

NOTICE OF MEETING



HERITAGE ADVISORY COMMITTEE MEETING

A Heritage Advisory Committee Meeting of Byron Shire Council will be held as follows:

Venue	Conference Room, Station Street, Mullumbimby
Date	Tuesday, 16 February 2016
Time	2.00pm

A handwritten signature in black ink, appearing to read 'S Burt', is located in the lower left area of the page.

Shannon Burt
Director Sustainability Environment and Economy

CONFLICT OF INTERESTS

What is a “Conflict of Interests” - A conflict of interests can be of two types:

Pecuniary - an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

Non-pecuniary – a private or personal interest that a Council official has that does not amount to a pecuniary interest as defined in the Local Government Act (eg. A friendship, membership of an association, society or trade union or involvement or interest in an activity and may include an interest of a financial nature).

Remoteness – a person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Section 448 of the Local Government Act.

Who has a Pecuniary Interest? - a person has a pecuniary interest in a matter if the pecuniary interest is the interest of the person, or another person with whom the person is associated (see below).

Relatives, Partners - a person is taken to have a pecuniary interest in a matter if:

- The person's spouse or de facto partner or a relative of the person has a pecuniary interest in the matter, or
- The person, or a nominee, partners or employer of the person, is a member of a company or other body that has a pecuniary interest in the matter.

N.B. “Relative”, in relation to a person means any of the following:

- (a) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descends or adopted child of the person or of the person's spouse;
- (b) the spouse or de facto partners of the person or of a person referred to in paragraph (a)

No Interest in the Matter - however, a person is not taken to have a pecuniary interest in a matter:

- If the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative or company or other body, or
- Just because the person is a member of, or is employed by, the Council.
- Just because the person is a member of, or a delegate of the Council to, a company or other body that has a pecuniary interest in the matter provided that the person has no beneficial interest in any shares of the company or body.

Disclosure and participation in meetings

- A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
- The Councillor or member must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.

No Knowledge - a person does not breach this Clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

Participation in Meetings Despite Pecuniary Interest (S 452 Act)

A Councillor is not prevented from taking part in the consideration or discussion of, or from voting on, any of the matters/questions detailed in Section 452 of the Local Government Act.

Non-pecuniary Interests - Must be disclosed in meetings.

There are a broad range of options available for managing conflicts & the option chosen will depend on an assessment of the circumstances of the matter, the nature of the interest and the significance of the issue being dealt with. Non-pecuniary conflicts of interests must be dealt with in at least one of the following ways:

- It may be appropriate that no action be taken where the potential for conflict is minimal. However, Councillors should consider providing an explanation of why they consider a conflict does not exist.
- Limit involvement if practical (eg. Participate in discussion but not in decision making or vice-versa). Care needs to be taken when exercising this option.
- Remove the source of the conflict (eg. Relinquishing or divesting the personal interest that creates the conflict)
- Have no involvement by absenting yourself from and not taking part in any debate or voting on the issue as if the provisions in S451 of the Local Government Act apply (particularly if you have a significant non-pecuniary interest)

RECORDING OF VOTING ON PLANNING MATTERS

Clause 375A of the Local Government Act 1993 – Recording of voting on planning matters

- (1) In this section, **planning decision** means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (a) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (b) not including the making of an order under Division 2A of Part 6 of that Act.
- (2) The general manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (3) For the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- (4) Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
- (5) This section extends to a meeting that is closed to the public.

BYRON SHIRE COUNCIL
HERITAGE ADVISORY COMMITTEE MEETING

BUSINESS OF MEETING

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY**
- 3. ADOPTION OF MINUTES FROM PREVIOUS MEETINGS**
 - 3.1 Heritage Advisory Committee Meeting held on 17 November 2015
- 4. BUSINESS ARISING FROM PREVIOUS MINUTES**
- 5. STAFF REPORTS**

Sustainable Environment and Economy

- 5.1 Heritage Strategy4

STAFF REPORTS - SUSTAINABLE ENVIRONMENT AND ECONOMY

Report No. 5.1

Heritage Strategy

Directorate:

Sustainable Environment and Economy

Report Author:

Shannon Burt, Director Sustainable Environment and Economy

File No:

I2015/1590

Theme:

Ecology

Development and Approvals

Summary:

At the Heritage Advisory Committee (HAC) meeting held on 17 November 2015, the HAC deferred consideration of Report 5.2 Heritage Strategy until the next available HAC meeting scheduled in 2016. As such this report is provided for the consideration of the HAC at this meeting.

Council was successful in receiving a Local Government Heritage Advisors Grant for the 2015-2016 period from the Office of Environment and Heritage (OEH). As a condition of heritage advisor funding, Council must prepare or update a heritage strategy to guide heritage management in their area.

The purpose of this report is to advise the HAC of the requirements for a heritage strategy and also what a heritage strategy is, and how it is to be prepared.

RECOMMENDATION:

That the Heritage Advisory Committee note the report, and support the preparation of a Heritage Strategy for Byron Shire that meets the reporting timeframe and requirements set by the Office of Environment and Heritage.

Attachments:

- 1 Office of Environment and Heritage Publication - Recommendations for local council heritage management, E2015/73930 , page 7
- 2 Tenterfield Heritage Strategy 2015-2018, E2015/73922 , page 33

Background

At the Heritage Advisory Committee (HAC) meeting held on 17 November 2015, the HAC deferred consideration of Report 5.2 Heritage Strategy until the next available HAC meeting scheduled in 2016. As such this report is provided for the consideration of HAC at this meeting.

Report

Council was successful in receiving a Local Government Heritage Advisors Grant for the 2015-2016 period. As a condition of heritage advisor funding, Council must prepare a heritage strategy to guide heritage management in their area. This strategy must be based on the OEH's publication, 'Recommendations for local council heritage management' (Attachment 1).

The nine headings listed below as recommendations are standard for heritage strategy preparation. They fit into the annual reporting template that is also required by OEH as a condition of heritage advisor funding.

