

AUSTRALIA'S *Commonwealth Heritage*



APPLYING THE PRINCIPLES

- What are the Commonwealth Heritage management principles?
- What do the Commonwealth Heritage management principles mean in practice?
- When should the Commonwealth Heritage management principles be used?

INTRODUCTION

HERITAGE MANAGEMENT PRINCIPLES PROVIDE A FRAMEWORK FOR EXCELLENCE IN MANAGING HERITAGE PROPERTIES. THEY SET THE STANDARD AND THE SCOPE FOR THE WAY PLACES SHOULD BE MANAGED IN ORDER TO BEST PROTECT HERITAGE VALUES FOR GENERATIONS AHEAD.

The Commonwealth Heritage management principles should be used when preparing and implementing management plans and management arrangements for a Commonwealth Heritage place. In the absence of a management plan, the principles should also guide the management of heritage values.

This section outlines the Commonwealth Heritage management principles and describes when and how they should be used.



APPLYING THE PRINCIPLES

WHAT ARE THE COMMONWEALTH HERITAGE MANAGEMENT PRINCIPLES?

The Commonwealth Heritage management principles are set out in the EPBC Regulation 10.03D, Schedule 7B of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and are as follows:

1. The objective in managing Commonwealth Heritage places is to identify, protect, conserve, present and transmit, to all generations, their Commonwealth Heritage values.
2. The management of Commonwealth Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on their Commonwealth Heritage values.
3. The management of Commonwealth Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, any Commonwealth, State, Territory and local government responsibilities for those places.
4. The management of Commonwealth Heritage places should ensure that their use and presentation is consistent with the conservation of their Commonwealth Heritage values.
5. The management of Commonwealth Heritage places should make timely and appropriate provisions for community involvement, especially by people who:
 - a) Have a particular interest in, or associations with, the place; and
 - b) May be affected by the management of the place.
6. Indigenous people are the primary source of information on the value of their heritage. The active participation of Indigenous people in identification, assessment and management is integral to the effective protection of Indigenous heritage values.
7. The management of Commonwealth Heritage places should provide for regular monitoring, review and reporting on the conservation of Commonwealth Heritage values.

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WHAT DO THE COMMONWEALTH HERITAGE MANAGEMENT PRINCIPLES MEAN IN PRACTICE?

COMMONWEALTH HERITAGE MANAGEMENT PRINCIPLES	HOW TO MANAGE A COMMONWEALTH HERITAGE PLACE IN ACCORDANCE WITH THE PRINCIPLES
<p>1. The objective in managing Commonwealth Heritage places is to identify, protect, conserve, present and transmit, to all generations, their Commonwealth Heritage values.</p>	<p>Principle 1 explains what is trying to be achieved in the management of Commonwealth Heritage places.</p> <p>Having a good comprehension of the Commonwealth Heritage values will enable agencies to develop an overall framework for long term conservation and protection. The best way of achieving this is to develop a management plan that applies the framework outlined in the following section <i>Developing management plans</i>. The recommended framework for a management plan provided in this publication has been developed using best practice standards. Adopting this recommended framework will contribute to the implementation of the Commonwealth Heritage management principles.</p> <p>The success of a management plan is reliant on timely implementation. Once developed, the management plan should become part of the day-to-day management and decision-making processes of the place.</p> <p>Please note that the Commonwealth Heritage values of a place have been formally assessed as part of the listing process and are as stated in the official values table for the place. The official values table should be used whenever you are asked for the Commonwealth Heritage values of a place. However, this does not preclude the identification of potential new Commonwealth Heritage values or other values (see Principle 3).</p>

