typically used for signage in a place of that era. If the place has no such location, a small freestanding sign is preferred to fixed signage.
- B.4-4.12 In the case of a heritage place with existing multiple tenancies, the development of a signage policy which complies with these Guidelines is encouraged.
- B.4-4.13 New signage should be obviously contemporary and direct imitation of historic signage should be avoided.
- B.4-4.14 The reconstruction of historic signs, where detailed evidence of their design and location exists, is encouraged.
- B.4-4.15 Corporate image requirements such as specific colours and logos should be adapted so as to not detract from the heritage place.

B.4-5.0 UTILITIES AND SERVICES

Mandatory Conservation Requirements

- B.4-5.1 Utilities and services systems which are significant features shall be retained.
- B.4-5.2 Utilities and services systems which are significant features shall be demolished and reconstructed only where it is no longer economically or technically feasible to carry out repairs and maintenance.
- B.4-5.3 Reconstruction work shall match the original fabric in all respects as far as practicable. For more information refer to C.7 Checklist for Materials & Finishes. Reconstructed fabric shall be clearly documented on plans lodged for building approval. A Demolition Plan, or an amendment to an existing Demolition Plan, may be required.
- B.4-5.4 Where significant utilities and services systems are no longer serviceable, new systems required for contemporary use shall be installed adjacent to the original systems and shall have minimum adverse impact on significant features.
- B.4-5.5 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise any adverse impact on significant features. The SHE shall address matters such as, but not confined to:
- design of heating and cooling systems so as to minimise the potential for damage to significant features
 - siting of external fixtures such as switch and meter boards, solar collectors, aerials, satellite dishes, water tanks, heating and cooling units so as not to be visible from the public domain
 - location of internal fixtures such as switchboards, indicator panels, hose reels, extinguishers etc in areas of low significance or, where unavoidable in areas of high significance, so as to be as unobtrusive as possible.

Requirements subject to the discretion of the decision maker

- B.4-5.5 Existing electrical and fire services should be upgraded to meet current regulations to minimise the risk of fire.
- B.4-5.7 Acceptable solutions for fire services under the Building Code of Australia (BCA) may have an adverse effect on significant fabric (e.g. services penetrations, compartmentalisation, width of exits, door swings, additional fire stairs etc). This effect should be minimised by the adoption of alternative solutions which comply with the performance criteria of the BCA, subject to approval by the Authority.
- B.4-5.8 New work as a result of fire services requirements or general utilities installation

should be reversible, so that the place can be returned to its earlier form in the future, if desired. All works should be documented in plans and photographs and lodged with the building file.

- B.4-5.11 Because of their adverse visual effect security doors, block-out shutters and window grilles (unless original or significant features) should be avoided in favour of other security options such as deadlocks to doors and windows, peep-holes, electronic security systems etc.
- B.4-5.12 External fixtures such as switch and meter boards, solar collectors, aerials, satellite dishes, water tanks, heating and cooling units and associated vents and pipe work should be located in unobtrusive areas, such as within the building, in sub-floor spaces, roof spaces, or on external walls or roofs which are not visible from the public domain.

B.4-6.0 DISABLED ACCESS AND FACILITIES

Mandatory Conservation Requirements

- B.4-6.2 Disabled access and facilities such as ramps, lifts, circulation spaces, toilet, bathroom and kitchen facilities where desired and/or required by legislation shall be installed inconspicuously with minimum adverse impact on significant features. New work should complement the scale of the existing place. Fittings shall be apparent as new work. Historical recreations shall not be permitted.
- B.4-6.1 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to minimise any adverse impact on significant features.

Requirements subject to the discretion of the decision maker

- B.4-6.3 Acceptable solutions for disabled access and facilities may have an adverse impact on significant features (e.g. ramps at entries, new lifts, width of exits, door swings, tactile surface indicators, signage etc). This impact should be minimised by the adoption of alternative solutions which comply with the performance criteria of the BCA, subject to approval by the Authority.
 - B.4-6.4 New work should be reversible, so that the place can be returned to its earlier form in the future, if desired. All alterations and additions for disabled access and facilities works should be documented in plans and photographs and lodged with the building file.
-

B.5 HERITAGE GUIDELINES FOR: RURAL HERITAGE

Edition dated [Date of tabling in Legislative Assembly of last Guidelines added]

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

APPLICATION OF B.5

B.5 Heritage Guidelines for Rural Heritage address the special requirements for alterations and additions, and new development within, and new development adjacent to, rural heritage places. Rural heritage places are not only located on rural landholdings and reserve areas, but may also be located within the urban area.

The Guidelines are applicable to a heritage place which either:

- is registered in the Heritage Register under Part 6 of the Heritage Act; or
- has been nominated for provisional registration in the Heritage Register because it meets one or more of the heritage significance criteria in s.10 of the Act; or
- in the case of an Aboriginal place, has been reported to the Heritage Council under s.51 of the Act.

Heritage Guidelines are to be used in conjunction with the Heritage Register entry for each registered place. The Register entry identifies features intrinsic to the significance of that place. These are referred to throughout the Guidelines as significant features. Subsequent cultural heritage reports or a Conservation Management Plan may identify additional significant features.

Proposed development shall comply with the Heritage Guidelines in order to be consistent with the Territory Plan. For more information see *C.2 Development Process*.

Depending on the type of activity proposed, these Guidelines (B.5) should be referred to in conjunction with the requirements outlined in:

- *B.1 Heritage Guidelines for Alterations and Additions to a Heritage Place*,
- *B.2 Heritage Guidelines for New Development within or adjacent to a Heritage Place*; and
- *B.3 Heritage Guidelines for Repairs and Maintenance in a Heritage Place*.

Depending on the location of the proposed activity, these Guidelines (B.5) should be referred to in conjunction with the requirements outlined in:

- *B.6 Heritage Guidelines for Rural Villages*
- *B.8 Heritage Guidelines for Conservation of Aboriginal Heritage Places*; and
- *B.9 Heritage Guidelines for Conservation of Natural Heritage Places*.

Where relevant, users should also refer to adopted reserve management plans, and to Land Management Agreements for rural landholdings.

For all development affecting heritage places and objects a Statement of Heritage Effects (SHE) will be required as part of Development Approval documentation. The SHE shall assess the likely impacts of development on a heritage place and outline the steps taken to minimise adverse effects. Heritage Guidelines identify issues of particular importance and conservation requirements which are to be specifically addressed in the SHE.

For more information refer to *C.3 Statements of Heritage Effects*.

The SHE must be consistent with a Conservation Management Plan where one applies to the place or object, or where one is required by the Heritage Council to be prepared.

For more information refer to *C.4 Conservation Management Plans*.

OBJECTIVES OF B.5

- (i) To conserve the heritage significance of rural heritage places and objects
- (ii) To ensure that alterations and additions and new development within and adjacent to rural heritage places do not have an adverse impact on the heritage significance of those places

B.5-1.0 ALTERATIONS, ADDITIONS AND NEW DEVELOPMENT IN RURAL HERITAGE PLACES

Mandatory Conservation Requirements

- B.5-1.1 Alterations, additions and new development shall not detract from a rural heritage place and its setting.
This applies to new development which includes, but is not limited to, roads, fencing, farming practices, modification to the ground surface, trellis and vine construction, undertaking landscape amenity planting, removing windrows, construction of dwellings, sheds and other farm structures, or alterations and additions to a building or structure.
- B.5-1.2 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise adverse impact on significant features and the heritage place. The SHE shall address matters such as, but not limited to:
- proximity to significant features and heritage places
 - likely impact on significant features and heritage places; and
 - the visibility of proposed development from established viewing points such as, but not limited to, lookouts, including those located outside the heritage place.