Recommendation 1: Establish a heritage committee to deal with heritage matters in your area

Recommendation 2: Identify the heritage items in your area and list them in your local environmental plan

Recommendation 3: Appoint a heritage and urban design advisor to assist the council, the community and owners of listed items

Recommendation 4: Manage local heritage in a positive manner

Recommendation 5: Introduce a local heritage incentives fund to provide small grants to encourage local heritage projects

Recommendation 6: Run a heritage main street program

Recommendation 7: Present educational and promotional programs

Recommendation 8: Set a good example to the community by properly managing places owned or operated by the council

Recommendation 9: Promote sustainable development as a tool for heritage conservation

As mentioned above, as part of the funding agreement for the heritage advisor, the Council must also complete and submit an annual report on implementing its heritage strategy by 15 May each year. This report is usually prepared by the Council's heritage advisor and heritage officer (staff).

To this aim Council has now appointed a heritage advisor, who will work with the HAC to prepare and implement a compliant Heritage Strategy and Annual report for Byron. A work plan and deliverables for this purpose will need to be developed.

To start the discussion, an example of a Heritage Strategy provided by Council's Heritage Advisor is attached for information. There are other examples available on the OEH website that may be more suited to Byron: <http://www.environment.nsw.gov.au/Heritage/funding/managelocgov.htm>

Financial Implications

5 Council is required to comply with the grant funding requirements under the Local Government Heritage Advisor program. Claims for payment of the grant will only be made where the grant obligations are met.

Statutory and Policy Compliance Implications

10 Nil.

HERITAGE INFORMATION SERIES

RECOMMENDATIONS FOR LOCAL COUNCIL HERITAGE MANAGEMENT



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Environment
& Heritage**



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First published 2001, New edition December 2007, revised November 2009, revised July 2011

ISBN 978-1-921121-28-9

HB 11/07

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Introduction

The focus of heritage management has changed considerably since the Heritage Act came into force in 1977. The Heritage Council was the principal body involved in the statutory listing of heritage items in the eight years to 1985. In that year, a Ministerial direction issued to local councils by the then Planning Minister Bob Carr gave local government the primary responsibility for managing local heritage in New South Wales.

Following the adoption of amendments to the Heritage Act in 1999, heritage management in NSW is now a two-tiered system where:

- items of local heritage significance are listed and managed by local councils; and
- items of State heritage significance are listed on the State Heritage Register by the Minister for Planning and managed by the Heritage Council.

The principal tools that guide local government management decisions are the heritage study and the local environmental plan.

A **heritage study** identifies and assesses heritage items in accordance with the key historical themes for an area. It also makes recommendations on policies the local council should adopt to protect and conserve the identified heritage items.

The **local environmental plan** (LEP) translates the recommendations of the heritage study into a legal document that provides a broad framework for future management of the area's heritage. The LEP is prepared in accordance with principles laid down in the *Environmental Planning & Assessment Act, 1979* and the heritage items identified in the heritage study are listed in a schedule to the LEP. The Department of Planning and Infrastructure website contains the latest information on LEP requirements. Please refer to www.planning.nsw.gov.au and go to [LEP practice notes and planning circulars](#) page the latest update on standard LEP instruments.

Recommendations for local council heritage management provides a framework for proactive local government heritage management. It includes recommendations that have been used successfully by a number of councils. Some of them will be appropriate to your area.

NSW Heritage Grants funding is available from the Heritage Branch to assist councils with four of these proposals (marked * in the list below). For further information and guidelines, go to the Heritage website [local government heritage management](#) page or [Local Government Heritage Management program funding](#) page.

Summary of recommendations and outcomes

Recommendation 1	Establish a heritage committee to deal with heritage matters in your area
Outcome 1	Increased community participation, awareness and appreciation of heritage in the local area
Recommendation 2	Identify the heritage items in your area and list them in your local environmental plan*
Outcome 2	Increased knowledge and proactive management of heritage in your local area
Recommendation 3	Appoint a heritage advisor to assist the council, the community and owners of listed items*
Outcome 3	Increased community participation and proactive heritage and urban design management in your local areas
Recommendation 4	Manage local heritage in a positive manner*
Outcome 4	Proactive heritage and urban design management in your local area
Recommendation 5	Introduce a local heritage fund to provide small grants to encourage local heritage projects*
Outcome 5	Increased community participation and proactive conservation and management of heritage in your local area
Recommendation 6	Run a main street program*
Outcome 6	Council, owners and the community actively participate in attractive and well-managed heritage main streets
Recommendation 7	Present educational and promotional programs*
Outcome 7	Increased awareness and appreciation of heritage by Council, owners and the community in your area
Recommendation 8	Set a good example to the community by properly managing places owned or operated by council*
Outcome 8	Increased community participation and proactive conservation and management of heritage in your area
Recommendation 9	Promote sustainable development as a tool for heritage conservation
Outcome 9	Proactive heritage and sustainable development in your area

* Funding is available from the *NSW Heritage Grants* program to assist councils with some of these suggested programs.

***Recommendations* informs the preparation and updating of local government heritage strategies**

Recommendations for local council heritage management should be used to inform the preparation and updating of the local government heritage strategy. The heritage strategy is generally prepared and updated every three years.

The heritage strategy once completed should be adopted by Council and along with Council's heritage policy, should be the prime non-statutory strategic management document for heritage management in your local council.

***Recommendations* and the heritage strategy annual reporting template**

Recommendations for local council heritage management provides the basis for the heritage strategy annual reporting template. This template is available on the Heritage website [Local Government heritage management](#) page.

All councils with heritage advisors funded through the Heritage Branch *NSW Heritage Grants* must report annually to the Heritage Branch using this template on progress made by council against their adopted heritage strategy over the last 12 months. The heritage strategy annual reporting template should be completed by the local heritage advisor with assistance from the council's heritage officer or planning officer.

The heritage strategy annual reporting template has outcomes with key performance indicators and qualitative reporting to assist council in assessing and monitoring their performance against these recommendations and their adopted Heritage Strategy.

