



Australian Government

Department of the Environment and Heritage

Management Plans for Places on the Commonwealth Heritage List

A guide for
Commonwealth agencies

Note: This is a working document. Please consult the website of the
Department of the Environment and Heritage for the latest version
(www.deh.gov.au/heritage).

November 2006

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Contents

1. About this guide	1
2. Management plans and the new heritage system	1
3. What is a Commonwealth Heritage place?	2
4. What is a management plan?	2
5. Commonwealth Heritage management principles	3
6. When does a management plan have to be prepared?	3
7. Preparing a management plan	4
8. What is an endorsed management plan?	5
9. What is an accredited management plan?	5
10. Heritage places on multiple lists	5
11. What must a management plan contain?	6
12. Useful sources of information	15
13. Further information	16
Attachment A: Management plan process flowchart	17
Attachment B: Glossary	18
Attachment C: Related sections from EPBC Act & Regulations	20
Attachment D: Commonwealth Heritage criteria	24
Attachment E: Schedule 7A	25
Attachment F: Schedule 7B	26
Attachment G: <i>Burra Charter</i>	27
Attachment H: <i>Australian Natural Heritage Charter</i>	30
Attachment I: Compliance Table	31

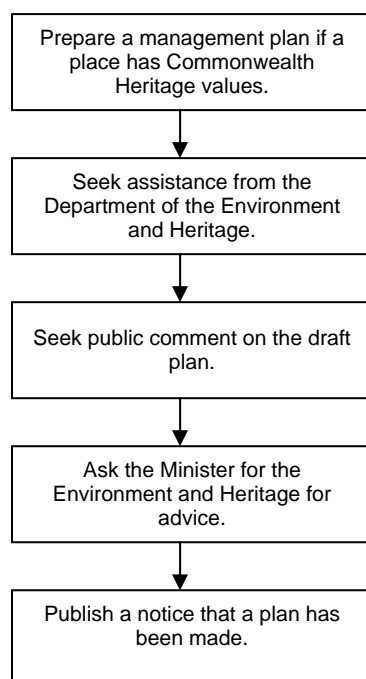
1. About this guide

Heritage places help give us a connection to our past, our community and the environment. These places are precious and need to be conserved for future generations of Australians.

There are legislative protections in place through the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) to ensure our heritage places are conserved into the future and to ensure the principles of ecologically sustainable development and the precautionary approach are followed.

This booklet provides a guide to preparing a management plan for a Commonwealth Heritage place and addressing the requirements of the Act and the Regulations to the Act. Users should consult the Act and the website of the Department of the Environment and Heritage (DEH) to ensure they have complete and up-to-date information. (www.deh.gov.au/heritage).

In summary, the process for developing a management plan involves:



(A more comprehensive description of the process is included in Attachment A).

A glossary is included in Attachment B to clarify terms used in reference to the Commonwealth Heritage provisions of the Act and Regulations and accepted *Burra Charter* definitions.

References to sections of the Act and the Regulations to the Act are reproduced at Attachment C.

2. Management plans and the new heritage system

On 1 January 2004, heritage amendments to the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) came into force. Amendments have also been made to the *Environment Protection and Biodiversity*

Conservation Regulations 2000 (the Regulations). The amendments have established a new heritage system to identify, protect and manage the natural, Indigenous and historic heritage values of places under Commonwealth ownership or control.

Under the Act (s.341S), each Commonwealth agency that owns or controls a Commonwealth Heritage place must make a written management plan to protect and manage the Commonwealth Heritage values of the place. Under s.341V of the Act, a Commonwealth agency must not contravene a plan.

3. What is a Commonwealth Heritage place?

The Act establishes the Commonwealth Heritage List. For a place to be included in the List, it must have one or more Commonwealth Heritage values (s.341C(2)). A place has a Commonwealth Heritage value if the place meets one or more of the criteria prescribed by the Regulations. The Commonwealth Heritage criteria are reproduced at [Attachment D](#).

A place can only be included in the List if the place is entirely within a Commonwealth area, or if it is outside the Australian jurisdiction and is owned or leased by the Commonwealth or a Commonwealth agency.

4. What is a management plan?

A management plan is a tool intended to provide sufficient information for managers to conserve and protect the Commonwealth Heritage values of places included in the Commonwealth Heritage List. It is a written document identifying, in detail, the values of a heritage place and conservation policies to be followed to ensure that the identified heritage values are protected and conserved. A management plan seeks to achieve good heritage conservation outcomes within the real management situation of the place.

Management plans must be prepared for Commonwealth Heritage places in accordance with the matters prescribed in the Act (s.341S) and Regulations (10.03B, Schedule 7A - see [Attachment E](#)) and must not be inconsistent with the Commonwealth Heritage management principles - also contained in the Regulations (10.03D, Schedule 7B - see [Attachment F](#)).

If a management plan has not yet been prepared for a Commonwealth Heritage place, then the agency must manage the place consistent with the Commonwealth Heritage management principles.

The requirements of the Regulations are broadly consistent with the *Australia ICOMOS Burra Charter, 1999* processes and the *Australian Natural Heritage Charter 2002* steps (see [Attachment G](#) and [Attachment H](#) respectively).

The *Burra Charter* has been widely accepted and adopted as the best practice standard for heritage conservation practice in Australia and provides guidance for the conservation and management of places of cultural significance. The *Burra Charter* aims to assist owners, managers and custodians to develop best practice management and conservation plans to conserve Australia's important

heritage places. The *Illustrated Burra Charter* 2004 illuminates and explains the Charter through the use of examples drawn from many different situations.

The former Australian Heritage Commission developed the *Australian Natural Heritage Charter* to complement the *Burra Charter* for places with natural heritage values.

A management plan for a heritage place under the Act is comparable to a conservation management plan that heritage practitioners are familiar with preparing. The term 'management plan' is used for consistency with other parts of the Act.

5. Commonwealth Heritage management principles

Heritage management principles set the standard and the scope for the way places should be managed in order to protect heritage values for future generations. 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, whether or not there is a management plan for the place (s.341V(2)). The Commonwealth Heritage management principles are set out in the Regulations (Schedule 7B) and are included in [Attachment F](#).

The principles require the Commonwealth to demonstrate leadership in the management of places included in the Commonwealth Heritage List by making the best use of available knowledge, skills and standards. Commonwealth leadership will rely on using best practice procedures for identifying, conserving and managing Commonwealth Heritage values.

6. When does a management plan have to be prepared?

The timing for the preparation of management plans will be identified in the Commonwealth agency's heritage strategy (required to be in place by 1 January 2006) or at the time the agency starts owning or controlling the place. (See *Heritage Strategies - A guide for Commonwealth agencies*, produced by the Heritage Division, Department of the Environment and Heritage.)

