

M I T C H E L L



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MITCHELL SHIRE HERITAGE POLICY

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Mitchell Shire Heritage Policy

Purpose

The purpose of this policy is to assist Councillors and Officers of the Mitchell Shire Council to provide for an appropriate level of recognition, and support for heritage places and items within the Shire. Such places and items may be managed or owned by public or private institutions or entities, or be present on private or public lands.

Heritage places may be of local, state, national or international significance and Council will fulfil its obligations under all relevant statutory arrangements.

Legislation

This policy complies with the following legislative framework:

- The Victorian Heritage Act 1995,
- Commonwealth Historic Shipwrecks Act 1976,
- Aboriginal Heritage Act 2006,
- Planning and Environment Act 1987, and
- The Commonwealth Environmental Protection and Biodiversity Conservation Act 1999.

The policy will be reviewed to ensure that it complies with the regulatory requirements of the day.

Application

This policy applies to:

1. Councillors,
2. Relevant staff of the Mitchell Shire Council, and
3. Private land owners/managers of heritage places or lands where heritage places may occur within Mitchell Shire

Definitions:

Terms of use throughout this policy are given their common usage except where such terms are defined in the "Burra Charter" of the I.C.O.M.O.S. in which case they will adopt the meaning as defined in that document.

Principles

Mitchell Shire Council is committed to the principles of the ICOMOS "Burra" Charter which states:

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

Mitchell Shire Council recognises the importance of heritage places to our community and visitors to our Shire. Such importance includes the economic, social and educational value that such places provide.

The Council will develop strategies to promote heritage conservation for owners of such places and will demonstrate leadership in maintaining and protecting heritage places under its control.

Mitchell Shire Council will assist owners and managers of heritage places to appreciate the nature of the places that they control and to fulfil their responsibilities in protecting and maintaining those places.

Council managed places and items

Council has ownership and/or management of many heritage places and is committed to providing leadership in the management and conservation of those places. Council will ensure that the heritage places under its control are conserved, maintained and managed so as to allow the community to take pride in the places over which its Council has control.

To give affect to this ambition, Council will undertake the following:

1. Take steps to identify those heritage places, including Aboriginal cultural heritage places that are currently unknown to the Council.
2. Develop conservation management plans for each of the heritage places over which it has control.
3. Develop a 'Shire-Wide' conservation management plan.
4. Provide the resources required to undertake the management plans as identified in sub-paragraph 2 above.
5. Council will ensure that it is aware of and meets its obligations under any current or future International agreement or any Federal or State legislative or regulative basis
6. Consult Heritage Victoria regarding places of potential state or higher significance.
7. Council will develop a strategy for the identification, conservation and presentation of historic material under its control.
8. Promote its heritage places to the Mitchell and wider community, to ensure that enhanced appreciation of heritage within the Shire is achieved.
9. Ensure that those Council departments which interact with historic heritage places of any type understand the management requirements in dealing with those places and educate staff in those departments as to their obligations in managing heritage places prior to commencing planning for any works for those places or their heritage values.
10. Council will develop a strategy that provides implementation mechanisms to ensure that this policy is given effect in Council's business models and

budgetary programmes and further amendments to the Heritage overlay in the Mitchell Planning Scheme.

Heritage places in private ownership

Council has a role in assisting owners and managers of private heritage places in order to promote the conservation, restoration, maintenance or management of those places. To this affect Council will:

1. Continue to provide a Heritage Advisory service for the benefit of the community.
2. Assist land holders/managers in identifying potential heritage places on their property.
3. Provide a small grants scheme to assist in the conservation of heritage places.

Aboriginal heritage places

Council will undertake a programme of identifying and providing appropriate recognition of Aboriginal cultural heritage places in consultation with Aboriginal Affairs Victoria and the Traditional Owners of lands within the Mitchell Shire.

Council is aware of the sensitivity of some culturally significant heritage places and the need to ensure that those locations and values are appropriately managed.

To ensure this Council will:

1. Ensure that the statutory provisions of the Aboriginal Heritage Act 2006 are followed in relation to any activity within the Shire to which the act refers;
2. The Shire will encourage the identification, documentation and protection of objects, items or places of indigenous cultural heritage significance throughout the shire,
3. Endeavour to consult with the Traditional Owners of the lands within Shire of Mitchell on matters which may impact or otherwise alter the Aboriginal heritage values of the Shire.
4. Ensure that those Council departments which interact with heritage places of any type (historic or Aboriginal) understand the management requirements in dealing with those places and educate staff in those departments as to their obligations in managing heritage places prior to commencing any works which may harm those places or their heritage values.
5. Council will develop a strategy that provides implementation mechanisms to ensure that this policy is given effect, where practicable, in Council's business models and budgetary programmes and further amendments to the Heritage Overlay in the Mitchell Planning Scheme.

Local Planning Policy within the Mitchell Planning Scheme

This policy should inform any future local planning policy that provides guidance to the responsible authority in applying its discretion in applications under the Heritage Overlay.

The Mitchell Planning Scheme determines how the Planning and Environment Act 1987 interacts with heritage places by recognising them in the Heritage Overlay at Clause 43.01 and the associated schedule to that clause. Heritage issues are also identified in the State Policies at Clauses 11, 12, 15 and 19 of the Scheme and in Mitchell's Local Policies at Clauses 21 and 22 of the Scheme. These policies direct that planning needs be cognisant of legislation such as the Aboriginal Heritage Act 2006 and the Victorian Heritage Strategy (Heritage Victoria 2000).

Communication

Council will formulate a communications strategy to give affect to this policy.

Review

This policy will be reviewed three years after its adoption by Council to ascertain its effectiveness in improving and augmenting the conservation and appreciation of heritage places within Mitchell Shire.