Requirements subject to the discretion of the decision maker

- B.5-1.3 A new development within a group of buildings and structures should not detract from the rural character and the form of that group.
For further information refer to *B.2 Heritage Guidelines for New Development within or adjacent to a Heritage Place*.
- B.5-1.4 Alterations and additions to a building or structure within a group of buildings and structures should not detract from the character and form of that group.
For further information refer to *B.1 Heritage Guidelines for Alterations & Additions to a Heritage Place*.
- B.5-1.5 New development should be sited so that it does not have an adverse impact on an important view or vista, nor on a significant cultural landscape.
- B.5-1.6 New development should be located so that it does not have an adverse impact on a tree or vegetation screen which is a significant feature.
- B.5-1.7 The existing pattern and form of significant fencing within the heritage place should be retained.

B.5-2.0 RURAL RUINS AND OTHER PHYSICAL EVIDENCE

Mandatory Conservation Requirements

- B.5-2.1 New development, conservation work or the removal of significant features or introduction of new materials shall not detract from the heritage significance of a ruined building or other physical evidence which is a significant feature. This includes (but is not limited to) a eucalyptus still, charcoal pit, well, windpump, ploughland, mine or lime kiln.
- B.5-2.2 New development adjacent to a heritage place shall be sited to avoid an adverse impact on the curtilage or setting of a ruined building or structure, or other physical evidence which is a significant feature.
- B.5-2.3 A landform which is a significant feature of a heritage place and its setting shall not be modified.
- B.5-2.4 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise adverse impact on significant features of a heritage place and its setting.

B.5-3.0 ARCHAEOLOGICAL EVIDENCE

Mandatory Conservation Requirements

- B.5-3.1 No activity shall detract from the heritage significance of an archaeological deposit which is a significant feature. Such activity includes, but is not limited to, new development, alterations and additions, repairs and maintenance, conservation works, archaeological investigation and research projects.
- B.5-3.2 The Statement of Heritage Effects (SHE) shall outline the steps to be taken to avoid or minimise adverse impact on significant features. The SHE shall address matters such as:
- identification of any archaeologically sensitive zones
 - definition of the nature of their archaeological potential
 - assessment of the impact of an activity; and
 - the process to be followed if a new discovery is made during the undertaking of an approved activity.

Where applicable, refer also to [B.8 Guidelines for Aboriginal Places and Objects](#).

B.5-4.0 RURAL GRAVEYARDS AND CEMETERIES

Mandatory Conservation Requirements

- B.5-4.1 An activity shall not detract from the heritage significance of a rural graveyard or cemetery. This includes individual and isolated burial plots and family and homestead grave sites. It does not include rural village cemeteries which are referred to in [B.6 Guidelines for Rural Villages](#).

Such activity may include, but is not limited to, new development, alterations and additions, repairs and maintenance, new burials, alterations to existing boundaries, conservation works, archaeological investigation and research projects.

B.5-4.2 Rural cemeteries and grave sites shall not be developed for a purpose other than as a cemetery or grave site.

- B.5-4.3 Significant features including headstones, monuments, cairns, fences, associated pathways, plantings and settings etc shall be retained in their original location, unless:
- it is no longer economically or technically feasible to carry out repairs and maintenance on a feature, in which case it shall be reconstructed in the same location; or
 - weathering, vandalism or other sources of degradation pose an unacceptable risk to the survival of a feature if left in its original location, in which case it shall be removed to a safe place for storage and/or conservation works.
- B.5-4.4 Any materials used in reconstruction of significant features shall match the original in all respects as far as practicable. For more information refer to C.7 Checklist for Materials & Finishes. Reconstruction of fabric shall be clearly documented.
- B.5-4.5 In the case of development, the Statement of Heritage Effects (SHE) shall outline steps to be taken to avoid or minimise adverse impact on significant features.

B.5-5.0 CULTURAL LANDSCAPES

Mandatory Conservation Requirements

- B.5-5.1 Development shall not detract from the heritage significance of a cultural landscape which is entered in the Heritage Register.
- B.5-5.2 The Statement of Heritage Effects (SHE) shall identify steps to be taken to avoid or minimise adverse impact on significant features.
Significant features in a cultural landscape may include, but are not limited to, homesteads, trees, fences, paddock patterns, outbuildings, historic tracks and roadways, modified landforms, and evidence of significant relationships between features.

Requirements subject to the discretion of the decision maker

- B.5-5.3 Development which involves a change of land use or alteration to the historic relationship between significant features of a cultural landscape should be undertaken in a manner that allows the historically significant patterns, relationships and evidence of activities to remain evident concurrent with the new use or form.

B.6 HERITAGE GUIDELINES FOR: RURAL VILLAGES

Interim Note dated [Date]

Rural villages are a distinctive feature of the 19th and early 20th century development of the ACT. The Heritage Council will prepare a set of Heritage Guidelines which are specific to each Rural Village proposed for entry on the Heritage Register.

The Village of Hall is entered on the Heritage Register, which sets out specific guidelines to conserve its heritage significance in relation to proposed development.

Further Heritage Guidelines will be developed as other nominated Rural Villages are assessed for the Heritage Register.

B.7 HERITAGE GUIDELINES FOR: HERITAGE PRECINCTS

Interim Note dated [Date]

The Heritage Register entries for Canberra's thirteen inner city residential Heritage Precincts have been in the process of review and updating in recent years.

The ACT Legislative Assembly agreed to Heritage Guidelines to apply to ten of these precincts ('Garden City precincts'), where nine were passed as Draft Variation 173 to the Territory Plan on 4 December 2003, except Heritage Guidelines for Blandfordia 4 Housing Precinct, Forrest, which came into effect from 20 July 2007.

The Heritage Precincts concerned are:

- Alt Crescent, Ainslie
- Barton Housing Precinct, Barton
- Blandfordia 4 Housing Precinct, Forrest
- Blandfordia 5 Housing Precinct, Griffith/Forrest
- Braddon Housing Precinct, Braddon
- Corroboree Park Precinct, Ainslie
- Forrest Housing Precinct, Forrest
- Kingston/Griffith Housing Precinct, Kingston
- Reid Housing Precinct, Reid; and
- Wakefield Gardens Precinct, Ainslie.

In February 2006 the Heritage Council amended some of these Guidelines to correct errors under the Heritage Act 2004.

The Heritage Guidelines which apply to the thirteen Heritage Precincts are available at http://www.tams.act.gov.au/live/heritage/act_heritage_register. Developments proposed within the Heritage Precincts are required to conform to the relevant Guideline(s).

Further Heritage Guidelines will be developed as other nominated Heritage Precincts are assessed for the Heritage Register.

Chapter 5 PART C ADDITIONAL INFORMATION

Note: This section is part of the statutory Heritage Guidelines.

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

C.1 DICTIONARY

Aboriginal heritage research proposal means proposed *research* or investigative works involving *Aboriginal places* or *Aboriginal objects*, for which the approval of the *Heritage Council* is required.