This quantitative and qualitative data is collated by the Heritage Branch to form a state-wide report on the performance of local government heritage management for that year. This assists in locating where councils are performing well and the gaps where additional support or other initiatives may be provided.

Recommendation 1	Establish a heritage committee to deal with heritage matters in your local area
Outcome 1	<i>Increased community participation, awareness and appreciation of heritage in the local area</i>

What is the role of a heritage committee?

The primary role of a heritage committee is to advise the council on how to conserve and promote heritage items in its area. The committee's responsibility should preferably encompass Aboriginal, built, movable and natural heritage.

How should the committee be structured?

Preferably it should be a formal Section 377 committee of the council under the Local Government Act, so that it has the support of the council and its advice can feed directly into council decisions.

Who should be invited to join the committee?

The committee should be chaired by a councillor, and include representatives from the community and council staff. Community representatives will come from local organisations with a specific interest in heritage or townscapes, such as:

- historical society
- National Trust branch
- Aboriginal Land Council
- ethnic communities
- Tidy Towns group
- main street committee
- Chamber of commerce.

Council staff may include representatives from the Environment Services Division and Library. Try to make sure that the interests of the major geographical areas and towns in the local government area are represented. *It is important to choose people who are do-ers rather than talk-ers, even if this means a smaller committee.*

What are the committee's objectives?

The committee should have well-defined and achievable objectives:

- prepare and monitor a heritage policy;
- provide advice to the council on the management of heritage by the council (this includes reviewing council or government policies which affect heritage places in the area);

- promote and raise community awareness of heritage conservation through publications, seminars, public displays and annual heritage awards;
- make recommendations on the collection and recording of local heritage material and artefacts;
- compile a register of local heritage suppliers and heritage consultants;
- make recommendations on the nomination and deletion of items on the Local Environmental Plan (LEP) heritage schedule maintained by the council;
- supervise funding submissions to other agencies, including requests for heritage grants from the Heritage Branch, NSW Department of Planning *NSW Heritage Grants program*;
- comment on specific development applications before the council when required.

It is essential to set down the rules of the committee in writing. The rules for the heritage committee could be based on those for other council committees.

Recommendation 2	Identify the heritage items in your area and list them in your local environmental plan
Outcome 2	<i>Increased knowledge and proactive management of heritage in your local area</i>

How does listing help heritage conservation?

- Items are legally protected - proposals for change that may affect their heritage significance will need to be approved by your Council.
- It provides certainty to owners and the community about the status of heritage items, and thus encourages conservation.
- Local environmental plans (LEPs) can contain clauses allowing a broad range of potential uses for heritage items and floor space and car parking concessions - these can be of financial benefit to owners.
- Owners of LEP listed properties (including all properties in listed heritage conservation areas) can request a heritage restricted valuation for land tax and local rate purposes. The Valuation Act was changed on 1 January 2001 to allow this to happen.
- The heritage schedule can be the basis for council providing incentives for owners, such as awards or small grants and loans (see Recommendation 5 and Recommendation 7).
- Listing on the local environmental plan is generally a pre-requisite for financial assistance to be provided by the State. National or State listing is already a requirement for Commonwealth assistance.
- Listings (and additional information in the heritage study) provide basic information for promotional and heritage tourism projects, such as walking trails, site plaques and publications.

How does your council decide what to list?

The first step is for your council to undertake a heritage study to identify and assess heritage items in your area. This study will include specific recommendations on how your council can list, manage and promote heritage conservation.

Keeping your list up to date – plan to review every 8 to 10 years

Every 8 to 10 years, council should look to review and update its heritage study and thematic history. This review may identify gaps and potential heritage items that have been previously looked or items that have gained in significance since the heritage study was completed.

What is a heritage study?

A heritage study investigates the historical context of a local government area and identifies and assesses items of heritage significance associated with this context. The study explains why the items are significant and recommends ways of managing and conserving that significance.

A heritage study provides information to support:

- a community's sense of identity - of its beginnings, its present and its potential;
- the future management of heritage;
- education programs which help make the community's heritage assets better known, understood and appreciated;
- heritage tourism strategies; and
- a community's sense of ownership of its heritage assets.

A study results in a report comprising:

- an historical analysis of the area, community or organisation, usually by using the State historic themes;
- investigative research and field work;
- an analysis of significance and a condition survey of items and areas identified during the study;
- inventory sheets of significant items; and
- management and promotional recommendations.

How is a heritage study undertaken?

In the past studies have usually been carried out by a team of consultants, working with a local committee. The process usually involves some level of community consultation.

What is a community-based heritage study?

A major premise of the community-based approach is that it provides an affordable means for communities to make a valuable contribution to the heritage study, with appropriate guidance from a heritage consultant.

Members of the community work alongside the consultant for the duration of the project, undertaking research, nominating items and considering recommendations for the future management and promotion of their local heritage items.

Unlike other heritage study methodologies, ongoing community involvement gives an opportunity for the community to understand heritage management and council processes and to take substantial ownership of the study and its findings. This can reduce the likelihood of community conflict when the study's list of heritage items is

recommended for adoption by council for inclusion in its local environmental plan (LEP).

What funding is available?

The Heritage Branch provides funding through the NSW Heritage Grants program to assist councils to prepare community based heritage studies, Aboriginal heritage studies, heritage development control plan studies, archaeological management plans, heritage main street studies and reviews of existing studies. Projects are generally funded over two years.

For more information go to the Heritage website NSW Heritage Grants [Local Government Heritage Management](#) funding page.

Where can I obtain further information?

The Heritage Branch has prepared a range of guideline documents and model briefs for local government heritage management that are available on the Heritage website [local government heritage management](#) page.

For information about funding opportunities and application forms, go to the NSW Heritage Grants [Local Government Heritage Management program funding](#) page.

Recommendation 3	Appoint a heritage advisor to assist the council, the community and owners of listed heritage items
Outcome 3	<i>Increased community participation and proactive heritage and urban design management in your local areas</i>

What is the role of a heritage advisor?