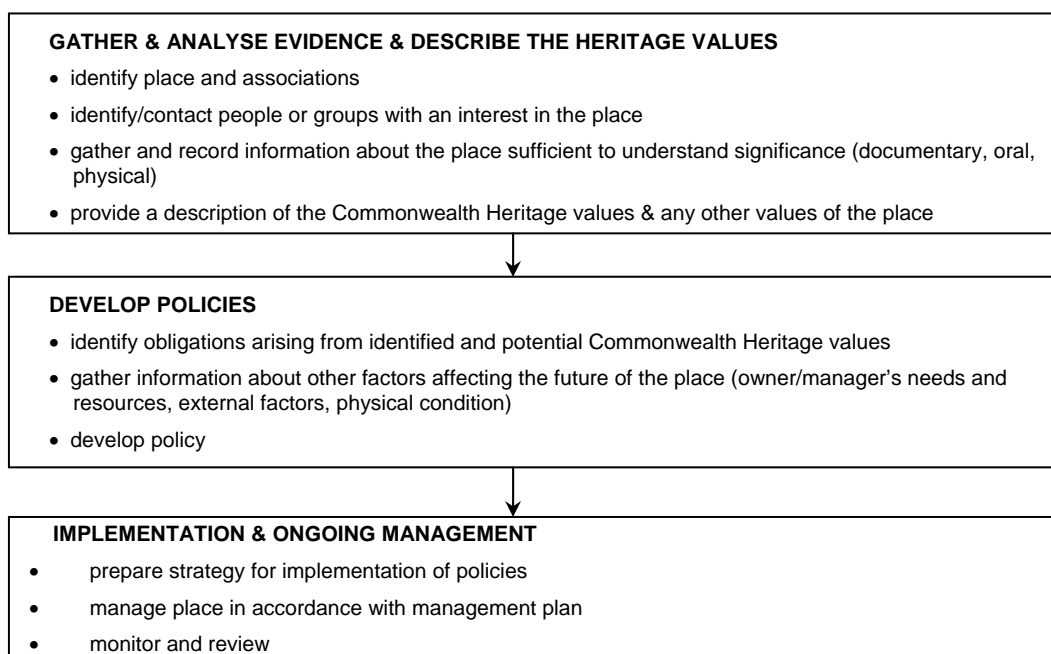
Management plans must be completed in a timely manner for all Commonwealth Heritage places. It is recommended that agencies prioritise the preparation of management plans and allow for their preparation in all forward planning processes. Priority may be based on:

- anticipated future development proposals;
- divestment proposals; and
- the absence of a guiding heritage management document for a place.

The agency must review its plan for managing a Commonwealth Heritage place at least every five years. Public comments on the plan must be sought. Section 341X of the Act describes what the review must include.

7. Preparing a management plan

The *Burra Charter*, the *Australian Natural Heritage Charter* and *Ask First: A guide to respecting Indigenous heritage places and values* provide a good starting point in developing a management plan for a place included on the Commonwealth Heritage List. The steps in the process include:



This process facilitates a logical flow from evidence to significance, policy development, implementation and management. Each step is given equal weight and is important in developing a well-integrated and consistent plan. The form of the resulting document will reflect the complexity of the individual place. Therefore plans will vary in look and content.

The tables in Attachment G and Attachment H show how the *Burra Charter* and the *Australian Natural Heritage Charter* compare with the requirements of the Regulations and the Act for the content of a management plan for a Commonwealth Heritage place. There are a few additional requirements of the Act and Regulations not contained in the charters that must also be addressed in a management plan (see Attachment G, table 3). The Regulations prescribe what must be included, but do not limit the content of a management plan.

Many of the places included in the Commonwealth Heritage List by 30 June 2004 were based on their Register of the National Estate listing. As a consequence, some may not include an updated statement of significance/values statement. Early steps in management plan preparation may need to include review of the current assessment information for the place in addition to a description of any other heritage values.

The *Burra Charter* and the *Australian Natural Heritage Charter* are among a number of best practice documents that provide guidance when developing a management plan. *Ask First* should also be used as a reference for appropriate consultation with Indigenous stakeholders on issues relating to the identification, management and use of places with Indigenous heritage values.

The *Burra Charter* is available from Australia ICOMOS Inc or may be viewed on their website at www.icomos.org/australia. Copies of the *Australian Natural Heritage Charter* and *Ask First* are available from the Department of the Environment and Heritage, Canberra or at www.deh.gov.au/about/publications/list.html#heritage.

The flowchart at Attachment A indicates the management plan *process* that will assist agencies in meeting their obligations under the legislation.

8. What is an endorsed management plan?

Agencies may seek to have a management plan endorsed by the Minister for the Environment and Heritage (s.341T). To be endorsed, the plan must provide for the conservation of the Commonwealth Heritage values and not be inconsistent with the Commonwealth Heritage management principles.

An agency does not need to ask the Minister for advice about taking an action that has, will have or is likely to have a significant impact on a Commonwealth Heritage place if the agency has an endorsed plan for managing the place and the action is provided for or taken in accordance with the plan.

It should be noted that even if a management plan for a place has been endorsed, and advice from the Minister sought, under the Act an agency would still need to seek the approval of the Minister if it proposes to take an action that has, will have, or is likely to have, a significant impact on any of the matters of national environmental significance or the *environment* of the place, including its heritage values.

9. What is an accredited management plan?

The Act provides for the Minister to accredit a management plan. Certain specified classes of action may be taken if they are approved in accordance with an accredited management plan without requiring approval under Part 9 of the Act.

Among other requirements, a management plan can only be accredited if it adequately assesses relevant actions, and if it is in force under a law of the Commonwealth. This could be the EPBC Act or any other Commonwealth legislation that allows for the making of and compliance with a management plan.

Sections 32 and 33 of the Act provide for the accreditation of management plans. A copy of a management plan must be tabled by the Minister before each House of the Parliament together with a notice that the Minister proposes to accredit the plan. The Minister must not accredit a management plan if either House of Parliament passes a resolution opposing accreditation.

10. Heritage places on multiple lists

Values of places on the Commonwealth Heritage List might be protected under more than one provision of the Act. For example, a Commonwealth Heritage

Place might also be on the National Heritage List or the World Heritage List. Where this is the case, the Act may prescribe additional management requirements and/or principles. A plan for managing a Commonwealth Heritage place can be in the same document as other plans that the Act or another Commonwealth law requires or permits (s.341W).

To avoid duplication, agencies must not make a plan for managing a Commonwealth Heritage place that is in a Commonwealth reserve and covered by another plan under the Act. A similar provision applies to the Territory of Heard Island and McDonald Islands (s.341U).

11. What must a management plan contain?

The Regulations set out a list of detailed requirements that a management plan must address (see [Attachment E](#) - Schedule 7A). Also, management plans for Commonwealth Heritage places must not be inconsistent with the Commonwealth Heritage management principles set out in Schedule 7B of the Regulations (see [Attachment F](#)). It is suggested that Commonwealth agencies include in their management plans a table of compliance that indicates which part of the document addresses each of the requirements of the Regulations for a plan. A sample compliance table is shown in [Attachment I](#).

Management plans must include the following matters:

(a) Establish objectives for the identification, protection, conservation, presentation and transmission of the Commonwealth Heritage values of the place.

The purpose of this provision is to ensure Commonwealth agencies clearly establish and set out objectives for the identification, protection, conservation, presentation and transmission of the Commonwealth Heritage values of a place.

The agency can draw on the objectives of the heritage provisions of the Act and Regulations, and industry standards and methodology included in documents such as the *Burra Charter*, *Natural Heritage Charter* and *Ask First*, as well as State and Territory management publications and other management guides.

(b) Provide a management framework including reference to any statutory requirements and agency mechanisms for the protection of the Commonwealth Heritage values of the place.