Aboriginal object has the meaning shown in s.9 of the *Heritage Act 2004*, deriving *cultural significance* from Aboriginal tradition and history, including contemporary history.

Aboriginal place has the meaning shown in s.9 of the *Heritage Act 2004*, deriving *cultural significance* from Aboriginal tradition and history, including contemporary history.

the Act means the *Heritage Act 2004*.

adaptation means modifying a *place* to suit the existing *use* or a proposed *use*.

adaptive re-use – see *adaptation*.

adverse impact means an impact which diminishes or makes less accessible the *heritage significance* of a *place*.

AIATSIS means Australian Institute of Aboriginal and Torres Strait Islander Studies.

ancillary structure – see *outbuildings and ancillary structures*.

archaeological deposit means a deposit composed of soil and other debris formed primarily by cultural activity, usually containing evidence of past activity, such as *artefacts*.

artefact means an *object* made by human agency.

associations mean the special connections that exist between people and a *place*. Associations may include social or spiritual values and cultural responsibilities for a *place*.

Australian Natural Heritage Charter means the 'Australian Natural Heritage Charter: Standards and Principles for the Conservation of Places of Cultural Significance', which sets out principles, processes and standards for the conservation of *natural heritage places*.

the Authority means the ACT Planning and Land Authority established under s.7 of the *Land Act*

BCA means Building Code of Australia.

benchmark means values (or ranges) of measurable parameters that have an agreed significance for scientists or managers.

biodiversity means the variability among living *organisms* from all sources (including terrestrial, marine and other aquatic *ecosystems* and the ecological complexes of which they are part) and includes diversity within and between species and the diversity of *ecosystems*.

building includes an addition to a *building*; a *structure* attached to a *building*; and a part of a *building*.

Building Act means the *Building Act 2004*.

building file means the records kept by *the Authority* relating to *development approvals*.

Burra Charter means 'The Burra Charter: The Australia ICOMOS Charter for the conservation of places of cultural significance 1999'.

character (of a *place* or *object*) means the distinctive nature and traits of a *place* or *object*.

CMP means *Conservation Management Plan*.

collection means a group of *objects* which are linked by a shared theme.

community in the context of *natural heritage* means an assemblage of *species* that inhabits a particular area in nature.

compatible use means a *use* that respects the *cultural significance* of a *place*. Such a *use* involves no, or minimal, impact on *cultural significance*.

conservation means all the processes of looking after a *place* so as to retain its *cultural significance* or *natural significance* and always includes *protection*, *preservation*, *restoration*, *reconstruction*, *reinstatement*, *maintenance* and *monitoring*.

Conservation Management Plan has the meaning shown in s.15 of the *Heritage Act 2004*.

In broad terms, it is a document which sets out what is significant in a *place* and what policies are appropriate to enable the heritage significance to be retained in its future use and development. It is prepared by a suitably qualified professional.

conservation requirement means a requirement under a *Heritage Guideline* that applies directly or indirectly to *conservation* of the *heritage significance* of a *place* or *object*.

consistent in the context of new work or design means being very similar to the original and not detracting from the *heritage significance* of a *place*.

cultural heritage is those places that are significant to the community because of their cultural heritage values. See *cultural significance*.

cultural heritage value is synonymous with *cultural significance*.

cultural heritage report means a report prepared by a cultural heritage professional identifying *Aboriginal places* or *objects* in an area proposed for *development*, including (but not confined to) outcomes from survey, inventory, investigation or research.

cultural landscape means a physical landscape which reflects changes made by humans.

In broad terms it recognises that a landscape may be valued for its material traces of human interaction with the natural environment (such as patterns, relationships and evidence of activities) and/or its *associations* with events, beliefs, stories or perceptions. These traces and *associations* may have *cultural significance*.

cultural significance means aesthetic, historic, scientific, social or spiritual *value* for past, present or future generations. Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, records, *related places* and *related objects*. Places may have a range of *values* for different individuals or groups. Cultural significance may change as a result of the continuing history of the *place*. Understanding of cultural significance may change as a result of new information. The term *cultural significance* is synonymous with *heritage significance* and *cultural heritage value*.

culturally scarred tree means a tree scarred as a result of removal of material to produce an *artefact*.

curtilage means the setting or area which surrounds a place and which is relevant to its *conservation* and management.

decision maker in respect of decisions under s.231 of the *Land Act* means the relevant authority for the purposes of that Act, and in all other circumstances means the Heritage Council.

degradation in the context of *natural heritage* means any significant decline in the quality of natural resources or *natural integrity* of a *place* or the viability of an *ecosystem*, caused directly or indirectly by human activities.

Demolition Plan means a plan which is lodged as part of a *Development Application* to document proposed demolition of *fabric*, and describe how adjacent *significant fabric* is to be protected.

development means a proposed development to which an application under the *Land Act* Part 6 (Approvals and orders) applies.

Development Application means an application under the *Land Act* (Approvals and orders).

Development Approval means an approval under the *Land Act* (Approvals and orders).

discovery in the context of *Aboriginal places* and *objects* means the *identification* of a *place* or *object* which was not previously reported (as required by s.51 of the *Heritage Act 2004*).

documentation means written, visual, audio and electronic information about a *place* or *object*.

earth processes means the interactions, changes and development of *geodiversity* over time.

ecological processes means all those processes that occur between *organisms*, and within and between *communities*, including interactions with the non-living environment, that result in existing *ecosystems* and bring about changes in *ecosystems* over time.

ecosystem means a dynamic complex of *organisms* and their non-living environment, interacting as a functional unit.

enhancement in the context of *natural heritage* means the introduction of additional *organisms*, genotypes, species or elements of *habitat* or *geodiversity* to those that naturally exist in a *place*.

evolutionary processes means genetically-based processes by which life forms change and develop over generations.

fabric means all the physical material of the *place* including components, fixtures, contents, and *objects*. Fabric includes building interiors and sub-surface remains, as well as excavated material. Fabric may define spaces and these may be important elements of the significance of the *place*.

feature means a distinctive or characteristic element of a *place*.

fences includes hedges on the boundary of a property.

form means the shape, appearance or configuration considered apart from material or colour.

genetic diversity means the variety of genetic information contained in the total genes of individual plants, animals and microorganisms in a place.

geodiversity means the natural range (diversity) of earth features including geological, geomorphological, palaeontological, soil, hydrological and atmospheric features, systems and *earth processes* that shape the land. It is the abiotic equivalent to the living world of *biodiversity* and *ecological processes*.

geological features means geological, geomorphological, palaeontological and soil features.

habitat means the structural environments where an *organism* lives for all or part of its life, including environments once occupied (continuously, periodically or occasionally) by an *organism* or group of *organisms*, and into which *organisms* of that kind have the potential to be *reinstated*.

grinding grooves means grooves left by the process of manual abrasion to produce a cutting edge.

hard landscaping means elements and structures which do not absorb water, such as paths, driveways, walls, grouted paving, and water features.

Heritage Act means the *Heritage Act 2004*.

Heritage Advisory Service is an independent service supported by the ACT Government to provide guidance on renovating or extending a heritage home.

Heritage Agreement means an agreement made under Part 15 of the *Heritage Act 2004*.

Heritage Council means the ACT Heritage Council established under Part 3 of the *Heritage Act 2004*.

Heritage Direction means a written direction by the Minister given in accordance with Part 11 of the *Heritage Act 2004*.