To work with Council to develop and deliver a heritage policy and heritage strategy

Provide professional advice to assist Council and the community to deliver good heritage and urban design management in your local government area

Heritage advisors provide regular and ongoing expertise to councils, communities and owners of heritage properties and assist in promoting urban design and heritage in the area.

The outcomes of this program have been very positive. Many successful and ongoing partnerships between local and state governments and communities have been developed. Most local councils across NSW have access to a part-time heritage advisor or employ a full-time heritage officer.

How does a heritage advisory service operate?

Heritage advisors are appointed by, and report, to local councils. They are mostly appointed on a part time basis. In rural areas most advisors visit on a one-day-a-month basis; in urban areas more frequent visits are common. At the start of a heritage advisor program and during times of heavy workload, extra time may be needed to ensure the program operates smoothly.

Although accessible to all Council staff, the advisor will normally report to one senior officer e.g. Council's Director of Environmental Services.

A heritage advisor will initially work with Council staff and management to develop a heritage policy and heritage strategy to agree on the areas that the Council and the heritage advisor will address; who will be involved; establish community interests and expectations for heritage outcomes; as well as resources needed to implement the strategy. Depending on the Council and its needs, the heritage strategy may be very simple or more developed for larger councils.

With an agreed strategic and operational framework established, the advisor will normally spend the morning with Council staff, such as planners, health and building inspectors and engineers, looking at current building and development applications which include heritage items.

The afternoon will normally be devoted to inspecting sites and providing advice directly to owners, usually on an appointment basis. The advisor may also be required to attend committee meetings, definitely where heritage committees have been established.

A very important part of the advisor's role is to ensure that the Council and the local community have adequate access to heritage focussed education, management and promotion. It is expected, for example, that the advisor will arrange for special training sessions for Council staff and local professionals, local councillors and for the community.

Advisors can be very helpful in assisting committees to set up community education programs. They can also liaise with the council and the Local Government & Shires Associations in setting up training programs for staff and councillors, (see Recommendation 7).

How does the heritage advisor make a difference?

The Heritage Advisor can promote and educate council, heritage owners and the community about heritage in a positive, thoughtful and knowledgeable way. They know and understand heritage and have specialist training. They can offer solutions and positive leadership to help your council manage its heritage – with advice and input into heritage strategies and policies through to providing site specific detailed heritage advice on heritage development applications.

The advisor can liaise with owners about heritage and urban design issues before development proposals at pre-development stage and before the project is finalised. This saves money and can also help to avoid potential conflict with the council. The advisor can also advise on colour schemes and minor repairs.

If the council runs a local heritage fund (see Recommendation 5), the advisor can assess the applications to help the council decide the funding priority. The advisor can also suggest or promote projects which might not otherwise occur, e.g. preparing an application for main street program funding, heritage awards schemes or heritage interpretive plaques or brochures.

How can the council apply for funding assistance for a heritage advisor?

Councils can apply for funding under the *NSW Heritage Grants program*. Information and application forms are available on the heritage website through the [Local government heritage management](#) funding page. For further information, contact Victoria Throp or phone (02) 9873 8577.

Where can I obtain further information on the Heritage Advisor Program?

Take a look at the Heritage website [Local Government Heritage Management](#) page for the *How to Establish a Heritage Advisor Service* or contact Victoria Throp on email victoria.throp@heritage.nsw.gov.au or (02) 9873 8577.

Recommendation 4	Manage local heritage in a positive manner
<i>Outcome 4</i>	<i>Proactive heritage and urban design management in your local area</i>

Waive or reduce fees for development applications involving heritage items

When heritage items are included in a local environmental plan (LEP), a development application may be required for work. This may mean additional charges to an owner. Where possible these charges should be waived so as to encourage owners of listed properties to regard the listing as a positive, not a negative.

Adopt a flexible approach to planning requirements on heritage sites

The heritage provisions in your LEP should enable the council to vary its requirements for uses, floor space ratio and car parking. If these provisions have not been adopted, councils must use the standard heritage clauses included in the Standard LEP Instrument.

The Department of Planning and Infrastructure website contains the latest information on LEP requirements. Please refer to www.planning.nsw.gov.au and go to [LEP practice notes and planning circulars](#) and search for the latest update on standard LEP instruments, PN11-001.

Adopt a flexible approach to building requirements for heritage buildings

Heritage buildings do not always meet modern building regulations, especially in regard to fire safety. The rigorous application of Building Code of Australia requirements can make too great an impact on the building's heritage significance, particularly one that is valued for its architectural or aesthetic qualities. As long as public safety requirements can be met, encourage reasonable discretion in the application of these requirements.

The Heritage Council's Fire, Access and Services Advisory Panel provides advice on ways of achieving adequate fire safety without damaging the character and architectural detail of heritage buildings. The Panel's membership includes a representative of the Board of Fire Commissioners.

The Heritage website has further information on conservation and publications and also 'Technical advice' and 'Fire access and services' or contact Victoria Throp on email victoria.throp@heritage.nsw.gov.au or phone on (02) 9873 8577.

How does flexibility help a heritage building owner?

Heritage projects can be expensive, relying on the commitment and energy of the owner. A flexible approach by the council may well mean the difference between whether a project proceeds or not. Removing barriers to sensible compromises and waiving or reducing fees are positive ways in which councils can help to assist the continuing life of listed heritage assets. They can also result in a lower project cost. All this is positive for heritage.

Recommendation 5	Introduce a local heritage fund to provide small grants to encourage local heritage projects
Outcome 5	<i>Increased community participation and proactive conservation and management of heritage in your local area</i>

What is the role of a local heritage fund?

To provide funding to assist council and the community to deliver good heritage and urban design management outcomes in your local government area

Funding for Local Heritage Funds provides regular and on-going funding for councils, communities and owners of heritage properties. It assists in promoting urban design and heritage in the area.

The outcomes of this program have been very positive. Many successful and ongoing partnerships between local and state governments and communities have been developed.

How are local heritage funds established?

Section 356 of the Local Government Act 1993 provides the legal basis for the establishment of local heritage funds. Councils can apply for grants from the *NSW Heritage Grants program* to support these initiatives.