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<p>2. The management of Commonwealth Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on their Commonwealth Heritage values.</p>	<p>Principle 2 is about the skills and standards required to manage Commonwealth Heritage places, which includes seeking expert advice and consulting with the community, particularly in relation to Indigenous places.</p> <p>To better understand how to manage heritage values, including natural, Indigenous and historic values agencies may draw on the objectives of the heritage provisions of the EPBC Act and Regulations, and industry standards and methodologies included in documents such as <i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 1999</i>, the <i>Australian Natural Heritage Charter</i>, <i>Ask First: A guide to respecting Indigenous heritage places and values 2002</i> and <i>Significance - A Guide to Assessing the Significance of Cultural Heritage Objects and Collections 2001</i>.</p> <p>These are available at: www.heritage.gov.au</p> <p>The agency should also refer to state and territory management publications and other management guides.</p>

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<p>3. The management of Commonwealth Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, Commonwealth, State, Territory and local government responsibilities for those places.</p>	<p>Principle 3 is about managing the Commonwealth Heritage values of a place while recognising that there may be other statutory requirements for heritage management. The Commonwealth Heritage values are as stated in the official values table for each place.</p> <p>Research should be conducted to identify whether the place has heritage values at any other level of statutory responsibility. This should include a search of the following:</p> <p><i>National</i></p> <p>National and Commonwealth Heritage places are found in the Australian Heritage Database which can be accessed from: www.environment.gov.au/cgi-bin/ahdb/search.pl</p> <p>A check should also be made to confirm whether there are any protected matters of national environmental significance (NES) which need to be considered. Seven matters of NES are referred to in the EPBC Act. All NES places can be identified using the map, co-ordinate or Local Government search options from: www.environment.gov.au/erin/ert/epbc/index.html</p> <p><i>State, territory and local</i></p> <p>Conduct a search of the following:</p> <ul style="list-style-type: none"> • State and territory heritage lists. Links to all state and territory statutory lists can be accessed from: www.environment.gov.au/heritage/index.html • Indigenous heritage registers in your state. These are generally maintained by either a state Indigenous agency or a National Park or conservation agency; • Protected species listings for flora and fauna. Links to each state and territory can be accessed from: www.environment.gov.au/biodiversity/threatened/index.html; and • Planning instruments with heritage provisions and controls such as Local Environment Plans (LEPs), Regional Environment Plans (REPs), Master plans, Development Control Plans (DCPs) and Heritage overlays.

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<p>3. (Continued)</p>	<p>Inclusion of a Commonwealth Heritage place on one or more of the above statutory lists will require that the administrative systems, processes and arrangements (relating to other listings) are incorporated into a management plan for that place. It will also involve working with all levels of government to ensure that all heritage values are respected in any decisions made about the place. This principle acknowledges that Commonwealth Heritage places may already be part of an existing management regime with pre-existing requirements.</p> <p>Non-statutory heritage registers and lists should also be consulted when developing a management plan for a Commonwealth Heritage place. A number of non-government organisations maintain heritage databases which can be searched online or by calling directly. These lists are generally maintained by professional and community groups and are specific to a type of heritage or heritage place.</p> <p>Some examples of these groups and databases include:</p> <ul style="list-style-type: none"> • National Trust of Australia in each state and territory; • Royal Australian Institute of Architects; • Engineering Heritage Australia; • Australian Institute of Landscape Architects; and • National Shipwrecks database. <p>The management plan should be developed from an understanding of the heritage management requirements of the EPBC Act and any other heritage controls. Using a recognised and accepted methodology, it should address how the requirements fit into the existing overall management of the place.</p> <p>Research conducted during the preparation or review of a management plan may identify potential additional Commonwealth or other heritage values. This information should be included in the management plan with a recommendation about whether a formal re-assessment of the Commonwealth Heritage place is required.</p>