The purpose of this provision is to ensure that Commonwealth agencies establish a management framework for a place that will ensure their obligations for managing its Commonwealth Heritage values are met.

There should be a description of how the agency will incorporate heritage management requirements into its existing asset management regime; this includes on-ground management and decision-making structures. The framework should include any local, State and Commonwealth statutory requirements and relevant administrative systems, processes and arrangements.

(c) Provide a comprehensive description of the place, including information about its location, physical features, condition, historical context and current uses.

The purpose of this provision is to ensure the management plan includes a description of the place and its condition and uses at the time the management plan is being prepared.

The description will form the basis for understanding the place and its heritage values. A description and condition assessment must be sufficient to provide a framework against which to assess the values and measure any change to the heritage values (see clause (f) below). The level of detail in the description will be determined by the complexity of the place and its heritage values. The description should make use of appropriate primary and secondary sources of information and properly referenced images, maps, plans etc.

In preparing a management plan, reference must be made to the existing Commonwealth Heritage List record of the place. Any recommended changes to the Commonwealth Heritage List citation, boundaries, description of the place, history and condition should be clearly noted in the plan.

The location and boundaries of the place should be clearly identified at a useful scale on a plan. Coordinates should be provided for remote or non-urban places. The significant elements of the place should be clearly identified and located. Where relevant, street addresses, lot and Deposited Plan numbers, Crown land identifiers, Public Reserve numbers, and county and parish names should be provided.

The description should give the reader an understanding of the development of the place over time. The historical context should include the pre and post contact Indigenous history, where relevant. Sensitive Indigenous places may not have a high level of detail available. Indigenous place names should be identified where relevant. For built places, the description should consider matters such as the designer, fabric and builders.

Information on the current uses of the place should include the activities of the controlling agencies and any other relevant government, private or community uses.

(d) Provide a description of the Commonwealth Heritage values and any other heritage values of the place.

The purpose of this provision is to ensure the management plan includes a clear description of the Commonwealth Heritage values and any other heritage values.

The description of values should make reference to the Commonwealth Heritage criteria in Regulation 10.03A in the Regulations (see **Attachment D**) and should investigate whether there are other potential Commonwealth Heritage values other than those for which the place is listed. The description should also include other heritage values that do not meet the Commonwealth Heritage criteria but which contribute to the significance of the place and may be of State or local value. Consideration should also be given to whether the place has any potential National Heritage value(s). It would be helpful if the description is presented in the form of a statement of values that identifies and describes the values (against the Commonwealth Heritage criteria) that

the management plan aims to protect, conserve, present and transmit. The Commonwealth Heritage List records must be used to guide management plans for those places currently entered in the List. The Register of the National Estate Database and other heritage registers may provide useful information.

It is possible that more Commonwealth Heritage values will be discovered in the process of management planning and review. If this happens, the Act provides for these values to be considered for inclusion in the Commonwealth Heritage place record.

A complete copy of the Commonwealth Heritage List entry for the place should also be included.

Note:

1. A 'statement of values' is how the statutory component of a place's listing is provided under the Act. It deconstructs the statement of significance into statements against each of the individual criteria for which the place is listed.
2. A review of the values for which the place is currently listed is also recommended, especially if a recent assessment has not been undertaken. This would be an efficient way, and of benefit to agencies, to update their heritage register, which is a requirement of a heritage strategy that each agency must prepare. (See *Heritage Strategies - A guide for Commonwealth agencies*.) The Commonwealth is preparing two other draft guidelines: *Identifying Commonwealth Heritage Values* and *Establishing a Register and Assessing Commonwealth Heritage Values*.

(e) Describe the condition of the Commonwealth Heritage values of the place.

The purpose of this provision is to ensure the management plan includes a discussion about the integrity of the values of the place at the time the management plan is being prepared. This would include statements on the degree of intactness of its attributes and whether they are still well represented by the place.

The condition description will assist in providing the basis for measuring change (see also clause (h)(i) below). The description should refer to the condition of the values against the Commonwealth Heritage criteria and include reference to the physical condition of the place that reflect the value(s), where appropriate.

(f) Describe the method used to assess the Commonwealth Heritage values.

The purpose of this provision is to ensure that the method used to assess the Commonwealth Heritage values of a place is recorded for future reference.

A brief description is required that includes the name of the assessor(s) and the methodology used. The methodology should be clearly described and explanations given about how the judgements about Commonwealth Heritage values were reached. Information should be documented and referenced so that it can be easily verified. An integral part of the method for assessing values is consultation with relevant stakeholders.

A good method should demonstrate, *where relevant*:

- consideration of potential natural, historic and Indigenous heritage values of a place;
- the use of sufficient research, information and analysis including details of any surveys conducted or expert advice obtained;
- consideration of the different values that a place may hold for different communities, including Indigenous people;
- a comparative analysis of the values of the place against other, similar, places;
- how the values of the place relate to associated places or the surrounding landscape; and
- recognition of Indigenous people as the primary source of information on the significance of their heritage.

If a thematic approach to the assessment of the Commonwealth Heritage values has been used, this should also be explained, including how the place demonstrates the themes.

A concise statement of significance that clearly addresses the question of 'Why is this place significant?' is useful. (There may be a number of points in the statement depending on the complexity of the site and the number and nature of its values.) Where the statement of significance and values vary from that in the Commonwealth Heritage List for the place, it is advisable to discuss these issues with the Heritage Division of the DEH in the draft stages of preparation of the plan.

Finally, it is important to indicate any further analysis that needs to be done.

(g) Describe the current management requirements and goals, including proposals for change and any potential pressures on the Commonwealth Heritage values of the place.

The purpose of this provision is to ensure the management plan articulates the current management requirements and goals, and that the management plan identifies any known or anticipated pressures on the Commonwealth Heritage values of a place.

Commonwealth agencies should identify and describe any requirements and constraints on the management of the place that may affect its Commonwealth Heritage values, including the operational requirements of the agency. An overview of the management context that the agency is working within in relation to the place should also be included. In describing potential pressures, agencies should consider current and future threats including those that originate outside the place. Agencies should also identify and describe works or other operational factors likely to impact on the heritage values, including such matters as an intention to dispose of the property, subdivide, develop it or change the use of the place or its elements. Identifying and describing these factors should assist with the development of policies that co-ordinate heritage management obligations and operational requirements.

(h) Have policies to manage the Commonwealth Heritage values of a place, and include in those policies, guidance in relation to the following:

The purpose of this provision is to ensure that management plans for Commonwealth Heritage places include a comprehensive set of policies that will guide the day-to-day and short to long term management of the place and that the management practices are consistent with the Commonwealth Heritage management principles.

(i) the management and conservation processes to be used;

The management and conservation processes that should be used will depend on the values of the place and the management issues. A number of conservation processes are described in the *Burra Charter* and the *Australian Natural Heritage Charter*. It should be noted that the processes described by the charters for the conservation of places of natural and of cultural heritage significance differ. Depending on which environment is relevant; appropriate processes may include stabilisation, maintenance, regeneration, enhancement, preservation or protection, restoration, reconstruction, adaptation and/or interpretation. Policy decisions need to be made as to the most appropriate processes and the basis for these decisions should be described. *Ask First* also identifies the types of Indigenous heritage management practices that may be used to maintain heritage values. Indigenous involvement in management planning and activities must be included for Indigenous heritage places.