The Heritage Branch offers funding to local councils to set up a local heritage fund. Councils can then offer small grants for projects for heritage projects for identified heritage items. Funding should be used as an incentive to assist heritage owners and managers of listed items in Local Environmental Plans as a first priority, over non-listed heritage.

Councils should *promote and publicise* their local grants program to heritage owners and managers. Many owners and managers say they are unaware of funding opportunities available – *this is one of the most powerful incentives available for the care of heritage properties.*

What size of local heritage fund is recommended?

Generally local heritage funds can be established and run with a small budget. The suggested minimum total budget for a local heritage fund is \$10,000. As councils can afford to contribute more funding, the local heritage funding budget can increase accordingly.

How can your council apply for a heritage grant to establish a small grants program?

Funding for local heritage funds is available for a council each year from the *NSW Heritage Grants program*.

The Heritage website has guidelines on its [local government heritage management](#) page or contact Victoria Throp on email victoria.throp@heritage.nsw.gov.au or phone (02) 9873 8577.

How does a local heritage fund operate?

As these are local heritage funds, the operation and decisions about the fund are made locally according to your local council processes. Where a heritage committee exists, it can make recommendations on project applications to the council for their approval on the advice of the heritage advisor. Otherwise, the heritage advisor or the designated heritage planner can make these recommendations.

What type of funding is offered through the local heritage fund?

Generally, project funding should be offered on a \$ for \$ basis. Using this funding formula, the project applicant will need to contribute a dollar for every dollar from the local heritage fund.

Councils may decide to waive the \$ for \$ requirements for seniors (the over 65s) pensioners and self-funded retirees and offer grants. Feedback on grants programs shows that this sector owns and manages heritage, are interested in undertaking works, would like funding to assist and can not necessarily afford to contribute their own matching funds.

For local council owned projects, funding may still be approved. However, in these circumstances, project funding should be offered on a \$1 for \$3 basis.

Generally, the amount of project funding offered must be enough to encourage the applicant to undertake the project

We have found for councils with an annual local heritage funding program budget of \$16,000, a council will generally fund between 6-8 projects with grant of around \$2,000 towards heritage project valued at least \$4,000.

Cumulatively, across NSW in 2009-10 more than \$3 million was spent in total on local government heritage projects. This includes contributions from owners and more than \$600,000 contributions from state and local government.

What types of projects are funded?

The Heritage Branch is flexible about how your Council decides to implement their local heritage fund. Funding can be used for a wide range of projects that will deliver good heritage and urban design outcomes that fit within the scope of these guidelines.

Projects funded through your local heritage fund may include (and not be limited to): conservation works and maintenance works projects; adaptive reuse projects; urban design projects that support heritage; interpretation projects; and conservation management plans.

How have local funds been used in other local government areas?

The most striking use of local funds has been in concentrated areas such as main streets. Main streets in Adelong, Braidwood, Canowindra, Carcoar, Coolamon, Corowa, Lockhart, Rockley and Sofala have benefited from this approach at very little outlay of the grant funding.

In the case of Lockhart, every one of the 30 buildings in the main street was conserved in three years following a \$5,000 \$-for-\$ grant for a main street study in 1987. A \$15,000 NSW heritage grant was allocated by way of \$500 to each owner for work. The estimated total cost of the project was in excess of \$65,000, i.e. a multiplier effect of 4.33:1. The whole project was managed by the Lockhart Shire Council.

Where can I obtain further information?

The Heritage website has guidelines available on its [local government heritage management](#) page or contact Victoria Throp on email victoria.throp@heritage.nsw.gov.au or phone (02) 9873 8577.

Recommendation 6	Run a heritage main street program
Outcome 6	<i>Council, owners and the community actively participate in attractive and well-managed heritage main streets</i>

Which government agency provides funding for main street work?

Funding assistance for main streets including heritage (but excepting physical design) is provided by the Department of Trade and Investment. Go to their website to find information on *Regional Communities Enterprising Regions Program* at <http://www.business.nsw.gov.au/assistance-and-support/grants/regional-communities/enterprising-regions-program>

However, funding for heritage aspects of a main street remain with the Heritage Branch, NSW Department of Planning.

Enterprising Regions Program

The NSW Department of Investment and Trade offers the Enterprising Regions Program to assist community/regional development organisations undertake planning activities and implement projects which have broad based local support and the potential to generate economic benefits.

Who Can Apply?

Applications for assistance must be submitted by a sponsoring organisation such as:

- local councils
- incorporated associations including business, industry and community organisations
- regional development organisations including Regional Development Australia committees.
- Applicants must demonstrate:
 - broad support from stakeholders such as the business and wider community for the project, eg by providing letters of support from the local council/s and organisations such as local business or industry groups and tourism organisations and/or
 - the project is aligned with a local, regional or industry plan eg Regional Business Growth Plans
 - the potential economic benefits of the project
 - that project funding will be matched by organisations outside of the NSW Department of Trade and Investment (small communities are an exception).

This program is designed to “kick-start” local projects to benefit the broader region rather than being of specific benefit to a single enterprise.

Regional NSW is defined as the area outside the Sydney metropolitan area and the local government areas of Liverpool, Penrith, Camden, Campbelltown, Wollondilly, Hawkesbury and the Blue Mountains.

What is a heritage main street study?

Main street studies provide specific advice on heritage and design matters for the main street and assist private owners and councils to carry out appropriate conservation and enhancement work.

Who can apply for the funding for a heritage main street study?

The preference is for councils to lodge applications because they have:

- the resources to run a main street study;
- the implementation role in approving or encouraging appropriate changes to heritage buildings;
- a large stake in the physical implementation of the program as they own all of the public spaces, including the roads, footpaths and street furniture;
- they have the ability to establish local heritage funds to encourage physical improvements to the main street (see *Recommendation 5*).

What funding is required for a heritage main street study?

This will depend on the size of the main street, the complexity of the work, the distance to be travelled by the consultant, other work that has already been carried out and the information the local council, the local historical society and other community groups and individuals can supply to the consultant. Studies can cost as little as \$10,000 or as much as \$30,000 or more.