Heritage Guideline means a guideline made by the *Heritage Council* under Part 5 of the *Heritage Act 2004* in relation to the conservation of *heritage significance* of a *place* or *object*.

heritage object in these Guidelines means an *object* which is *registered* or nominated for entry in the *Heritage Register*.

Heritage Order means an order made by the Supreme Court under Part 12 of the *Heritage Act 2004*.

heritage place in these Guidelines means a *place* which is *registered* or nominated for entry in the *Heritage Register*.

Heritage Register means the register of heritage places and heritage objects established under s.20 of the *Heritage Act 2004*.

Heritage Register entry means the documentation for the *Heritage Register* under s.20 of the *Heritage Act*, which includes (but is not limited to) a description of a place, its significant features, why it is significant, and the measures required to conserve its *heritage significance*.

heritage significance has the meaning shown in s.10 of the *Heritage Act 2004*.

The term is generally synonymous with *cultural significance* and *natural significance*.

heritage significance criteria has the meaning shown in s.10 of the *Heritage Act 2004*.

ICOMOS means International Council on Monuments and Sites.

identification includes the process by which *heritage significance* of *places* may be identified, either through formal surveys of those *places* or in an ad hoc manner by the communities to whom they are significant or by people with particular expertise.

indigenous species means a species that occurs at a *place* within its historically known natural range and that forms part of the natural *biodiversity* of a *place*.

interpretation means all the ways of presenting the *heritage significance* of a *place*. Interpretation may be a combination of the treatment of the *fabric* (e.g. *maintenance*, *restoration*, *reconstruction*); the use of and activities at the *place*; and the use of introduced explanatory material.

introduced species means a translocated or alien species occurring at a *place* outside its known natural range as a result of intentional or accidental dispersal.

knapping means production of stone flakes by percussion from a parent mass or core.

Land Act means the *Land (Planning and Environment) Act 1991*.

Land Management Agreement means an agreement entered into under the *Land Act* (section 186C) between a lessee and the Territory that sets out how rural land will be managed. A Land Management Agreement is normally a prerequisite for the grant, further grant, variation, assignment or transfer of a rural lease.

landmark building means a building of monumental scale in its setting.

landscape means a place containing cultural and natural features and values which extend over a large area, including both *rural* landscapes and extensive *places* within urban areas such as parks, gardens or streetscapes.

maintenance in the context of *cultural heritage* means the continuous protective care of the *fabric* and *setting* of a *place*, and is to be distinguished from *repair*. *Repair* involves *restoration* or *reconstruction*. The distinctions referred to, for example in relation to roof gutters, are:

- * maintenance - regular inspection and cleaning of gutters
- * repair involving restoration - returning of dislodged gutters
- * repair involving reconstruction - replacing decayed gutters.

In the context of *natural heritage*, the term means the continuous protective care of the *biodiversity* and *geodiversity* of a *place*.

meanings denote what a *place* signifies, indicates, evokes or expresses. Meanings generally relate to intangible aspects such as symbolic qualities and memories.

minimise means to reduce an *adverse impact* so that it has very little if any effect on *heritage significance*.

modification means altering a *place* to suit proposed uses that are compatible with the *heritage significance* of the *place*.

monitoring means ongoing review, evaluation and assessment to detect changes in the integrity of a *place*, with reference to a *benchmark* or baseline condition.

natural heritage is those places that are significant to the community because of their natural heritage values. See *natural significance*.

natural heritage value is synonymous with natural significance.

natural significance means the importance of *ecosystems*, *biodiversity* and *geodiversity* for their existence value or for present or future generations, in terms of their scientific, social, aesthetic and life-support value.

natural integrity means the degree to which a *natural system* retains its condition and natural rate of change in terms of size, *biological diversity*, *geodiversity* and habitat.

natural significance means the importance of *ecosystems*, *biodiversity* and *geodiversity* for their existence *value* or for present or future generations, in terms of their scientific, social, aesthetic and life-support *value*.

nominated (*place* or *object*) means proposed for entry in the *Heritage Register*.

object has the meaning shown in s.8 of the *Heritage Act 2004*.

In broad terms, it means a moveable article, artefact or relic, and may include furniture, ornaments, cutlery, glass, crockery, works of art, honour boards, jewellery, and vehicles. Groups of *objects* are commonly referred to as a *collection* if there is a shared theme that links the objects.

organism means any living being.

outbuildings and ancillary structures may include a store shed, workshop, studio, pool cabana, tennis pavilion, rain water tank or any other roofed structure which is ancillary to the permitted use of a property.

parking area means an area set aside or constructed to allow vehicles to stand.

parking structure means a structure created for the purpose of sheltering vehicles.

place has the meaning shown in s.8 of the *Heritage Act 2004*.

This may include a site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views, and associated natural features of *biodiversity*, *geodiversity* and *ecological processes*.

The concept of place should be broadly interpreted and may include memorials, trees, gardens, parks, places of historical events, urban areas, towns, industrial places, archaeological sites and spiritual and religious places.

precinct in these Guidelines refers to *heritage precincts*.

presentation means creating awareness and understanding of the *cultural significance* or *natural significance* of a *place*.

preservation in the context of *cultural heritage* means maintaining the *fabric* of a *place* in its existing state and retarding deterioration.

In the context of *natural heritage* the term means maintaining *biodiversity* of a *place* at the existing stage of *succession*, or maintaining existing *geodiversity*.

It is recognised that all places and their components change over time at varying rates.

proponent means a person proposing to make a *Development Application* under the *Land Act*.

proportion means the comparative relationship between things or magnitudes as to size, quality, number or ratio.

protected tree has the meaning shown in s.8 of the *Tree Protection Act 2005*.

protection means taking care of a *place* by managing impacts to ensure that *heritage significance* is not diminished.

provisionally registered (*place* or *object*) is a *place* or *object* nominated under Division 6.1 of the *Heritage Act 2004*.

prudent and feasible alternative means a different action which avoids or minimises adverse impact on heritage significance, while taking into account what is physically achievable, economically realistic and socially responsible.

public authority has the meaning shown in s.106 of the *Heritage Act 2004* (draws on the *Annual Reports (Government Agencies) Act 2004*).

public domain in the context of visibility of new work means public footpaths, streets, parks and reserves.

reconstruction means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material into the *fabric*.

reflect in the context of design or new work means to borrow significant stylistic elements of the significant *place* and use them in a *sympathetic* manner.

regeneration means the natural recovery of *natural integrity* following disturbance or *degradation*.

registered (*place* or *object*) has the meaning shown in s.11 of the *Heritage Act 2004* (this includes a *place* or *object* which is *provisionally registered* under Division 6.1 of the *Heritage Act 2004*).

reinstatement in the context of *natural heritage* means to introduce to a *place* one or more species or elements of *habitat* or *geodiversity* that are known to have existed there naturally at a previous time, but that can no longer be found at that *place*.

related object means an *object* that contributes to the *cultural significance* of a *place* but is not at the *place*.

related place means a *place* that contributes to the *cultural significance* of another *place*.

repair - see *maintenance*.