(ii) access and security, including access to the area for Indigenous people to maintain cultural traditions;

Policies on who is to be allowed access to various parts of the place, and the circumstances under which this will be allowed, may need to be developed. If public or other access is to be restricted, the management plan should include reasons for and policies to manage this objective. The plan should consider how the values of the place will be secured from theft, vandalism and other disturbances, if these are issues.

Where relevant, policies to ensure access for Indigenous people to maintain cultural traditions should be developed. There should also be policies for general public access to places or sites with Indigenous heritage value, where appropriate. These policies should be developed in consultation with Indigenous people. An investigation of the Native Title status of the place is recommended. Further information can be obtained from the National Native Title Tribunal at www.nntt.gov.au or by telephoning 1800 640 501.

(iii) stakeholder and community consultation and liaison arrangements;

The management plan should contain policies and procedures that establish the framework for public consultation on the management of the property. This framework should include the identification of those concerned about and responsible for management of the heritage values of the place, including owners and managers of the place, community organisations and people with past or present associations or interests in the place. Depending on their interest, stakeholders may just need to be informed, others may need to be included in formal consultation processes. Some may need to be involved in ongoing management. The policies should make it clear how stakeholders will be consulted and what will be done to help

ensure this happens. Good consultation and liaison can help make sure that all important issues are considered in management and that management plans will be supported.

(iv) the policies and protocols to ensure that Indigenous people participate in the management process;

Plans for places that have, or potentially have, heritage values that are significant to Indigenous people should describe the framework and processes to be used to facilitate the participation of Indigenous people in the management planning process and the management of the place.

(v) protocols for the management of sensitive information;

To identify and protect sensitive information, you may need to establish and document administrative arrangements in consultation with the relevant stakeholder group. See also (b) above.

Sensitive information may, for example, relate to specific cultural practices and/or information known to Indigenous people, or may refer to high security information about Defence facilities.

(vi) planning and management of works, development, adaptive reuse and property divestment proposals;

Although it may not always be possible to predict future circumstances, it is in the interests of Commonwealth agencies to anticipate future events and operational requirements (see (g) above). There should be policies to assess such events and to manage their potential impacts on heritage values. Management policies should be consistent with the *Burra Charter* and/or *Australian Natural Heritage Charter*.

It should be noted that the Act includes provisions for the protection of Commonwealth Heritage values of places sold or leased (s.341ZE).

(vii) how unforeseen discoveries or disturbance of heritage are to be managed;

Management plans should explain the processes that will be used to manage unforeseen discoveries or disturbance of heritage, including mitigation and rehabilitation, regeneration or conservation as appropriate (see *Burra Charter* and *Australian Natural Heritage Charter* for further guidance). Unforeseen discoveries may include the emergence of information on potential threats to the Commonwealth Heritage values or new information about the nature of those values. A policy may be included for the preparation of heritage impact statements if future events affect the Commonwealth Heritage values. As noted under (d) above, the Act provides for discovered or lost heritage values to be considered for inclusion or exclusion as Commonwealth Heritage values of the Commonwealth Heritage place. Access, potential sensitivities, security and stakeholder consultation should be considered.

(viii) how, and under what circumstances, heritage advice is to be obtained;

The management plan should include a policy on how a Commonwealth agency intends to obtain access to conservation advice and who to contact.

Conservation and heritage advice can be provided through consultancies with the appropriate expertise or by employing specialist technical expertise in-house. Conservation and heritage advice often involves specialised disciplines. Heritage agencies can often provide information on the type of assistance most suitable to the task and where such services may be obtained.

(ix) how the condition of Commonwealth Heritage values is to be monitored and reported;

Management plans must include appropriate monitoring procedures for reporting on the condition of a Commonwealth Heritage place and the retention of its values. These procedures should provide for the detection and evaluation of incremental change (See (c) and (e)). The plan should identify who is responsible for monitoring and reporting and for acting on this information.

A program of regular inspections to detect change will be useful for agencies in keeping their heritage register up to date, as required under s.341ZB for a heritage strategy.

(x) how records of intervention and maintenance of a heritage places register are kept;

Procedures should be established to ensure that any intervention to a place that may be relevant to the conservation of its Commonwealth Heritage values (e.g. maintenance, regeneration, preservation, restoration, reconstruction, adaptation and interpretation) is recorded and that this information is included in the agency's heritage register.

This may be achieved through a database of the plan's policies linked to a works program and regularly updated as actions are progressively undertaken and completed. A prompt to amend the agency's heritage register should be included.

(xi) research, training and resources needed to improve management;

A management plan should identify the resources required for research, education and training to ensure that knowledge, management and technical skills are available to allow improved management and to meet the objectives of the management plan.

(xii) how heritage values are to be interpreted and promoted;

A management plan should include processes for creating both staff and public awareness of the Commonwealth Heritage values of the place and measures they can take to protect them. The accessibility of heritage values and need for interpretation/ promotion plans may need to be considered.

(i) Include an implementation plan.

The purpose of this provision is to ensure that management plans include an implementation plan.

The implementation plan should include information about:

- who is responsible for implementing the plan (this should identify the type of technical and other personnel to be used);
- a rolling works program, including the sequence/timing of actions, developed from the plan's policies with a focus on management priorities;
- resources to fulfil the works program and criteria for prioritising work should insufficient funding be identified;
- an annual review process for the works program and re-prioritisation if necessary;
- a method to resolve any conflict between conservation policies. Resolution of conflict arising from the assessment and management of Commonwealth Heritage values is dealt with in the agency's Heritage strategy; and
- a commitment to best practice principles and techniques in heritage management.

The implementation plan can also include a list of 'do's and don'ts' for place users and managers.

(j) Show how the implementation of policies will be monitored.

The purpose of this provision is to ensure that management plans become documents that are used or referred to regularly.

The management plan should outline a monitoring program, which should include indicators, milestones and other measures needed to evaluate the effectiveness of the management objectives and policies. Monitoring should provide information that will be useful in reviewing the management of the heritage values.

There may be a range of different methods for monitoring implementation of policies and these will be determined based on the complexity of the place, the place management structure and its resources.

(k) Show how the management plan will be reviewed.

The purpose of this provision is to ensure that the management plan for a Commonwealth Heritage place is reviewed at least once in every five years.

A management plan must describe how the plan will be reviewed. The review should include:

- who would carry out the review and the procedures to be used;
- an assessment of whether the plan addresses the matters prescribed in the regulations including the Commonwealth Heritage management principles;
- an assessment of the effectiveness of the plan in protecting and conserving the Commonwealth Heritage values;

- recommendations for the improved protection of values;
- outline how new and changed information that may have come through monitoring, community input and further research will be incorporated into the revised management plan; and
- details of any significant damage or threat to the heritage values.

12. Useful sources of information

Websites

EPBC Act and Regulations - www.deh.gov.au/epbc/about

www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/ - Act

www.austlii.edu.au/au/legis/cth/consol_reg/epabcr2000697/ - Regulations

<http://scaleplus.law.gov.au/html/comact/10/6006/top.htm> - Act

<http://scaletext.law.gov.au/html/pastereg/3/1619/top.htm> - Regulations

(Note: websites for legislation are updated and revised regularly - you may need to check for the latest versions from the home pages of the above links).

