Legacy heritage study toolkit: Guidelines and resources for rural and regional councils

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Version 1

VICTORIA State Government
Department of Transport and Planning

Acknowledgements

We acknowledge and respect Victorian Traditional Owners as the original custodians of Victoria's land and waters and the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

Authors

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Participating councils

RPH also extends it thanks to the following councils for their input into the development of the toolkit and permission to use case studies drawn from recent heritage review work:

- Bass Coast Shire
- Benalla Rural City
- City of Ballarat
- City of Greater Bendigo
- Hindmarsh Shire
- Horsham Rural City
- Indigo Shire
- Macedon Ranges Shire
- Moorabool Shire
- Mount Alexander Shire
- Murrindindi Shire
- Northern Grampians Shire
- Surf Coast Shire
- Yarriambiack Shire.

Contents

What is the purpose of the toolkit?

The *Legacy heritage study toolkit: Guidelines and resources for rural and regional councils* (the toolkit) (Department of Transport and Planning (DTP) April 2026) supports the operation of the *Planning and Environment Act 1987* (the Act). The Act establishes a framework to conserve and enhance those buildings, areas or other places that are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value to a suburb, locality or municipality.

The toolkit provides guidelines and resources to assist rural and regional councils to review, update and implement legacy* heritage studies and associated heritage planning controls for locally significant Heritage Overlay (HO) places.

The purpose of the toolkit is to provide a consistent framework to implement legacy heritage studies and improve heritage planning processes in rural and regional councils without being overly prescriptive. While there are common ways to review and assess the value of heritage places, a 'one size fits all' approach is not always appropriate. A flexible approach is more often desirable.

The toolkit is intended to provide its users with sufficient skills and knowledge to guide the heritage review process in a manner that is efficient and achieves the best outcome.

The toolkit should be read in conjunction with the following planning guidelines:

– *Victorian Local Heritage Guidelines* (DTP, May 2026).

What is a legacy study?

*A legacy study is defined as a municipal heritage survey, report or study that has outdated or incomplete heritage place documentation. This may be because it does not follow the guidance of the *Victorian Local Heritage Guidelines* (which replaced *Planning Practice Note 1: Applying the heritage overlay (PPN01)* as revised in 2018, specifying the use of the Model (or HERCON) Criteria and three-part statements of significance), or because enough time has passed since its preparation that the places assessed may have been altered or demolished. Heritage places associated with the legacy study may or may not be included in the HO.

When should this toolkit not be used?

The toolkit should not be used for places that are included in legacy heritage studies, but are now included on the Victorian Heritage Register or that have primarily Aboriginal heritage significance. It is also not suitable for the assessment of places that have not been identified before or are not included in a legacy heritage study and have no documentation.

Who is the toolkit for?

The toolkit is intended to assist:

– Rural and regional council planners and heritage advisors
– Heritage consultants preparing rural and regional heritage studies.

Why is the toolkit required?

Victorians overwhelmingly value their history, cultural heritage and their heritage assets. Heritage is part of what makes a municipality distinctive and attracts people to the area. Heritage assets are integral to tourism promotion and economic prosperity. Ninety per cent of heritage places in Victoria are protected at the local level (*Local government's role in heritage protection – An introduction for councillors*, MAV and HCV, 2023).

Councils have a statutory responsibility to identify, protect and manage heritage places of local significance in their roles as planning authority and responsible authority.

Council as planning authority should:

- **Ensure** that the Municipal Planning Strategy (MPS) includes relevant strategic directions for heritage, which support the vision for the municipality
- **Identify** local heritage places by preparing a municipal heritage study or studies
- **Protect** local heritage places by preparing scheme amendments to implement heritage studies. This should include:
    - Changes, as relevant, to the strategic directions in the MPS
    - A local heritage policy that responds to MPS strategic directions and identifies how the state heritage strategies will be achieved at the local level
    - Inclusion of heritage places in the HO, or another relevant overlay or specific control such as the Significant Landscape Overlay (for cultural landscapes) and clause 52.33 (for post boxes and drystone walls)
    - Inclusion of municipal-wide heritage guidelines as a background document.

