



CULTURAL HERITAGE:
LISTING, MEANING & PRACTICE

Griffiths Architects



The Heritage Question

- What is it and why bother?
- Legislative framework
- Working with EPBC
- Meeting it head on
- Misconceptions
- Conservation Plans
- Integrating Heritage Successfully
- Skill Sets



Heritage

- Heritage is what we pass on.
- We tell stories through our tangible cultural heritage.
- Whether heritage is of a of grand or humble nature it has the capacity to tell important stories.
- Heritage is a continuum.
- Our most recent heritage is the most vulnerable.
- Heritage is why people visit one another's countries.
- Looking after heritage good for the economy as it is labour intensive.
- A place will never have more cumulative heritage material than it does before we start work.



What is it and why bother?

Statutory lists & Instruments:

- World Heritage Listing
- National Listing
- Commonwealth Heritage Listing
- Heritage of Western Australia Act 1990
- Town Planning Schemes
- SPP 3.3.6

Non-statutory lists:

- Municipal Inventories
- National Trust Classifications
- Special Interest Groups Lists



Heritage Lists

How does a Place get Registered?

- Places are referred to the Heritage Council.
- The Register Committee determines the heritage value of a place based on the evidence.
- An endorsed assessment is issued for stakeholder input . This involves:
 - Owners
 - Local Government
 - Special Interest Groups
- Following feedback the assessment is reviewed.
- The Minister makes the final decision.
- Inclusion in the register is Gazetted & memorialised on the title.



Legislative Framework

What kinds of things get Registered?

- Places are registered.
- Buildings.
- Cultural landscapes.
- Historic sites without features.
- Sea planes and submarine nets.
- Contact places.
- Natural places associated with cultural places.
- Public land and private land.
- Issues arising from Commonwealth land.
- Not Indigenous, natural or moveable heritage.



Legislative Framework

What gets Registered?

- There is a common misconception of which buildings on a registered piece of land are actually registered.
- The land is the registered item.
- The statement of significance provides a place descriptor and describes the values that makes a place significant.
- The statement will also generally state which elements are not significant.
- A search of SHO's database will reveal provide access to the Register documentation and assessment.



Legislative Framework

What does it mean?

- Any State registered place requires a development application for all works, other than minor exempted works.
- The determining authority refers the Development Application to the Heritage Council for advice.
- Determining authorities must not give a development approval that is inconsistent with the Heritage Council's advise.
- There may be a requirement to have permit application drawings cleared.



Legislative Framework

Who decides what is acceptable?

- In the case where proper heritage advice is provided an officer will be assigned to deal with advice.
- On important matters, reports are reviewed by the Heritage Council's development committee.
- On rare occasions, development committee will elevate matters to a full council meeting.
- Where regulatory requirements are in conflict with heritage conservation, exemptions under S34 of the Heritage of Western Australia Act 1990, or S39 of the Building Act 2011, and unjustifiable hardship provisions S4.1 of the Disability (Access to Premises) Standards 2010, may apply.



Legislative Framework

Role of the Heritage Council

- Administers Heritage of Western Australia Act 1990.
- Advises and reports to Minister.
- Receives referrals for assessment.
- Assesses places for the Register.
- Advises Minister.
- Maintains register.
- Assesses development/ prevents destruction.
- Provides conservation incentives.
- Promotes heritage.
- Prepares and monitors heritage agreements.



Legislative Framework

Powers and Limits

- Advisory body.
 - Crown bound
 - Minister has the ultimate say.
 - Decisions of Cabinet and Government over ride.
 - Minister delegates many functions after gazettal.
 - Governs itself.
 - Assist owners.
 - Enforce orders
 - May compulsorily acquire
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Legislative Framework

Working with EPBC

- National and CHL Places.
- Develop conservation management plans.
- Self assess against plans and determine if 'action' arises
- Consult.
- Lodge assessment in any event to protect project.
- Also lodge with HCWA-places generally on both registers.
- World Heritage Listing managed in a similar fashion.



Working with EPBC

What needs to be done?

- Appoint appropriate heritage professionals at the outset.
- Establishing the status or potential status on a place.
- Is it a place or a precinct?
- Establishing what is important about a place & why.
- Establishing how important it is.
- Where are the flexible areas?
- What might be a compatible development?
- Is there a conservation plan or strategy or is one required?



Meeting it head on

- Is a heritage impact statement, archive record or interpretation plan required?
- Heritage should not be seen as a burden but an opportunity.
- Huge risks are associated with leaving heritage work last in development projects.
- Authorities will be conditioning approvals on completing conservation and adaptation works first.



Meeting it head on

Some common misconceptions

- *It all happened before WWI* – Heritage is a continuum.
- *Nothing can be changed* – Buildings change. Managed change is what heritage is really about.
- *New work will have to match the old* – New work should be recognisable to enhance heritage values.
- *Only parts are registered* – The whole surveyed area is registered.
- *It looks like it's in an irretrievable state* – Most often it is not.
- *A scope of work is defined at the outset* – A period of discovery usually occurs during the construction period



Misconceptions

What is a Conservation Plan?

- Essentially experts recommendations based on a recognised way of going about things.
- Based on ICOMOS *Burra Charter Principles* and J.S.Kerr's *Conservation Plan*.
- Conservation recommendations are not a scope of works. Works still need to be scoped and documented.
- Approving authorities will use conservation plans to assist them.
- Additional preliminary work may be required prior to commencement of work based upon the nature and significance of the place.



Conservation Plans

Heritage Impact Statement

- Heritage Impact Statements present a heritage practitioner's view of the impact of a proposal on a heritage place.
- Identifies the place.
- Outlines its significance.
- Describes what is proposed.
- Identifies how the proposals enhance a place.
- Identifies detrimental impacts.
- May consider mitigating measures.
- Assess the overall acceptability.



Conservation Plans

Some basic moves

- Accept the value of heritage.
- Seek good advice early.
- Consider heritage in the design, feasibility and marketing of the project.
- It is always cheaper to deal with the heritage elements at the beginning of a project.
- Examine the benefits of heritage works e.g.
 - Grant Funding
 - Plot Ratio Transferability
 - Development Concessions



Integrating Heritage Successfully

Who can help and how?

- Heritage Architects are best suited.
- History, archaeology, engineering, arboreal, materials science, specialist suppliers & trades.
- High order of documentation.
- Good, well trained trades.
- Lots of time during construction.
- Investigation contract if time permits.
- Builder needs to demonstrate heritage experience.
- Heritage advice is essential during contract administration.



Skill Sets