Heritage amendments - www.deh.gov.au/heritage/laws/overview

New heritage system - www.deh.gov.au/heritage/whatsnew

Publications

Current best practice guides advocate a careful approach in undertaking any activities in places with Indigenous, natural and historic significance. These references outline the current standards expected in heritage work.

Australian Heritage Commission, 2003, *Protecting Natural Heritage - using the Australian Natural Heritage Charter*, second edition. www.ahc.gov.au

Australian Heritage Commission, 2002, *Australian Natural Heritage Charter for the conservation of places of natural heritage significance*, second edition. www.heritage.gov.au/keyresources.html

Australian Heritage Commission, 2002, *Ask first: A guide to respecting Indigenous heritage places and values*, Canberra. www.heritage.gov.au/keyresources.html

Australian Heritage Commission, 2001, *Australian Historic Themes: a framework for use in heritage assessment and management*, Canberra. www.ahc.gov.au

Australian Heritage Commission, 2000 (1998), *Protecting Local Heritage Places - A guide for communities*, Canberra.

Australia ICOMOS, 1999, *The Burra Charter (The Australia ICOMOS Charter for places of cultural significance)*. (Available at www.icomos.org/australia/)

Department of Communication and Arts, 1996, *Heritage Asset Management Manual: draft*, produced by the Committee of Review-Commonwealth Owned Heritage Properties, Canberra.

Kerr, JS, 2002, *The Conservation Plan*, National Trust of Australia (NSW), Sydney.

Marquis-Kyle, P & Walker, M, 2004, *The Illustrated Burra Charter*, Australia ICOMOS, Burwood, Victoria.

Pearson, M & Sullivan, S, 1995, *Looking after heritage places. The basics of heritage planning for managers and administrators*, Melbourne University Press, Carlton.

Guidelines issued by state and territory heritage agencies (contact the relevant state/territory agency, via their website).

Titles written and/or published by the Australian Heritage Commission are available on the website www.ahc.gov.au

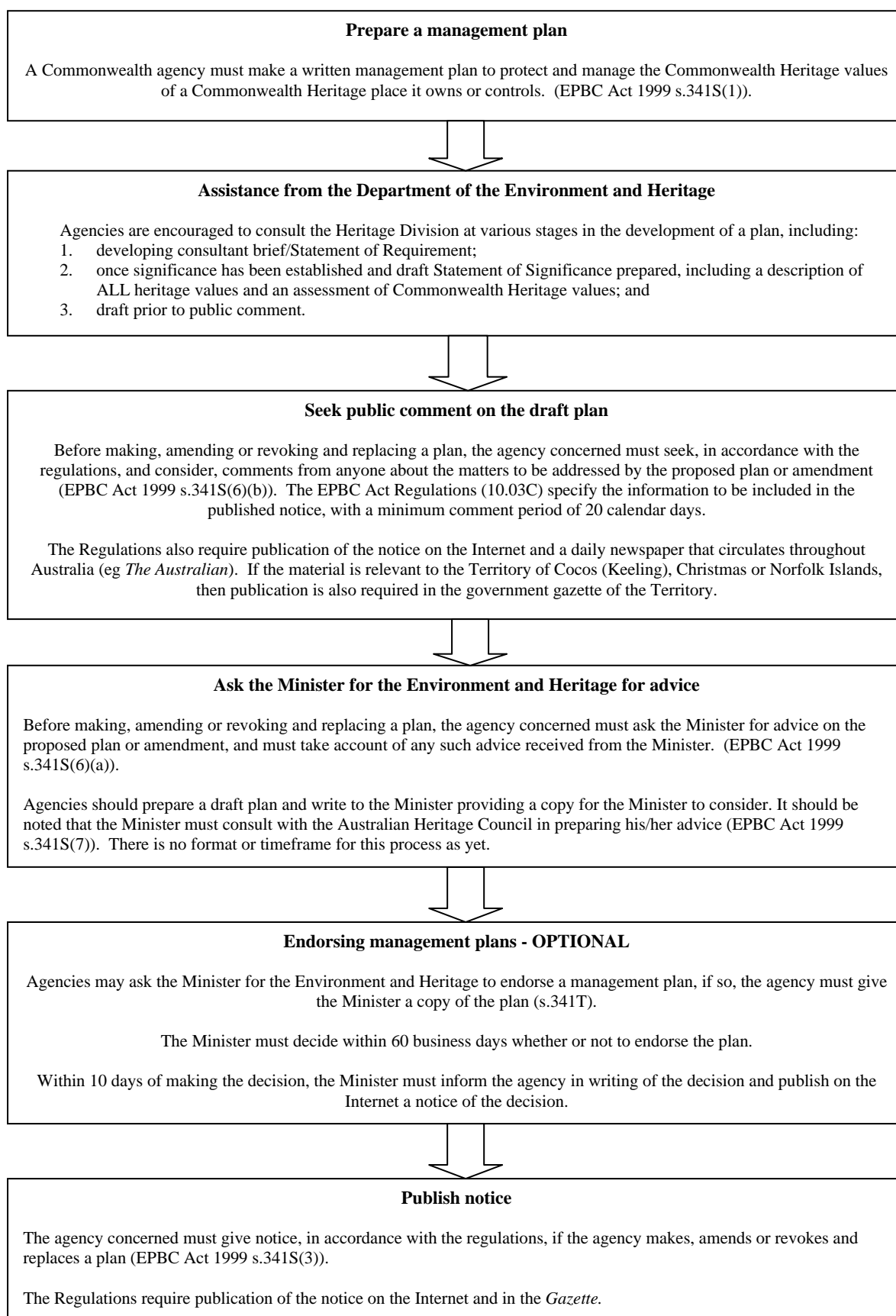
13. Further Information

If you would like to discuss a management plan or its review, please contact us at:

Heritage Division
Department of the Environment and Heritage
GPO Box 787
Canberra ACT 2601

Tel: (02) 6274 1111
Fax: (02) 6274 2095
Email: heritage@deh.gov.au
Web: www.deh.gov.au/heritage

Process for developing management plans for Commonwealth Heritage places



Glossary

Attributes:

Attribute is a term used for the features of the place that express or contain the values.

Commonwealth Area:

(EPBC Act)

(1) Each of the following, and any part of it, is a Commonwealth area:

(a) land owned by the Commonwealth or a Commonwealth agency (including land owned in Norfolk Island) and airspace over the land;

(b) an area of land held under lease by the Commonwealth or a Commonwealth agency (including an area held under lease in Norfolk Island) and airspace over the land;

(c) and in:

(i) an external Territory (except Norfolk Island); or

(ii) the Jervis Bay Territory;

and airspace over the land;

(d) the coastal sea of Australia or an external Territory;

(e) the continental shelf, and the waters and airspace over the continental shelf;

(f) the waters of the exclusive economic zone, the seabed under those waters and the airspace above those waters;

(g) any other area of land, sea or seabed that is included in a Commonwealth reserve.

Territory Land in the ACT is not a Commonwealth area

(2) Despite paragraph (1)(a), an area of land that is Territory Land, within the meaning of the *Australian Capital Territory (Planning and Land Management) Act 1988* is not a *Commonwealth area* merely because of that paragraph, unless it is held under lease by the Commonwealth or a Commonwealth agency.