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<p>4. The management of Commonwealth Heritage places should ensure that their use and presentation is consistent with the conservation of their Commonwealth Heritage values.</p>	<p>Principle 4 is about how the place is used and how it is presented to the public. Use and presentation should not have an adverse impact on heritage values.</p> <p>In developing a management plan, the agency should identify:</p> <ul style="list-style-type: none"> • How the Commonwealth Heritage place is used and any proposed changes to the use of the place. Proposed changes may include disposal of the property, subdivision or re-development; • How the place is interpreted and how it will be presented to and accessed by the public, ensuring that proposals are sympathetic to and/or appropriate for the heritage values of the place; • Any known or anticipated pressures on the Commonwealth Heritage values of the place, taking into consideration current and future threats including those that originate outside the place; and • Any constraints on the management of the place, including operational requirements that may affect its Commonwealth Heritage values. <p>Identifying and describing these factors will assist with the development of policies relating to the use of a place and its presentation.</p>

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<p>5. The management of Commonwealth Heritage places should make timely and appropriate provisions for community involvement, especially by people who:</p> <ul style="list-style-type: none"> a) Have a particular interest in, or associations with, the place; and b) May be affected by the management of the place. 	<p>Principle 5 is about involving the community in decisions affecting the place. This is usually achieved via the consultation phase of a management plan but can also occur as part of the EPBC Act referral process.</p> <p>During the preparation of a management plan for a Commonwealth Heritage place an agency should seek to identify and involve the people and/or groups who have an association with the place.</p> <p>It is important to involve stakeholders in formal consultation processes to inform them about management decisions and policies for the place. Good consultation and liaison can help ensure that all important issues are considered in management and that protection and conservation of the heritage values is achieved.</p>
<p>6. Indigenous people are the primary source of information on the value of their heritage. The active participation of Indigenous people in identification, assessment and management is integral to the effective protection of Indigenous heritage values.</p>	<p>Principle 6 establishes that the best way to understand and to manage Indigenous heritage values is to involve the traditional owners and other relevant Indigenous people with rights and interests in the place.</p> <p>In developing a management plan for a Commonwealth Heritage place, the agency should seek to involve and facilitate consultation with Indigenous people, particularly for the management of places that have, or for the identification and assessment of places that potentially have, heritage values of significance to Indigenous people.</p> <p>Where relevant, management policies to ensure access for Indigenous people to maintain traditional practices, including caring for country, should be developed and implemented. Policies relating to accessing places or sites with Indigenous heritage values, including access for the general public, should be developed in consultation with relevant Indigenous people.</p> <p>An investigation of the Native Title status of a place is recommended. Further information can be obtained from the National Native Title Tribunal at:</p> <p>↳ www.nntt.gov.au/Pages/default.aspx or by telephoning 1800 640 501.</p> <p>The publication <i>Ask First: A guide to respecting Indigenous heritage places and values</i>, developed by the former Australian Heritage Commission in 2002, is also a useful resource (see section <i>Key publications</i>).</p>

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<p>7. The management of Commonwealth Heritage places should provide for regular monitoring, review and reporting on the conservation of Commonwealth Heritage values.</p>	<p>Principle 7 is about ensuring that a system of regular review, reporting and accountability is in place through a regular revision of the management plan.</p> <p>In the day-to-day management of a place and in developing a management plan, appropriate monitoring procedures should be prepared for reporting on the condition of the Commonwealth Heritage place and the protection of its heritage values. This may involve establishing baseline information about:</p> <ul style="list-style-type: none">• The condition of those elements that represent heritage values;• The maintenance of the place; and• All actions that could impact on the place. <p>A heritage register or database established to record all actions and changes affecting the place may be the most effective means of compiling this information.</p>

WHEN SHOULD THE COMMONWEALTH HERITAGE MANAGEMENT PRINCIPLES BE USED?

Commonwealth agencies that own or lease a Commonwealth Heritage place are required to manage the place in accordance with the Commonwealth Heritage management principles.

These principles must also be used when preparing, implementing and reviewing heritage strategies, management plans and any other management arrangements. In the absence of a management plan, a Commonwealth agency must take all reasonable steps to ensure that its management of a Commonwealth Heritage place is not inconsistent with the Commonwealth Heritage management principles (EPBC Act s341V (2)).

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