Representative Aboriginal Organisation has the meaning shown in s.14 of the *Heritage Act 2004*.

research means systematic investigation or study to gain information about a *place*.

reserve area means land that is reserved for a particular public use and managed by a *public authority*. It may include urban parks, national parks, nature reserves or other types of conservation reserves.

reserve management plan means a management plan prepared by a *public authority* for a *reserve area*.

restoration in the context of *cultural heritage* means returning the existing *fabric* of a *place* to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

In the context of *natural heritage* it means returning existing *habitats* to a known past state or to an approximation of the natural condition by repairing *degradation*, by removing *introduced species* or by *reinstatement*.

restricted information means information restricted under s.54 of the *Heritage Act 2004*.

rock art means images painted or carved on a rock surface.

rural means characteristic of farming, agricultural or pastoral pursuits, country life and country people (even if now located within an urban setting).

scale means a certain relative or proportionate size or extent.

setting means the area around a *place*, which may include the visual catchment.

SHE means *Statement of Heritage Effects*.

soft landscaping means material that can absorb water such as vegetation, turf, mulch, soil and gravel. This is contrasted with *hard landscaping*.

species diversity means the variety of species in a *place*.

significant feature means a *feature* which is identified in the *Heritage Register entry* or a subsequent *cultural heritage report* or *Conservation Management Plan* for a *registered place* or *provisionally registered place* as being intrinsic to its *heritage significance*.

Statement of Heritage Effects means a detailed statement about the impact of a proposed activity on the *heritage significance* of a *place* or *object*, generally submitted with a *Development Application*.

Statement of Significance means a set of words explaining succinctly the reasons why a place has *heritage significance*.

stone arrangement means an assemblage of stone material placed by humans.

Structure Planning means planning that sets out a vision for the future development of an area. It establishes a planning and management framework to guide development and land-use change and aims to achieve environmental, social and economic objectives.

succession means the natural changes where species composition changes over time.

sympathetic in the context of design or new work means not detracting from the heritage significance of a *place*.

Territory Plan means the planning instrument prepared for Territory Land as provided for in the *Australian Capital Territory (Planning and Land Management) Act 1988*.

Tree Protection Legislation means the *Tree Protection Act 2005*.

tree protection zone has the meaning shown in s.11 of the *Tree Protection Act 2005*.

use means the functions of a *place*, as well as the activities and practices that may occur at the *place*.

value means the attributes or qualities of a *place* or *object*.

C.2 DEVELOPMENT PROCESS

Note: This section is part of the statutory Heritage Guidelines.

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

DEVELOPMENT WHICH MAY AFFECT HERITAGE PLACES

Development which has the potential to affect the heritage significance of a place may include works such as demolition, building, relocation, alterations and additions, signage, earthworks, removal of mature plantings, or re-landscaping. This may include development on land adjacent to a heritage place.

It may also include subdivision, variation of a lease on the land, a change in use of the land for an activity not authorised by the lease, or use of unleased land that is not authorised by a permit or licence.

HERITAGE IN THE PLANNING AND DEVELOPMENT PROCESS

Once a Development Application is made under the *Land (Planning and Environment) Act 1991* (the Land Act), an integrated process is followed to ensure that potential effects on heritage significance are taken into account and managed appropriately:

- The Planning and Land Authority ('the Authority') seeks the views of the Heritage Council on each Development Application that relates to a place or object registered, provisionally registered or nominated under the *Heritage Act 2004* ('the Act')
- The Heritage Council provides advice to the Authority about the effect (if any) of a development on the heritage significance of a place or object, and about ways of avoiding or mitigating its impact on heritage significance. The advice is provided within 15 working days after being given notice.
- The Heritage Council advice assesses the proposal in terms of its consistency with any applicable Heritage Guidelines, and may also take into consideration any other relevant information such as a Conservation Management Plan or a Statement of Heritage Effects. For more information refer to C.3 Statements of Heritage Effects and C.4 Conservation Management Plans.
- The advice may include a recommendation to the Authority that certain conditions be placed on an approval to improve conservation of heritage significance. The Heritage Guidelines are also relevant to compliance activities undertaken to protect heritage, and to Heritage Agreements.
- If there is insufficient supporting information lodged with the Development Application, the Heritage Council may recommend that the Application not be supported until such information is provided.
- The advice of the Heritage Council must be considered by the Planning and Land Authority in approving or refusing to approve a Development Application.
- The Authority may make a decision that is not in accordance with advice from the Heritage Council, but only if satisfied that other criteria specified in the Act are met.
- If the Authority decides to refuse a Development Application, or to approve it with conditions, the proponent and other interested persons may apply to the Administrative Appeals Tribunal for review of the decision.

GUIDANCE IN PROPOSING DEVELOPMENT

Preparing to lodge a Development Application

It can be disappointing and expensive to prepare plans for a development proposal only to discover that it has not gained Heritage Council support because it has an unacceptable level of adverse impact on significant features.

Before lodging a Development Application it is advisable to undertake some basic research. At this stage information will be needed on the following:

- Is the place or an object at the place nominated to, or entered in, the Heritage Register?
- If so, what is its heritage significance, and what features are intrinsic to its significance?
- What (if any) Heritage Directions, Heritage Orders, Heritage Agreements apply to the place?
- Will the proposed activity require a Development Application?
- What Heritage Guidelines apply to the place?

The Heritage Advisory Service is a free service designed to assist owners wishing to renovate or extend or undertake building work in a heritage place. The Heritage Advisory Service may be able to assist in gathering this information and in identifying issues relating to impact on heritage significance.

Once the proponent has prepared preliminary documentation sufficient to describe the proposal, it is advisable to arrange a pre-application meeting with Planning and Land Authority staff, with Heritage Unit staff also present.

This will assist the proponent to gain sound advice on the kind of matters which may need to be addressed in detail to support assessment of the impact of the proposal on heritage significance. For example, the place may be subject to Heritage Guidelines which preclude the kind of works proposed or significantly affect the design.

The Heritage Unit can advise on the information required to be lodged as part of the Development Application and on matters which may need to be addressed in the Statement of Heritage Effects.

Searching the Heritage Register

The Heritage Register contains details of all nominated, provisionally registered or registered places. Places can range from parts of blocks, entire blocks to entire urban precincts.

The Heritage Register is held at the Heritage Unit, Environment ACT. A summary list and copies of individual entries are also available on-line at http://www.tams.act.gov.au/live/heritage/act_heritage_register. Enquiries can also be made directly with staff of the Heritage Unit at heritage@act.gov.au.

Places included in the Heritage Register are identified with a numerical 'status' to indicate whether they are *nominated*, *provisionally registered* or *registered*.

A place that has been *nominated* for entry to the register (Status 1) is a place that has been identified as potentially having heritage significance, however it has not yet been assessed to determine what that significance is or how it should be conserved.

A place that has been *provisionally registered* (Status 2) is a place that the Heritage Council has formally considered and Council is satisfied on reasonable grounds that the place may have heritage significance, but which has not yet been through the consultation and appeal process.

A place that is *registered* (Status 3) is a place that the Heritage Council has formally considered and assessed, and the proposal for which has undergone consultation with stakeholders and any resulting appeal processes.

Proposals that could affect the heritage significance of a place which is nominated, provisionally registered or registered must be referred by the Authority to the Heritage Council for advice.

If the place is registered or provisionally registered there will be a relevant Heritage Register entry. If the place is nominated (proposed for entry in the Register) the amount of information available about the place will generally be less, depending upon how far advanced an assessment is. There will at least be a Statement of Significance provided by the nominator.

A Heritage Register entry is documentation which includes (but is not limited to) a description of a place, its significant features, why it is significant, and the measures necessary or recommended to conserve its heritage significance.