Council as responsible authority manages local heritage places by making decisions on planning permit applications for changes to places in the HO, which may include taking enforcement action, as required.

The protection and management of local heritage places by councils is assisted by the Minister for Planning who:

- Authorises councils to prepare planning scheme amendments
- Approves amendments to planning schemes and may (in certain circumstances):
    - Prepare an amendment to a planning scheme, including when required to apply an interim heritage control to a heritage place under threat of demolition
    - Take responsibility for a planning permit application being assessed by a council
    - Take responsibility for a planning permit application before VCAT.

More information

The Heritage Information Pack (Heritage Council of Victoria, 2023)

For more information see:

- *Victorian Local Heritage Guidelines* (DTP, May 2026)
- *Practitioner's Guide to Victoria's Planning Schemes*

What does the toolkit include?

The toolkit contains the key tasks for reviewing a legacy heritage study and provides guidelines and resource material to assist with the completion of each task.

There are three steps plus a section containing resource material.

- **Step 1: Prepare**
  This is the information gathering stage, which lays the groundwork for the detailed assessment that will be carried out in Step 2. This section outlines the tasks for undertaking an audit of the legacy study to identify information gaps, preliminary tasks that can be undertaken by council and tools to establish priorities.

– **Step 2: Undertake**
  This contains the tasks associated with undertaking a legacy study review including preparing the consultant brief, managing the review and stakeholder consultation.
– **Step 3: Implement**
  This contains the tasks associated with the implementation of the legacy heritage study into the planning scheme.
– **Resources**
  This contains resources to assist with the tasks including further information about key issues, checklists, templates for consultant briefs, heritage study reports, council briefings and stakeholder consultation.

To assist with planning and undertaking the review of a legacy heritage study see **Resource 1: Work program**, which provides a template with key tasks where timeframes and completion dates can be added.

Glossary

Table 1 - Definition of key terms used in the toolkit

Term	Definition
Comparative analysis	A key tool in determining whether a place meets the threshold of local significance is considering aspects of a place's heritage value in comparison with similar places in a locality or municipality. If possible, comparative examples should already be in the HO. See also *VLHG*.
Curtilage	The land forming part of a heritage place that is included in the HO. See also *VLHG*.
Heritage citation	A document that contains the information establishing the heritage significance of a heritage place.
Heritage criteria	These are the eight local heritage criteria listed in *VLHG*.
Heritage place	For the purposes of the toolkit this includes: • An individual property • A group of contiguous properties forming a heritage precinct • Several properties that are not geographically proximate that form a group, thematic or serial (GTS) listing as defined by *VLHG*.
HERMES	HERMES is the database used by state and local government to manage records of heritage places across the state. Consultants utilise the database for research and work completed on behalf of local councils. Where appropriate, the records stored in HERMES should be made publicly viewable through the Victorian Heritage Database: **vhd.heritagecouncil.vic.gov.au** (See *VLHG* for further advice.) To access HERMES, go to **orion.heritage.vic.gov.au**
Local significance threshold	The minimum level of heritage importance a place must possess to justify the protection of its cultural values in an HO. This threshold must be defined for each context in which it is applied, responding to

Term	Definition
	the particular characteristics of the area under investigation and its heritage resources.
Site-specific HO listing	A HO that applies to a single heritage place of local significance. This can include places that are within (but not formally part of) a heritage precinct.
Statement of significance	An explanation of "What", "How" and "Why" a place or precinct is of local (or higher) heritage significance. It presents the key findings from the heritage citation. Since 31 July 2018, when new places and precincts are added to the Heritage Overlay, their statement of significance is incorporated into the planning scheme.
Thematic Environmental History	A document that sets out the key themes that have influenced the historical development of a municipality and what sort of places illustrate these themes. It is often prepared as part of a Stage 1 heritage study and ideally updated and expanded regularly.
Victorian Heritage Database	See HERMES, above.