Is funding available for a heritage main street study?

NSW Heritage Grants program offers grants to undertake a study, backed up by funding to assist councils to implement the study's recommendations through the appointment of heritage advisors and the establishment of local heritage funds.

The main street must be clearly of heritage significance. The town centre may be listed as a heritage conservation area or may simply contain many heritage items;

How do I apply for a grant?

Applications for funding for heritage main street studies are considered under the *NSW Heritage Grants program* local government heritage management program. Guidelines for the applying for funding are available on the Heritage website [Local Government Heritage Management Program](#) funding page.

Where can I obtain further information?

The guideline *How to undertake a heritage main street study* *How to undertake a heritage main street study* is available on the Heritage website [Local government heritage management](#) page or contact or Victoria Throp on email victoria.throp@heritage.nsw.gov.au or phone (02) 9873 8500.

Recommendation 7	Present educational and promotional programs
<i>Outcome 7</i>	<i>Increased awareness and appreciation of heritage by Council, owners and the community in your area</i>

Run an awards scheme for heritage projects

Many councils already run garden awards. Heritage awards are based on a similar idea. The usual practice is to have a panel of judges to adjudicate on the heritage projects carried out in your area in the last 12 months. It might be a good idea to hold the awards presentation in National Trust of Australia (NSW) Heritage Festival, which is usually held in April/May each year.

The award could be a simple certificate, a plaque, a monetary or other gift. Conservation work categories are always included, but you might also consider promotional projects, heritage tourism, interpretation projects or historical projects or education activities. Some councils also present awards for building or urban design projects that enhance the built environment.

The idea behind awards is that by giving recognition to the people who are looking after heritage properties you are encouraging others as well to undertake heritage projects. It's also a way of applauding the initiative of people who, usually at their own expense, have done something positive for the heritage of the area.

Conduct a heritage short course for councillors, council staff and local professionals

The Heritage Branch began a program of heritage short courses for local government staff and local professionals in 1993.

This program is now managed by the Local Government & Shires Associations Training Unit, which organises an annual schedule of courses. In addition to general courses in Sydney and rural centres the Unit can tailor special courses for staff in the larger councils. For further information contact Local Government Learning Solutions by emailing learning@lgsa.org.au

Some councils also run seminars for their local community targeted at suppliers, tradespeople and owners of heritage items. Successful seminars of this type have been held in Goulburn and Broken Hill.

Make heritage information available on your website and printed brochures

Accessing information on website and e-planning is now expected as most people will look to the council's website for heritage information. This is an easy and accessible way for council to provide a one-stop online source for heritage information and brochures that can be downloaded.

Provide links from your council's website to the Heritage website for access to [heritage publications](#) and [heritage consultant's directory](#) and the [services and suppliers directory](#). Encourage your consultants and heritage trades and suppliers to list on these directories so you have local people available and accessible.

Councils can also provide printed information brochures and distribute these through the council offices, public libraries and other information outlets.

It's critical that all website and printed brochures are kept up to date – at least annually as this is very important for credibility and building good relationships!!!

Include heritage promotional material with the rates notice

Advertising and direct mailing can be expensive. Consider including a small brochure in the next mail out of the Council rates notice. If your council circularises a full or summary annual report or letter from the mayor, include some coverage of recent heritage matters in your area in this document.

Prepare a DVD on the heritage of your area

Professional production of a DVD may be too expensive, but there is sure to be a local group and/or enthusiast who would be prepared to arrange a low cost but effective DVD. The DVD can be used in schools in your area, in tourist information centres and in the council's foyer areas.

Ashfield City Council produced a video advising heritage owners of their responsibilities and providing guidance on how to research the history of their property before making alterations.

Develop a heritage walking trail

Marked walking trails through the town or local area are now a recognised, and popular, way of encouraging interest in local history and local heritage tourism. These projects can make good use of employment program funding, both for the research stage and also the building of trails and signposts. The Department of Land and Water Conservation also has considerable expertise in this area and may be interested in fully or jointly funding trail markers and brochures.

The Heritage Branch has published [Guidelines for Heritage Trails](#). This outlines how to carry out heritage trail projects. It is council's responsibility to provide funding for local heritage trail projects.

Introduce a plaques scheme for heritage buildings and sites

Informative heritage plaques can create a high degree of interest for owners, visitors and the general community. The design and placement of plaques are important considerations. If you use historical photos, make sure you clearly show how it relates to the contemporary scene.

The placement of plaques provides a photo opportunity for the owner and local politicians – yet another occasion to push forward the positive heritage theme in the media. The Heritage Branch's guideline on heritage trails also provides some basic advice on plaques.

Prepare and adopt a local or regional heritage tourism strategy

The Heritage Branch encourages councils to prepare and adopt a local heritage tourism strategy that identifies and develops strategies for local and state heritage items within their local government area.

Council may also choose to work with adjoining local government areas to prepare a regional cultural heritage tourism strategy.

Once adopted the council tourism information office can use and implement this strategy to work with heritage site owners and promote local heritage sites to tourists.

Join a local government heritage network in your region or start one up

The Heritage Branch encourages councils to join, or establish a local government heritage network in your region. Regional heritage networks have been successfully operating in some sections of NSW for many years now and provide a networking forum for local councils to discuss issues around heritage and council management in their region.

The Heritage Branch offers grants to assist as short fall funding for regional heritage networks through the [Local Government Heritage Management Program](#). We encourage the regional networks to become self-funding over time.

Further information on education and promotion is available on the Heritage website [Local government heritage management](#) page or contact or Victoria Throp on email victoria.throp@heritage.nsw.gov.au or phone (02) 9873 8500.

Recommendation 8	Set a good example to the community by properly managing heritage places owned or operated by the council
<i>Outcome 8</i>	<i>Increased community participation and proactive conservation and management of heritage in your area</i>

All councils own heritage assets, including:

- town halls, schools of arts, museums, showgrounds, museums, parks and gardens;
- streets and roads dating back to the early development of the area may have remnant vegetation, avenue planting, stone guttering, historic signs or street furniture;
- archival records, e.g. rate books and minutes of meetings. These are not only valuable in their own right as archives but also provide a sound foundation for historical research.