These measures are Heritage Guidelines. Measures which were in register entries for places registered before 9 March 2005 were previously referred to as Specific Requirements, and these became Heritage Guidelines without any lessening of their effect.

A Heritage Register entry may also record that a Heritage Direction, Heritage Order or Heritage Agreement applies to a place.

Considering Heritage Guidelines

All Heritage Guidelines relating to a place need to be consulted to determine which will influence the proposed development and to inform consideration of ways in which the proposal can be designed in response to those Guidelines.

Assistance can be sought from staff of the Heritage Unit or the Heritage Advisory Service to explain Heritage Guidelines and options to design a development proposal to avoid or minimise adverse impact.

Providing adequate documentation to support a Development Application

In order to be able to provide advice about the heritage impact of a development proposal the Heritage Council requires a certain level of information about it. Most of the information is the same material needed by the Planning and Land Authority to make their own assessment and some additional information may also need to be provided to address heritage concerns, depending upon the complexity of the proposal.

If the information is not provided with the application then the assessment cannot be completed and the Heritage Council will request the Authority to provide the missing information. This may lengthen the time taken to provide a decision to the applicant.

For all development affecting heritage places and objects a Statement of Heritage Effects (SHE) will be required as part of Development Approval documentation. The SHE shall assess the likely impacts of development on a heritage place and outline the steps taken to minimise adverse effects. The Heritage Guidelines identify issues of particular importance which are to be specifically addressed in the SHE. For more information refer to [C.3 Statements of Heritage Effects](#).

The SHE must be consistent with a Conservation Management Plan where one applies to the place or object, or where one is required by the Heritage Council to be prepared. For more information refer to [C.4 Conservation Management Plans](#).

This information is additional to that required by the Authority. Compiling the information at the same time as preparation of Development Application documents will help to ensure that all necessary information is provided.

It is important that plans lodged are to scale. Plans should be at 1:100 or 1:200 scale and need either a statement of the scale relevant to page size or a scale bar, as well as figured dimensions on key parts of the proposal.

C.3 STATEMENTS OF HERITAGE EFFECTS

Note: This section is part of the statutory Heritage Guidelines.

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

What is a Statement of Heritage Effects?

A Statement of Heritage Effects is a detailed statement of the impact of a proposed development on the heritage significance of a place or object. It is submitted with the Development Application.

In what circumstances is a Statement of Heritage Effects required?

For all development affecting heritage places and objects, the proponent of the development is responsible for ensuring that a SHE is prepared and is submitted as part of the Development Application. For more information refer to [C.2 Development Process](#).

The SHE assesses the likely impacts of development on a heritage place and outlines the steps taken to minimise adverse impacts. The Heritage Guidelines identify issues of particular importance which are to be specifically addressed in the SHE.

Where the work involved is minor, the SHE can be based simply on the Statement of Significance contained in the Heritage Register entry.

For a complex proposal, a more detailed SHE would be required and this may entail further studies to support preparation of the SHE.

A SHE must be consistent with a Conservation Management Plan (CMP) where one applies to the place or object, or where one is required by the Heritage Council to be prepared. For more information refer to [C.4 Conservation Management Plans](#).

For a complex proposal which has a significant adverse impact, a CMP for the place would be likely to be required to support the SHE and Development Application. In such a case, the SHE would detail how the proposed works retain significance identified in the CMP, and how they apply policies identified in the CMP.

A SHE might also form part of an Environmental Impact Statement for a proposed development, for example in the case where a heritage place impacted by a development proposal is part of a larger area with natural environmental values. In such a case, it is still required to address the matters specified in any relevant Heritage Guidelines, including this section.

What is a Statement of Heritage Effects required to contain?

A Statement of Heritage Effects shall address as a minimum:

- reasons why the place or object has heritage significance
- specific measures to be taken to ensure that the proposed development conforms to any relevant Heritage Guidelines and policies in a Conservation Management Plan
- what impact the proposed works are likely to have on heritage significance
- what measures are proposed to avoid or mitigate adverse impacts; and
- reasons for not applying more sympathetic solutions.

How is information in the Statement of Heritage Effects to be presented?

The SHE should be concise.

Pertinent reports such as the full statement of heritage significance, analysis of significance and, where they exist, Conservation Management Plans, physical condition reports and any other specialist or consultant reports, are simply referred to in the statement, and attached.

A sample SHE format is included below.

STATEMENT OF HERITAGE EFFECTS [SAMPLE FORMAT]

Reference and location

Name and location of the heritage place or object directly affected by the proposal, or in the vicinity of a development and potentially impacted by the proposal

As registered in the ACT Heritage Register, or other unambiguous reference to the heritage place or object [May require a location drawing if in a rural area]

Development Proposal

Brief description of proposal

Prepared by

Name, address, phone and fax of author

For

Name of proponent, client or owner, where not the author

Executive Summary

Why the place or object has heritage significance

Succinct statement of the significance of the place (extracted from either the Heritage register or a Conservation Management Plan) and list of significant features of the place or object

[Full versions of the Heritage Register entry, analysis of significance, and Statement of Significance to be included in Attachment]

For development that is adjacent to a heritage place or object or within its visual setting, explanation of the relationship of the development to the adjacent heritage place or object, and whether the development site has any heritage significance as the setting for the heritage place or object

How the proposal conforms to any relevant Heritage Guidelines

List of all relevant Heritage Guidelines, indicating whether they are conservation requirements (mandatory) or performance-based standards (discretionary)

Explanation of specific measures to be taken to ensure that the proposed works address any relevant Heritage Guidelines

Impact of proposed works on heritage significance

Explanation of each aspect of the proposal which is likely to impact on heritage significance, with particular attention to significant features, and providing reasons for that assessment [this may include impact which is positive, or which may enhance heritage significance]

List of any other completed or proposed future works, such as proposed archival recording [This may need to be prepared by a suitably qualified professional]

What measures are proposed to minimise adverse impacts

For each aspect of the proposal which is likely to have an adverse impact on heritage significance (as above), details of measures to be taken to minimise adverse impacts

Why more sympathetic solutions are not to be applied

Explanation of any more sympathetic alternative solutions that have been considered and discounted, providing reasons for that decision

Particular reference to any alternatives identified in a Conservation Management Plan, cultural heritage report or other study, with clear explanation why these cannot be implemented.

[Depending on the degree of impact and the complexity of the proposal, in some circumstances the Heritage Council may require a Conservation Management Plan to be prepared or upgraded to clarify aspects of heritage significance and conservation policies which relate specifically to the proposed works.

For more information refer to [C.4 Conservation Management Plans](#)

Attachments:

Full versions of the Heritage Register entry, analysis of significance, and Statement of Significance

Copies of, or references to, documents that help explain the significance of the place, the nature of mitigating works or reasons why alternatives are not feasible or prudent (such as a heritage study, Conservation Management Plan, building condition report, design plans for mitigating works, engineer's report or other study.

C.4 CONSERVATION MANAGEMENT PLANS

Note: This section is part of the statutory Heritage Guidelines.

Persons using these Guidelines are advised to ensure that they consult the current edition, which is located at http://www.tams.act.gov.au/live/heritage/act_heritage_register. If they have previously accessed the Guidelines in this way, users are advised to click the 'Refresh' or 'Reload' button on their browser.

What is a Conservation Management Plan?