Coastal waters of the States and the NT are not Commonwealth areas

(3) Despite paragraphs (1)(d), (e) and (f), none of the following areas (or parts of them) are *Commonwealth areas*:

(a) the seabed vested in a State under section 4 of the *Coastal Waters (State Title) Act 1980*; and

(b) the seabed vested in the Northern Territory under section 4 of the *Coastal Waters (Northern Territory Title) Act 1980*; and

(c) the subsoil under the seabed described in paragraph (a) or (b); and

(d) any water and airspace over seabed described in paragraph (a) or (b).

Condition:

Refers to the current state of the place relative to the values for which the place has been nominated. It reflects the cumulative effects of management and major environmental events.

Conservation:

(*Burra Charter*) Conservation means all the processes of looking after a place so as to retain its cultural significance.

(*Australian Natural Heritage Charter*) Conservation means all the processes and actions of looking after a place so as to retain its natural significance and always includes protection, maintenance and monitoring.

Environment:

(EPBC Act)

environment includes:

(a) ecosystems and their constituent parts, including people and communities; and

(b) natural and physical resources; and

(c) the qualities and characteristics of locations, places and areas; and

- (d) heritage values of places; and
- (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b) or (c).

Note: The places mentioned in paragraph (d) of the definition of *environment* include places included in the Register of the National Estate kept under the *Australian Heritage Council Act 2003*.

Integrity:

Integrity refers to the condition of the place, such that its key heritage values remain intact. The notion of integrity will assist in determining the relative significance of a place compared with places of a similar type. Generally a high degree of integrity would be expected for most Commonwealth Heritage places.

Management plan:

A management plan is a written document that sets out what is significant about the place, what values it possesses, and policies to protect and manage those values.

Significance:

(*Burra Charter*) Cultural significance – means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

(*Australian Natural Heritage Charter*) 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.

Statement of Significance:

The Statement of Significance is a concise description of the values of the place. It is a summary statement written for a general audience and does not involve citation of sources used.

Values:

In the context of the *Burra Charter*, values are derived from what is significant about a place and relate to aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

In the context of Commonwealth Heritage, values are similarly derived as in the *Burra Charter* and are ascribed against the Commonwealth Heritage criteria for the place's natural and cultural environment. The Commonwealth Heritage values of a Commonwealth Heritage place are the Commonwealth Heritage values of the place included in the Commonwealth Heritage List for the place.

In the context of the *Australian Natural Heritage Charter*, values are derived from what is significant about a place and relate to ecosystems, biodiversity and geodiversity.

Values Statements:

Values statements are the means of documenting attributes and values; and are short statements regarding aspects of significance against criteria. The described values are the statutory component of the listing under the EPBC Act.

Environment Protection and Biodiversity Conservation Act 1999

s.341C The Commonwealth Heritage List

- 1) The Minister must keep a written record of places and their heritage values in accordance with this Subdivision. The record is called the *Commonwealth Heritage List*.

Note: Later provisions of this Subdivision explain what places and heritage values are included in the Commonwealth Heritage List.

- 2) A place may be included in the Commonwealth Heritage List only if the Minister is satisfied that the place:
 - a) either:
 - i) is entirely within a Commonwealth area; or
 - ii) is outside the Australian jurisdiction and is owned or leased by the Commonwealth or a Commonwealth agency; and
 - b) has one or more Commonwealth Heritage values.
- 3) A place that is included in the Commonwealth Heritage List is called a *Commonwealth Heritage place*.

s.341S Management plans for Commonwealth Heritage places

- 1) A Commonwealth agency must make a written plan to protect and manage the Commonwealth Heritage values of a Commonwealth Heritage place it owns or controls. The agency must do so within the period mentioned either:
 - a) at the time the agency starts owning or controlling the place, in the agency's heritage strategy under section 341ZA; or
 - b) after that time, in the agency's first such strategy.
- 2) Note: However, a Commonwealth agency must not make plans for managing certain places (see section 341U).
- 3) The Commonwealth agency may, in writing, amend the plan or revoke and replace the plan.
- 4) A Commonwealth agency must give notice, in accordance with the regulations, if the agency:
 - a) makes a plan for a Commonwealth Heritage place; or
 - b) amends such a plan; or
 - c) revokes and replaces such a plan.
- 5) Note: Subdivision E imposes other obligations on Commonwealth agencies.
- 6) A plan must:
 - a) address the matters prescribed by the regulations; and
 - b) not be inconsistent with the Commonwealth Heritage management principles (see Subdivision D).
- 7) If the Commonwealth Heritage management principles change so that a plan (the *earlier plan*) is inconsistent with them, the agency concerned must as soon as practicable make a written instrument:
 - a) amending the earlier plan to make it consistent with the principles; or
 - b) revoking and replacing the earlier plan.

- 8) Before making, amending or revoking and replacing a plan, the agency concerned must:
 - a) ask the Minister for advice on the proposed plan or amendment and must take account of any such advice received from the Minister; and
 - b) seek in accordance with the regulations, and consider, comments from anyone about the matters to be addressed by the proposed plan or amendment.
- 9) The Minister must consult with the Australian Heritage Council in preparing an advice for the purposes of this section.

s.341T Endorsing management plans for Commonwealth Heritage places

- 1) A Commonwealth agency that makes a plan for managing a Commonwealth Heritage place may ask the Minister to endorse the plan. If the Commonwealth agency does so, it must give the Minister a copy of the plan.

Note: An agency that has a plan endorsed under this section is not required to ask for advice under section 341ZD about taking certain actions.

- 1A) The Minister must decide within 60 business days of being given the copy of the plan whether or not to endorse the plan.
- 1B) Within 10 business days of making the decision, the Minister must inform the Commonwealth agency in writing of the decision and publish on the Internet a notice of the decision.
- 2) The Minister:
 - a) may only endorse a plan that the Minister is satisfied provides for the conservation of the Commonwealth Heritage values of the place concerned; and
 - b) must not endorse a plan that the Minister considers is inconsistent with the Commonwealth Heritage management principles (see Subdivision D).
- 3) The Minister may, at any time, revoke an endorsement of a plan if the Minister considers it appropriate to do so.

s.341U Restriction on ability to make plans

- 1) Despite section 341S, a Commonwealth agency must not make a plan for managing so much of a Commonwealth Heritage place as is in a Commonwealth reserve and covered by another plan under this Act.
- 2) Despite section 341S, a Commonwealth agency must not make a plan for managing so much of a Commonwealth Heritage place as is in the Territory of Heard Island and McDonald Islands and covered by a plan in operation under the *Environment Protection and Management Ordinance 1987* of that Territory.

s.341V Compliance with plans by the Commonwealth and Commonwealth agencies

- 1) The Commonwealth or a Commonwealth agency must not:
 - a) contravene a plan made under section 341S; or
 - b) authorise another person to do, or omit to do, anything that, if it were done or omitted to be done by the Commonwealth or the Commonwealth agency (as appropriate), would contravene such a plan.