The conservation and management of these heritage assets by the council ensures their long life and provides an appropriate setting for heritage items owned by others in the community.

Good heritage practice by the council also sets up a model for the community to follow. Good heritage management is achieved through:

- asset management planning – prepare a heritage asset management through a conservation management plan,
- asset maintenance planning – prepare a heritage asset maintenance plan with indicative timeframes and costings, and
- securing resources to implement the plans through annual budget allocations and securing appropriate staff or contractors to undertake the works.

North Sydney Council has restored its own heritage buildings. It also has an excellent record in the presentation of its streets and public areas, providing a sympathetic setting for the hundreds of heritage items in the council's area. It also has a best practice local history collection in its library.

Recommendation 9	Promote sustainable development as a tool for heritage management
<i>Outcome 9</i>	<i>Proactive heritage and sustainable development in your area</i>

Heritage + sustainable development – what is the link?

Sustainability concerns people and changes that minimise our effects on our environment. Heritage is not about dwelling in the past, it's about understanding today and the future. Heritage management is an ongoing and dynamic process, balancing conservation and change.

Sustainable communities, economies and environment – the triple bottom line

Heritage and sustainable development are intimately linked. The goals of sustainable development are continually assisting heritage conservation internationally. Heritage sits perfectly within the philosophical context of sustainability – recycle, reuse and minimise environmental and socially negative impacts.

Sustainable effects are measured and reported on using triple bottom line outcomes, that is social, economic and environmental benefits or impacts on the community.

In implementing best practice heritage management in local government, Councils should aim to utilise triple bottom line reporting to demonstrate heritage and sustainability outcomes to the community.

Educating for positive change and leadership that embraces sustainable heritage development

It is important that stakeholders understand the integral relationship between heritage and sustainable development and to encourage changes in heritage practice that meet sustainability criteria.

Education about heritage and sustainable development is essential to train decision makers and professionals working heritage and related fields as well as heritage owners and managers and the broader community to that will lead to greater awareness, support and action leading to valuing of heritage and embracing sustainable development.

Some examples of implementing sustainable heritage development

Some examples of how sustainable development and heritage can be implemented locally include:

- the promotion and encouragement of regeneration of urban towns, places and fabric;
- encouraging and supporting compatible adaptive reuse, or infill or sympathetic additions to heritage places,
- encouraging sustainable heritage tourism commercial ventures and council tourism information centres;
- sensitive application of BASIX requirements for new design in a heritage precinct or conservation area; and
- incorporation of energy efficient design solutions into heritage places for water, energy and waste.

Tenterfield Heritage Strategy

2015-2018



Adopted: 23 April 2014
(Res No. 107/14)

Introduction

This Heritage Strategy has been prepared in accordance with the guidelines developed by NSW Department of Environment and Heritage. This strategy is based on the Heritage Branch “Recommendations for Local Council Heritage Management” and has been prepared in consultation with Tenterfield Shire Council’s Heritage Advisor; Ms Deborah Wray. The strategy is linked in its structure to the annual reporting template which is another requirement of the Heritage Branch as part of its ongoing monitoring of local government heritage advisor and grant funding arrangements.

Tenterfield Council has operated an active heritage program for **17** years and a heritage strategy was initially adopted by Council in 2008. This strategy will be reviewed again in 2018 to assist and guide future directions for heritage management in the Tenterfield Shire Council.

Background

Tenterfield Shire Council is responsible for a 713,439 hectare rural area which straddles the Great Dividing Range. Tenterfield township is 770 km north of Sydney and has a population of 3500 (Census 2011). There are six other smaller population centres spread across the shire including Drake, Jennings, Torrington, Legume, Liston and Urbenville with a total population across the shire of 7024 (Census 2011).

The Shire contains a wide variety of heritage assets, both tangible and intangible, which require special consideration, ranging from Indigenous sites on private land to Bald Rock National Park, items of heritage on the State Heritage Register and Local Environmental Plan and other sites/buildings which may be collectively significant but are not identified for formal listing.

The purpose of this document is to provide a heritage strategy to be used by Council and linked to its overall strategic planning. The strategy aims to protect and properly manage identified heritage assets, and promote a greater understanding of the cultural, economic and social value of heritage by the community.

HERITAGE STRATEGY 2015-18**1. Operate a Heritage Committee to deal with heritage matters in the Tenterfield Shire Council area.**

Aim: To promote the conservation and maintenance of Tenterfield Shire's heritage.

Actions:

- Support and promote the operation of the Tenterfield Shire Heritage Committee in highlighting community concerns and providing advice to Council staff and elected officials.
- Continue to enable the Committee to provide input into local heritage assistance grants, development proposals and other community heritage initiatives.
- Ensure that grant opportunities are utilised and made known to the community.
- Review the list of assets owned by Council and associated bodies and encourage the allocation of adequate funds for long term maintenance and help to identify priorities.

2. Identify Heritage Items in the Tenterfield area and list them in the Local Environmental Plan

Aim To identify all places of heritage significance (buildings, sites, and moveable items) in the Tenterfield Shire and implement measures to protect their integrity and significance.

Actions

- Continue to develop and expand data available on individual properties identified in the LEP listings.
- To formulate a statement of significance for each item and upload the information to the State Heritage Inventory database.
- Identify any other items or precincts of heritage character which would benefit from statutory heritage protection, and consider the impacts of NSW SEPP complying and exempt development policies on non -protected areas with heritage character and significance.
- Review the findings of the Tenterfield Main Street Heritage Study 1997.
- Work with the NSW Department of Environment and Heritage to review potential sites for consideration of State Heritage Register listing status.
- Support community heritage groups including National Trust of Australia (NSW) and the Tenterfield and District Historical Society to articulate concerns about development which could impact on heritage items and their context.

3. Appoint a Heritage Advisor to assist Council, the community and owners of listed items.

Aim To achieve enhanced awareness and understanding of the importance of heritage conservation in Tenterfield Shire, and the need for new development to be sympathetic to these values.