Conservation Management Plan (CMP) has the meaning shown in s.15 of the Heritage Act.

In broad terms, it is a document which sets out what is significant in a place and what policies are appropriate to enable the heritage significance to be retained in its future use and development. It is to be prepared by a suitably qualified professional.

A Conservation Management Plan for a place entered in the Heritage Register needs to be approved by the Heritage Council.

In what circumstances is a Conservation Management Plan required?

The Heritage Council is likely to require a Conservation Management Plan to be prepared for places which have complex or extensive heritage significance e.g. substantial properties for which a public authority is responsible (even if leased to other parties), and large commercial and industrial properties and structures.

The Heritage Council can require a public authority to prepare a Conservation Management Plan under s.110 of the Heritage Act.

A Conservation Management Plan is generally not required for a private residence. However, in some cases the preparation of a Conservation Management Plan may be facilitated through a Heritage Agreement.

As a condition of approval of a Development Application the Heritage Council may (under s.61(2) of the Heritage Act) require the proposed development to be consistent with a Conservation Management Plan approved by the Council.

When should a Conservation Management Plan be prepared?

When the requirement for a Conservation Management Plan is identified in the Heritage Register, the Conservation Management Plan needs to be prepared and approved by the Heritage Council prior to lodgement of any Development Application.

What is the relationship between a Conservation Management Plan, a Statement of Heritage Effects and a Development Application?

The Conservation Management Plan is the primary document guiding the conservation and management of the heritage place.

Heritage Council advice on Development Applications will be guided by the Conservation Management Plan. For more information refer to C.2 Development Process.

Any Statement of Heritage Effects must be consistent with the Conservation Management Plan. For more information refer to C.3 Statements of Heritage Effects.

What is a Conservation Management Plan required to contain?

A Conservation Management Plan shall include as a minimum:

- executive summary
 - description of methodology and details of authorship
 - definition of the place and its boundaries with reference to its setting or surrounds
 - description of documentary evidence including an archaeological/historical overview
 - description of physical evidence and/or fabric
 - details of consultation with relevant community stakeholders about significant associations and connections (in the case of an Aboriginal place or object this shall include Representative Aboriginal Organisations)
 - assessment of significance against heritage significance criteria in the Heritage Act
 - a succinct Statement of Significance of the place
 - documentation and discussion of management issues, opportunities and constraints, including any proposed actions affecting places or objects
 - details of consultation with relevant community stakeholders about management (in the case of an Aboriginal place or object this shall include Representative Aboriginal Organisations)
 - policy on actions and controls necessary to conserve heritage significance and to guide future use and development
 - schedule of conservation works for the short, medium and long terms
 - identification of responsibility for implementing the plan and relevant policies
 - guidance for assessing proposals for change to the place
 - strategies for interpretation and education
 - bibliography of sources
 - process for monitoring and review
-

C.5 CONSERVATION PRINCIPLES FROM THE AUSTRALIA ICOMOS BURRA CHARTER 1999

The ACT Heritage Guidelines are a more specific application of the general principles and processes set out in the Australia ICOMOS Burra Charter 1999.

The Burra Charter is accepted nationally as the benchmark for heritage practices. Where no specific Heritage Guideline applies to a place or practice, the principles and processes of the Burra Charter should be used as general guidance.

The Burra Charter is available at: <http://www.icomos.org/australia/burra.html>

Words in *italics* are defined in Article 1 of the Burra Charter

Article 2 Conservation and management

- 2.1** *Places of cultural significance* should be conserved.
- 2.2** The aim of *conservation* is to retain the *cultural significance* of a *place*.
- 2.3** *Conservation* is an integral part of good management of *places* of *cultural significance*.
- 2.4** *Places of cultural significance* should be safeguarded and not put at risk or left in a vulnerable state.

Article 3 Cautious approach

- 3.1** *Conservation* is based on a respect for the existing *fabric, use, associations* and *meanings*. It requires a cautious approach of changing as much as necessary but as little as possible. The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.
- 3.2** Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4 Knowledge, skills and techniques

- 4.1** *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.
- 4.2** Traditional techniques and materials are preferred for the *conservation* of significant *fabric*. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate. The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Article 5 Values

- 5.1** *Conservation* of a *place* should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others. Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biological diversity and geodiversity for their existence value, or for present or future generations in terms of their scientific, social, aesthetic and life-support value.
- 5.2** Relative degrees of *cultural significance* may lead to different *conservation* actions at a place. A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

Article 6 Burra Charter Process

- 6.1** The *cultural significance* of a *place* and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy. The Burra Charter process, or sequence of investigations, decisions and actions, is illustrated in the accompanying flowchart.
- 6.2** The policy for managing a *place* must be based on an understanding of its *cultural significance*.

6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.

Article 7 Use

7.1 Where the *use* of a *place* is of *cultural significance* it should be retained.

7.2 A *place* should have a *compatible use*. The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change, to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of practices which contribute to the cultural significance of the place.

Article 8 Setting

Conservation requires the retention of an appropriate visual *setting* and other relationships that contribute to the *cultural significance* of the *place*.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials.

Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place.

Article 9 Location

9.1 The physical location of a *place* is part of its *cultural significance*. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.

9.2 Some buildings, works or other components of *places* were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.

9.3 If any building, work or other component is moved, it should be moved to an appropriate location and given an appropriate *use*. Such action should not be to the detriment of any *place* of *cultural significance*.

Article 10 Contents

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

Article 11 Related places and objects

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

Article 12 Participation

Conservation, *interpretation* and management of a *place* should provide for the participation of people for whom the place has special *associations* and *meanings*, or who have social, spiritual or other cultural responsibilities for the place.

Article 13 Co-existence of cultural values

Co-existence of cultural values should be recognised, respected and encouraged, especially in cases where they conflict.

For some places, conflicting cultural values may affect policy development and management decisions. In this article, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

C.6 CONSERVATION PRINCIPLES AND POLICY FROM THE AUSTRALIAN NATURAL HERITAGE CHARTER 2nd Edition

General guidance on best practice principles for conservation and management of natural heritage values should be obtained from the Australian Natural Heritage Charter 2nd ed (2002).

This document provides advice on making decisions for managing and conserving natural heritage places. It recognises that places can have both natural and cultural heritage values that are sometimes difficult to separate, and that many Aboriginal people do not separate.

It is available at: <http://www.ahc.gov.au/publications/anhc/pubs/charterfinal.pdf>

Words in *italics* are defined in Article 1 of the Charter

Article 2 The basis for *conservation* is the assessment of the *natural significance* of a *place*, usually presented as a statement of significance.

If cultural values exist for the *place* they should also be considered as part of the significance of the *place* and included in the statement of significance.

Article 3 The aim of *conservation* is to retain, *restore* or *reinstate* the *natural significance* of a *place*.

Article 4 A self-sustaining condition is preferable to an outcome that requires a high level of ongoing management intervention.

A self-sustaining condition allows continuation of natural processes of change.

Article 5 *Conservation* is based on respect for *biodiversity* and *geodiversity*. It should involve the least possible human intervention to *ecological processes*, *evolutionary processes* and *earth processes*. The best *conservation* often involves the least work. *Conservation* should not be undertaken unless adequate resources are available to ensure that the *place* is not left in a disturbed or vulnerable state.

Article 6 *Conservation* should make use of all the disciplines and experience that can contribute to the study and safeguarding of a *place*. Techniques employed should have a firm scientific basis or be supported by relevant experience.