Acronyms

The following acronyms are used in the toolkit:

ATS – Amendment Tracking System

DEECA – Department of Energy, Environment and Climate Action

DTP – Department of Transport and Planning

GTS – Group / Thematic / Serial listing

HCV – Heritage Council of Victoria

HO – Heritage Overlay

HV – Heritage Victoria

ICOMOS – International Council on Monuments and Sites

LGA – Local Government Area

MAV – Municipal Association of Victoria

MDFC – Ministerial Direction on the Form and Content of Planning Schemes

PCG – Project Control Group

PPF – Planning Policy Framework

PPV – Planning Panels Victoria

PSA – Planning Scheme Amendment

SoS – Statement of Significance

TEH – Thematic Environmental History

VHD – Victorian Heritage Database

VLHG - Victorian Local Heritage Guidelines

VPP – Victoria Planning Provisions

Step 1: Prepare

The key tasks in preparing to undertake the review of a legacy heritage study are:

- Conducting an audit of the study and any associated planning scheme controls to understand the extent of work required
- Identifying preliminary tasks that can be done in-house by council
- If required, prioritising the review work required.

The following resources can assist with preparing for a legacy study review:

- Resource 1: Work Program
- Resource 2: Heritage citations form and content
- Resource 3A: Auditing Tool
- Resource 3B: Legacy studies before and after revision
- Resource 4: Master list spreadsheet
- Resource 5: Hermes database.
- Resource 13: Further reading (Technical guidelines and background reports) provides a list of essential reading for Step 1, which includes:
    - Heritage Information Pack
    - Heritage issues summaries from Planning Panel Reports
    - HERMES for local government planners and consultants
    - Local Government's Role in Heritage Protection: An introduction for councillors
    - *Victorian Local Heritage Guidelines*

1.1 Auditing a legacy heritage study

The purpose of auditing a legacy heritage study is to make a preliminary assessment of whether the information contained in the heritage citation provides:

- Sufficient information and analysis to support an assessment of local significance
- Clear guidance for the application of heritage controls.

The purpose of the audit is not to conclusively determine whether the place is of local significance and justifies retention in or adding to the HO. This will occur during Step 2.

The audit will identify the gaps in information in order to establish the project scope and budget and to assist with developing the consultant brief for the detailed assessment that will occur as part of Step 2. The audit should also identify places of local significance that are within a precinct and may not require an existing individual citation to be reviewed or updated or if outside a precinct could form part of a GTS listing – see Tip: Reducing the number of individual citations to review.

Providing information about the gaps in a request for tender will allow heritage consultants to provide more tightly tailored fee proposals that align with the project budget and scope.

The extent of work required to review and update legacy heritage studies to ensure they meet current minimum standards, can vary greatly. For the most part, this depends on how old the legacy study is and the amount of documentation it contains. Please refer to **Resource 2: Heritage citations form and content** for information about the current minimum standards for heritage citations.

Table 1.1 outlines three broad types of 'legacy' study reviews based on the date of completion and provides a summary of key issues and tasks associated with updating these studies. Table 1.1 is based on a selection of studies in each category. However, there may be exceptions to these examples.

It may be necessary to carry out a detailed audit of your legacy heritage study to specifically define the amount of work required to bring them to current standards based on the level and currency of documentation in the heritage citations. Please refer to **Resource 3: Auditing tool**, which provides:

– A checklist for each section of the heritage citation in order to determine whether a full, partial or more limited review is required
– 'Before' and 'after' examples of legacy heritage citations that have been reviewed.

If there are several distinct groups of citations to be reviewed and/or prepared – for example, 10 places in the HO without a citation, and 55 places with a 10-year-old citation – prepare a separate audit for each group and indicate the number of places, precincts and GTS listings in each group. See also Tip: Do I need to review all citations? and Tip: Reducing the number of citations to review.