- 2) If there is no plan in force under section 341S for a particular Commonwealth Heritage place, the Commonwealth and each Commonwealth agency must take all reasonable steps to ensure that its acts (if any) relating to the place are not inconsistent with the Commonwealth Heritage management principles.

s.341W Multiple plans in the same document

To avoid doubt, a plan for managing a Commonwealth Heritage place may be in the same document as:

- a) one or more other plans for managing Commonwealth Heritage places; or
- b) one or more other plans that this Act or another law of the Commonwealth requires or permits to be prepared.

s.341X Review of plans at least every 5 years

- 1) At least once in every 5 year period after a plan for managing a Commonwealth Heritage place is made under section 341S, the Commonwealth agency concerned must cause a review of the plan to be carried out.
- 2) The review must:
 - a) assess whether the plan is consistent with the Commonwealth Heritage management principles in force at the time; and
 - b) assess whether the plan is effective in protecting and conserving the Commonwealth Heritage values of the place; and
 - c) make recommendations for the improved protection of the Commonwealth Heritage values of the place.
- 3) The person carrying out the review must publish, on the Internet and in a daily newspaper circulating in each State and self-governing Territory, a notice inviting anyone to give the person comments within 20 business days on:
 - a) whether the plan is consistent with the Commonwealth Heritage management principles; and
 - b) the effectiveness of the plan in protecting and conserving the Commonwealth Heritage values of the place.
- 4) In carrying out the review, the person must consider the comments (if any) received in accordance with the notice.

Environment Protection and Biodiversity Conservation Regulations 2003 (No. 1)

Regulation 10.03C Publication of notice about management plan for Commonwealth Heritage places (Act s 341S)

For paragraph 341S (6) (b) of the Act, the agency must seek comments by publishing a notice that:

- (a) includes a statement that the agency has prepared:
 - (i) a draft management plan; or
 - (ii) a draft amendment of a management plan; or
 - (iii) a draft replacement management plan; and
- (b) states how the draft can be obtained; and
- (c) invites comments on the draft from:

- (i) members of the public; and
 - (ii) indigenous people with rights and interests in the place; and
 - (iii) if the place is in a State or self-governing Territory — the responsible agency (if any) of the State or Territory; and
- (d) specifies the address to which comments may be sent; and
- (e) specifies a date (at least 20 days after the last day on which the notice is published) by which comments must be sent.

Note: A notice mentioned in this regulation must be published in accordance with subregulation 16.05A (5).

Environment Protection and Biodiversity Conservation Regulations 2003 (No. 1)

Regulation 10.03A Commonwealth Heritage criteria (Act s.341D)

(1) For section 341D of the Act, subregulation (2) prescribes the Commonwealth Heritage criteria for the following:

- (a) natural heritage values of places;
- (b) Indigenous heritage values of places;
- (c) historic heritage values of places.

(2) The Commonwealth Heritage criteria for a place are any or all of the following:

- (a) the place has significant heritage value because of the place's importance in the course, or pattern, of Australia's natural or cultural history;
- (b) the place has significant heritage value because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history;
- (c) the place has significant heritage value because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history;
- (d) the place has significant heritage value because of the place's importance in demonstrating the principal characteristics of:
 - (i) a class of Australia's natural or cultural places; or
 - (ii) a class of Australia's natural or cultural environments;
- (e) the place has significant heritage value because of the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group;
- (f) the place has significant heritage value because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period;
- (g) the place has significant heritage value because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons;
- (h) the place has significant heritage value because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history;
- (i) the place has significant heritage value because of the place's importance as part of Indigenous tradition.

(3) For subregulation (2), the ***cultural*** aspect of a criterion means the Indigenous cultural aspect, the non-Indigenous cultural aspect, or both.

Environment Protection and Biodiversity Conservation Regulations 2003 (No. 1)

Regulation 10.03B Matters to be addressed in plan for Commonwealth Heritage place (Act s. 341S)

A plan for a Commonwealth Heritage place, made under section 341S of the Act, must address the matters set out in Schedule 7A.

Schedule 7A Management plans for Commonwealth Heritage places

A management plan must:

- (a) establish objectives for the identification, protection, conservation, presentation and transmission of the Commonwealth Heritage values of the place; and
- (b) provide a management framework that includes reference to any statutory requirements and agency mechanisms for the protection of the Commonwealth Heritage values of the place; and
- (c) provide a comprehensive description of the place, including information about its location, physical features, condition, historical context and current uses; and
- (d) provide a description of the Commonwealth Heritage values and any other heritage values of the place; and
- (e) describe the condition of the Commonwealth Heritage values of the place; and
- (f) describe the method used to assess the Commonwealth Heritage values of the place; and
- (g) describe the current management requirements and goals, including proposals for change and any potential pressures on the Commonwealth Heritage values of the place; and
- (h) have policies to manage the Commonwealth Heritage values of a place, and include in those policies, guidance in relation to the following:
 - (i) the management and conservation processes to be used;
 - (ii) the access and security arrangements, including access to the area for indigenous people to maintain cultural traditions;
 - (iii) the stakeholder and community consultation and liaison arrangements;
 - (iv) the policies and protocols to ensure that indigenous people participate in the management process;
 - (v) the protocols for the management of sensitive information;
 - (vi) the planning and management of works, development, adaptive reuse and property divestment proposals;
 - (vii) how unforeseen discoveries or disturbance of heritage are to be managed;
 - (viii) how, and under what circumstances, heritage advice is to be obtained;
 - (ix) how the condition of Commonwealth Heritage values is to be monitored and reported;
 - (x) how records of intervention and maintenance of a heritage places register are kept;
 - (xi) the research, training and resources needed to improve management;
 - (xii) how heritage values are to be interpreted and promoted; and
- (i) include an implementation plan; and
- (j) show how the implementation of policies will be monitored; and
- (k) show how the management plan will be reviewed.

Environment Protection and Biodiversity Conservation Regulations 2003 (No. 1)

Regulation 10.03D Commonwealth Heritage management principles (Act s 341Y)

For subsection 341Y (1) of the Act, the Commonwealth Heritage management principles are set out in Schedule 7B.

Schedule 7B Commonwealth Heritage management principles

- 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 provision 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 and that 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.

The *Burra Charter* and legislative requirements for management plans for Commonwealth Heritage places

A Commonwealth agency must make a plan to protect and manage the Commonwealth Heritage values of a Commonwealth Heritage place that it owns or controls (s.341S).

TABLE 1

<i>Burra Charter</i> Process		Requirements for a management plan	Other related management requirements
Identify place and associations Secure the place and make it safe			Reg10.03G(2)(a), (2)(d)
UNDERSTAND SIGNIFICANCE	Gather and record information about the place sufficient to understand significance (documentary, oral, physical)	Schedule 7A(c)	Reg10.03G(2)(e)
	Assess significance^(a)	Schedule 7A(e), 7A(f)	s.341Z; s.341ZB(1)(a); Reg10.03G(1)
	Prepare a statement of significance^(b)	Schedule 7A(d)	Reg 10.03G(2)(f)
DEVELOP POLICY	Identify obligations arising from significance	Schedule 7A(b), 7A(g) Schedule 7B(3)	Reg10.03G(2)(c), (2)(g); (2)(i)
	Gather information about other factors affecting the future of the place (consider owner/manager's needs and resources; external factors; physical condition)	Schedule 7A(e), 7A(g) Schedule 7B(5), 7B(6)	Reg10.03G(2)(j)
	Develop policy (identify options; consider options and test their impact on significance)	Schedule 7A(h)(i)-(xii)	
	Prepare a statement of policy	Schedule 7A(h)	
MANAGE	Manage place in accordance with policy (develop strategies; implement strategies through a management plan; record place prior to any change)	Schedule 7A(g), 7A(h), 7A(i) Schedule 7B(2), 7B(4)	s.341V; s.341ZD(2)
	Monitor and review	Schedule 7A(h)(ix), 7A(j), 7A(k) Schedule 7B(7)	s.341X; s.341Z; Reg10.03G(2)(l)

(a) Assess what is significant about the place using the Commonwealth Heritage criteria.