Actions:

- Make the community aware of the Heritage Advisory service through local newspaper, council newsletters or council web pages.
- Provide free heritage advice to the community through Council's Heritage Advisor.
- Utilise the advice of the Heritage Advisor in the assessment of Development Applications, or works likely to impact on heritage items or places of significance.
- Utilise the advice of the Heritage Advisor to assist Council with the preparation of other related planning and development documents and initiatives.

4. Manage heritage in the Tenterfield area in a positive manner

Aim To take a pro-active approach to the management of heritage in the Shire

Actions

- Link wider Council strategic land use planning and corporate council policies to achieving heritage conservation goals, e.g. community vision plans, budgetary planning and consideration of land use zoning provisions.
- Continue to apply LEP and DCP heritage provisions to the assessment of development proposals.
- Consider how the recommendations of the Tenterfield Main Street Study can be successfully implemented.
- Adopt a flexible and performance based approach to dealing with issues in development proposals such as car parking and building requirements, to maximise heritage conservation outcomes.
- Update and review of Heritage Management Plan 2002 with reference to concepts in Main Street Masterplan, LEP and Conservation Areas
- Monitor rural signage across the Shire.
- Rural villages and/or community halls- identification of village character and precincts

5. Operate a Local Heritage Fund to provide a small grants program to encourage local heritage projects.

Aim To increase community participation and pro-active conservation works to heritage assets in the local area.

Actions

- Continue to operate the Tenterfield Local Heritage Fund to provide assistance to owners of heritage assets.
- Allocate Council funds to run the programme and optimise grant funding opportunities.
- Consider how the grant programme might be supplemented through corporate sponsorship to meet potential increased future demand from additional heritage listings.

6. Run a Main Street Program

Aim To develop measures for the protection, enhancement and promotion of Tenterfield main street and provide opportunities for Council to work with business owners and the community to achieve this.

Actions

- Review the findings of the Tenterfield Main Street Heritage Study by Suters Architects Snell Pty Ltd February 1997. Integrate this with the new civic enhancement committee, the heritage committee work and property/ business owners.
- Continue to operate the Tenterfield Main Street Heritage Fund (loan scheme).
- Consider methods to increase participation in conservation works to properties in the main street. Consider how the loan programme could be supplemented or modified to provide grants e.g. through business or other sponsorship
- Explore any Council incentives for carrying out conservation works which enhance historic properties in the main street, for example rate rebates
- Require a very high standard of design for any new or infill developments that respect the context of the precinct.
- Identify buildings which are considered vulnerable or a high priority for restoration or maintenance works and liaise with property owners to ensure that they are aware of grant incentives and heritage advisory services. Contact non resident landlords to make them aware of the initiatives.
- Implement and enforce the provisions of Council's *Signage and Outdoor Advertising Policy* (28 August 2013). Monitor signage in the main street and develop strategies to deal with any non compliance and signage which is unsympathetic with the precinct.

- Work closely with tourism providers and other agencies to ensure that the Main Street heritage values are actively promoted and include business owners in this initiative.

7. Present Educational and Promotional Programs

Aim To actively assist and promote cultural heritage projects and awareness in the shire.

Actions

- Continue to develop Council's web pages to include local history and the cultural heritage of the Tenterfield area, heritage listings, and information on conservation.
- Continue to maintain strong links with the three museum groups in the shire on joint promotions and activities to promote cultural tourism.
- Work with the Tenterfield School of Arts and the Tourist Association to maintain a strong awareness of Tenterfield as the "Birthplace of Our Nation" and to participate in community events associated with this theme and other nationally recognised historical and social associations.
- Upgrade interpretative material with particular emphasis on street signage and the website.
- Promote the heritage facilities operating in the shire and assist in pursuing funding opportunities.
- Send relevant Council staff to heritage conservation courses when possible.
- Consider running a heritage maintenance course for owners of heritage properties by skilled local builders/experts.
- To produce a comprehensive history of the Tenterfield Shire in either a printed or electronic version
- Prepare a column with one old photo and some history provided for local paper in relation to locally listed items on an as needed basis

8. Set a good example to the community by properly managing places owned or operated by Tenterfield Shire Council

Aim To maintain a register of Council Heritage Assets and to ensure adequate funds to be allocated to enable proper maintenance and long term protection.

Actions

- Identify and maintain a list of all items/places/trees of heritage significance which are in Council's ownership.
- Assess long term maintenance requirements and provide for these costs to be identified in Council budget planning.

- Develop a protocol for Council staff who are responsible for these assets in order that they are aware of heritage conservation legal requirements and best practice issues for maintenance and management.
- Ensure that any works requiring consent are dealt with in the correct manner to set an example to the community. Carry out Statements of Heritage Impact where required as part of the infrastructure planning process where heritage assets are likely to be impacted upon.
- Prioritise the preparation of Conservation Management Plans for significant Council owned or managed heritage buildings.
- Prepare a simple plan of management for historic cemeteries covering broad aspects of care and conservation.
- Identify, record and catalogue any significant historic equipment, relics, documents, photographs, and paintings etc that are owned by or are under the care of Council. Prepare a simple plan of management for the particularly significant items.
- Prepare interpretative material where appropriate.

9. Promote sustainable development as a tool for heritage conservation

Aim to promote sustainable development as a tool for heritage conservation

Actions:

- Promote and encourage adaptive re-use, infill or sympathetic additions to historic buildings in favour of demolition and rebuilding. Use the pre DA process to actively support this policy.
 - Consider providing a 'heritage rebate' on DA charges and fees for positive projects that support those principles in Tenterfield Shire, e.g. changes of use.
 - Encourage owners to adopt sustainable building principles including the provision of water tanks, solar panels and solar hot water and other emerging technologies and work with the heritage advisor to find sensitive solutions to any installations on heritage buildings or sites.
 - Promote and expand Councils commitment to the purchase, stock piling and re-sale of historic building materials in particular 'Tenterfield' Bricks and salvageable architectural detailing.
-