Article 7 *Conservation* of a *place* should take into consideration all aspects of its *natural significance*, and respect aspects of cultural significance that occur there.

Some *places* with *natural significance* might also have Indigenous or historic cultural heritage values that should be conserved. *Conservation* of *places* with cultural significance is explained in *The Burra Charter*, which defines cultural significance to mean aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

For *places* with Indigenous heritage values, reference should be made to *Ask First: A guide to respecting Indigenous heritage places and values*.

CONSERVATION POLICY

Article 8 The *conservation* policy for a *place* should be determined by a clear understanding of *natural significance* and other management issues. These should be used to determine the desired *conservation* outcomes and future condition for the *place*.

Protecting Natural Heritage includes more detail on developing the *conservation* policy for a *place*.

'Management issues' include factors such as the owner's needs, resources, external constraints and the past history of use of the *place*.

Article 9 The *conservation* policy should determine uses that are compatible with the *natural significance* of a *place*. Uses that will degrade the *natural significance* should not be introduced or continued.

There may be relevant legislative or statutory requirements that need to be considered.

Article 10 The *conservation* policy should consider *ecological processes* and other processes that extend beyond the stated boundaries of a *place*, and their level of impact or influence on the *natural significance* of the *place*.

An example of the use of this Article is the *conservation* of migratory bird species.

C.7 DESIGN CHECKLIST FOR MATERIALS AND FINISHES FOR ALTERATIONS AND ADDITIONS TO HERITAGE PLACES

This checklist is part of the statutory Heritage Guidelines. It provides guidance but does not limit any Mandatory Conservation Requirements to which it relates.

This checklist provides advice on typical approaches to matching or providing complementary materials and finishes for alterations and additions to heritage places, particularly those which are adjacent to existing building elements and are visible from the public domain (i.e. a street, right of way or public reserve).

ROOFS

Existing Material	Suggested New Material
Terracotta tiles (common)	When patching an existing roof or when locating an addition where it is immediately adjacent to an existing roof and can be seen from the public domain it is important to match tiles as closely as possible with respect to size, profile and finish. Second hand terracotta tiles are readily available through roof tilers. Alternatively existing tiles can be taken from an unseen part of the roof and used for the patch or addition, with new tiles being laid in the unseen portions. Also possible but less desirable is to re-roof the entire building with a new tile which provides the closest possible match. Existing tiles should not be resprayed. This popular technique offers inappropriate colours and has a highly artificial appearance.
Asbestos tiles (uncommon)	The closest visual match is bitumen impregnated tiles laid over plywood with a waterproof membrane. These are imported from the USA where they are a common material. However they are rarely used in Australia. In certain cases it may be more appropriate to replace the entire roof with a new material which matches other roof materials in the locality.
Slate (uncommon)	New slate should match existing colour and profile as closely as possible. Original plans and specifications may indicate the original slate, which may still be available. A cheaper alternative may be ceramic slate look products (eg. Nu-lok Roofing Systems). However these products can appear artificial, especially when new. Care should be taken to match colour, size and profile as closely as possible.
Concrete tiles (common) 1950s onwards	A wide range of concrete tile profiles and colours are available although an exact match may not be possible. See Terracotta tiles for note about relocation of existing tiles.

C.7 - Additional Information – Design checklist for materials and finishes

	Re-spraying with a new coloured surface may be suitable in some situations. The colour should match the existing as closely as possible. Charcoal colours are the least artificial in appearance.
Corrugated iron (common)	Often referred to as “corrugated iron” however material dating from 1910 onwards is likely to be zinc coated steel. Use zinc coated steel, either painted or unpainted. This is not to be confused with ‘Zincalume’ steel, which, although more durable, is usually inappropriate. It has a shiny gloss finish rather than matt and causes corrosion when used with traditional lead or zinc coated roof and rainwater accessories. An alternative to Zincalume which is also more durable than zinc coated steel is to use Colorbond in the colour ‘Gull Grey’. However this lacks the surface texture of traditional unpainted corrugated roofs. Colours can be matched by either painting zinc coated steel to match the existing or by selecting a suitable match in the range of Colorbond steel colours.
Metal deck (common) 1950s onwards	Metal decking is readily available in a range of finishes and profiles (eg. Stramit, Bluescope Steel). See Corrugated Iron above for discussion of zinc coated vs ‘Zincalume’ finishes. Some early profiles are no longer available, making patching or abutting new roofs difficult. It is possible but less desirable to re-roof the entire building with a new metal deck which provides the closest possible match. It is best to design roofs over additions so that they are physically separate from existing roofs and so that an exact match is slightly less important.

DOORS AND WINDOWS

Existing Material	Suggested New Material
Timber Frames – traditional construction with sash weights etc.	Replacements or new doors and windows adjacent to existing and visible from the public domain should match existing as closely as possible. They should be timber framed, of matching finish (usually painted) matching opening configuration (double hung, casement etc) matching proportions (including jamb and centre posts widths etc.) and of matching details including frame and mullion sizes and moulding profiles, sash horns etc. Opening mechanisms need not match exactly (modern spiral balances can be used instead of sash weight) and laminated glass or double glazing can be used but the overall appearance should match as closely as possible. Such items will generally have to be made to order. Modern standard timber doors and windows (Stegbar, Trend etc) are not appropriate due to the much slender appearance of frames and lack of detailed mouldings.

Timber Frames – modern construction 1950s onwards	Modern standard timber doors and windows will generally be suitable. However care should be taken to match finish, opening configuration and proportions.
Steel Framed Windows 1940s – 1960s	Steel framed windows are distinctive due to the extremely slender appearance of their frames and mullions. Replacements should ideally be steel framed to match the existing proportion, opening configuration and detailing as closely as possible. However today's steel frames are expensive. An acceptable alternative would be custom made aluminium frames of matching proportions, slender sections and finish.
Aluminium Frames 1960s onwards	Modern standard aluminium doors and windows will generally be suitable. However care should be taken to match finish, opening configuration and proportions. Note that powder coated frames only date from the mid 1970s. Earlier finishes were usually silver or bronze anodised. Today anodised frames are expensive. Acceptable alternatives are powder coated colours such as Dulux Precious Silver Pearl Satin or Dulux Precious Bronze Pearl Satin.

MATERIALS AND FINISHES

Existing Material	Suggested New Material
Face Masonry	Existing face brickwork should not be painted or rendered over. The colour, texture, shape and joint colour and profile of existing face brickwork and concrete blockwork should be matched as closely as possible. Major suppliers (eg. Boral) offer a wide range.
Rendered & Painted Masonry	Patched areas or abutting additions visible from the public domain should match the existing render pattern as closely as possible. The existing render may include smooth sponge finish (the most common modern render), roughcast render (pebbledash) and a variety of trowelled textured surfaces.
Painted Brickwork	Should remain as painted brickwork and retain existing joint profiles. It should not be rendered over or stripped back.
Clear finished or stained weatherboards	Common on 1960s & 1970s buildings. Sizes, profiles and accessories should match as closely as possible. Should remain clear finished or stained to highlight the timber grain rather than have a solid paint finish.
Painted weatherboards	Should match existing sizes, profiles and accessories as closely as possible and remain painted.
Asbestos cement sheet	Should be replaced with fibre cement sheet of matching texture, size, profile and accessories, and matching finish (usually painted).