(b) Under the Act, a 'statement of values' is used to describe the Commonwealth Heritage values for a Commonwealth Heritage place, and is the statutory component of its listing record. The values identify what is significant against the Commonwealth Heritage criteria, and are ascribed attributes.

Note:

1. The *Burra Charter* is regarded as among best available knowledge, skills and standards for the management of places with historic or cultural heritage values.
2. This list does not include all of the requirements of the EPBC Act or Schedules 7A and 7B in the Regulations to the EPBC Act. See Table 3 below for the additional matters beyond the *Burra Charter* required to be included in a management plan.

The *Burra Charter* is also echoed in the Commonwealth Heritage management principles. (Management plans must not be inconsistent with the principles).

TABLE 2

Commonwealth Heritage management principles	<i>Burra Charter</i> Articles
7B(1)	<i>Article 2.3 – Conservation and management:</i> Conservation is an integral part of good management of places of cultural significance.
7B(2)	<p><i>Article 4.1 – Knowledge, skills and techniques:</i> Conservation should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the place.</p> <p><i>Article 4.2 - Knowledge, skills and techniques:</i> 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.</p> <p><i>Article 12 - Participation:</i> 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.</p>
7B(3)	<i>Article 5.1 – Values:</i> Conservation of a place should identify and take into account consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.
7B(4)	<p><i>Article 7.2 – Use:</i> A place should have a compatible use.</p> <p><i>Article 25 – Interpretation:</i> The cultural significance of many places is not readily apparent, and should be explained by interpretation. Interpretation should enhance understanding and enjoyment, and be culturally appropriate.</p>
7B(5)	<i>Article 26.3 – Apply the Burra Charter process:</i> Groups and individuals with associations with a place as well as those involved with its management should be provided with opportunities to contribute to and participate in understanding the cultural significance of the place. Where appropriate they should also have opportunities to participate in its conservation and management.
7B(6)	<p><i>Article 12 – Participation:</i> 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.</p> <p><i>Article 13 – Co-existence of cultural values:</i> Co-existence of cultural values should be recognised, respected and encouraged, especially in cases where they conflict.</p> <p><i>Article 26.3 – Apply the Burra Charter process:</i> Groups and individuals with associations with a place as well as those involved with its management should be provided with opportunities to contribute to and participate in understanding the cultural significance of the place. Where appropriate they should also have opportunities to participate in its conservation and management</p>

Additional matters not explicit in the *Burra Charter* process required to be included in a management plan.

TABLE 3

Regulation	Comment
Schedule 7A(a)	This needs to be a clear statement of objectives. See discussion under 'What must a management plan contain?'
Schedule 7A(b)	The additional requirement is to identify the agency mechanisms available to manage the Commonwealth Heritage values of the place.
Schedule 7B(1)	This principle echoes 7A(a) above.

The Steps of the *Australian Natural Heritage Charter* compared to the legislative requirements for management plans for Commonwealth Heritage Places

<i>Australian Natural Heritage Charter Steps</i>		EPBC Act Regulations requirements for management plan	Other related management requirements
Step 1	Obtain and study evidence	Schedule 7A(c), 7A(d); Schedule 7B(1), 7B(2)	
Step 2	Identify and contact people with an interest	Schedule 7A(h)(ii), (iii), (iv); Schedule 7B(2), 7B(5), 7B(6)	
Step 3	Determine natural significance	Schedule 7A(c), 7A(d), 7A(e), 7A(f); Schedule 7B(1)	s.341Z; s.341ZA(1)(a); Reg10.03G(1)
Step 4	Assess the physical condition and management issues	Schedule 7A(c), 7A(e), 7A(g)	
Step 5	Develop conservation policy	Schedule 7A(a), 7A(g), 7A(h); Schedule 7B(1), 7B(2), 7B(4)	
Step 6	Determine conservation processes	Schedule 7A(h)(i); Schedule 7B(2)	
Step 7	Decide who has responsibilities for decisions, approvals and actions	Schedule 7A(b), 7A(h); Schedule 7B(2), 7B(3)	
Step 8	Prepare the conservation plan	Schedule 7A; Schedule 7B(2); Reg.10.03B	s.341V
Step 9	Implement conservation plan	Schedule 7A(h)(i)	s.341V
Step 10	Monitor the results and review the plan	Schedule 7A(h)(ix), 7A(j), 7A(k); Schedule 7B(7)	s.341X; s.341Z; Reg10.03G(2)(l)

Note:

1. Other elements of the *Australian Natural Heritage Charter* are addressed in the requirements for an agency Heritage Strategy under s 341ZA of the Act.

Sample Compliance Table

The table below provides a compliance checklist and is a useful tool in the preparation of a management plan for a Commonwealth Heritage place.

<i>Environment Protection and Biodiversity Conservation Amendment Regulations 2003 (No. 1)</i>	
Schedule 7A – Management Plans for Commonwealth Heritage Places	
<i>Legislation</i>	<i>Comment</i>
A management plan must:	
(a) establish objectives for the identification, protection, conservation, presentation and transmission of the Commonwealth Heritage values of the place; and	
b) provide a management framework that includes reference to any statutory requirements and agency mechanisms for the protection of the Commonwealth Heritage values of the place; and	
c) provide a comprehensive description of the place, including information about its location, physical features, condition, historical context and current uses; and	
d) provide a description of the Commonwealth Heritage values and any other heritage values of the place; and	
e) describe the condition of the Commonwealth Heritage values of the place; and	
f) describe the method used to assess the Commonwealth Heritage values of the place; and	
g) describe the current management requirements and goals including proposals for change and any potential pressures on the Commonwealth Heritage values of the place; and	
h) have policies to manage the Commonwealth Heritage values of a place, and include in those policies, guidance in relation to the following:	
i) the management and conservation processes to be used;	
ii) the access and security arrangements, including access to the area for indigenous people to maintain cultural traditions;	
iii) the stakeholder and community consultation and liaison arrangements;	
iv) the policies and protocols to ensure that indigenous people participate in the management process;	
v) the protocols for the management of sensitive information;	
vi) the planning and management of works, development, adaptive reuse and property divestment proposals;	
vii) how unforeseen discoveries or disturbances of heritage are to be managed;	
viii) how, and under what circumstances, heritage advice is to be obtained;	
ix) how the condition of Commonwealth Heritage values is to be monitored and reported;	
x) how records of intervention and maintenance of a heritage places register are kept;	
xi) the research, training and resources needed to improve management;	

xii) how heritage values are to be interpreted and promoted; and	
i) include an implementation plan; and	
j) show how the implementation of policies will be monitored; and	
k) show how the management plan will be reviewed.	

<i>Environment Protection and Biodiversity Conservation Amendment Regulations 2003 (No. 1)</i>	
Schedule 7B – Commonwealth Heritage Management Principles	
<i>Legislation</i>	<i>Comment</i>
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, and 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 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 and that 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.	