Table 1.1: Key issues and tasks associated with legacy heritage studies

Legacy study type	Key issues	Key tasks and examples
Recent (c.2020 or later)	These generally require the least work as they typically contain detailed citations for heritage places and precincts, and SoS in the three-part format recommended by *VLHG*.	The key tasks are usually limited to "ground truthing" (fieldwork by the heritage consultant to determine if there have been any recent changes) and updating the citations. It is also an opportunity to identify errors, which can be corrected prior to implementation. **Example:** *West Moorabool Heritage Study, Stage 2A Review* (Plan Heritage, May 2021).
Older (c.2012 - c.2020)	These often have a sufficient history and detailed description. Citations of this age may lack comparative analysis or have such a brief one that it does not adequately demonstrate the level of significance.	Apart from ground-truthing fieldwork, there will be additional work to prepare suitable comparative analyses as well as updating SoS. **Example:** *Review of Horsham Heritage Study (2014)* (Landmark Heritage PL, October 2025)
Early (prior to 2012)	Early legacy studies, particularly those prepared prior to 2000, usually have shorter documentation than is expected today. It might be limited to one or two paragraphs setting out key historical facts and an indication of why a place is significant. While the historical research in these early studies is	The amount of work required is similar in cases where there has only been a Stage 1 heritage study, identifying places and recording very brief information and for places and precincts that have been included in the HO with no documentation. It may be desirable to carry out additional stakeholder consultation as part

Legacy study type	Key issues	Key tasks and examples
	generally reliable and serves as a useful starting point, this type of heritage review often requires the creation of entirely new citations and SoS which can be as time consuming as assessing new places or precincts. Note that it was not until 2018 that *PPN01* (now the *VLHG)* specified the use of three-part SoS.	of the heritage review, at minimum seeking input from local interest groups. **Examples:** *Golden Square Heritage Study, Stage 2* (Vol. 1 by City of Greater Bendigo Council officers, 2021) *Maldon Historic Central Area Precinct Review, Stage 2* (GML Heritage, March 2025) *Hindmarsh Heritage Assessment Study* (David Helms Heritage Planning, 2023)

Tip: Reducing the number of individual citations to review

Reducing the number of citations for individual places can reduce costs and time for carrying out the review of a legacy heritage study.

Some heritage precincts will contain places that are of local significance. Often a legacy study will have an individual heritage citation for the place as well as for the precinct. In some cases, these individual places will also have a site-specific HO listing.

If this is the case, consider whether a separate citation and site-specific HO is actually required or if they can be included within the precinct citation and HO. This can be done by specifically identifying the place in the SoS.

Examples of places that may <u>not</u> require an individual citation and site-specific HO are those where:

- The significance is generally the same as the precinct, such as a house within a residential precinct, or shops within a retail precinct
- If there is a site-specific HO listing, it has the same specific controls as the precinct HO.

Individually significant places that <u>should</u> have their own citation and potentially a site-specific HO are those whose significance is unrelated to that of the precinct and/or require specific heritage controls that are different to those of the precinct.

Examples can include:

- A 1950s house in a Victorian-era residential precinct
- A factory within a residential precinct
- Places that require additional documentation to support specific HO controls. For example:
  - A church where internal alteration controls are proposed may need a detailed internal description
  - A park where tree controls are proposed may require a list and/or mapping of the trees.

A simple and less time-consuming approach would be to only prepare a list of all the individual places within a precinct for inclusion within the project brief for the legacy heritage study review. This would include a specific task for the heritage consultant to review and determine whether an individual citation and/or site-specific HO is required, having regard to *VLHG*.

Another way of reducing the number of individual citations is to consider whether certain types of places could form a GTS listing, where multiple properties share a single citation and SoS. For example, see the sample GTS listing for 'late Victorian timber residences' in **Resource 9: Statement of significance examples**. *VLHG* provides further advice about GTS listings.

Tip: Do I need to review all citations?

You may not have to read every citation. The standard of information is often consistent across a heritage study, although there may be variations. For example, public buildings such as halls often have more detailed histories because information is more readily available.

To reduce time in carrying out the audit the review could be limited to a selection of places representing different place types. For example: houses, commercial buildings, public or community buildings, farm complexes, etc., which should provide a good understanding of the information gaps.

If this is done, the project brief for the legacy heritage study review should clearly identify the places that were audited, so the consultant is aware of those that were not audited and may require more scrutiny.

Case studies

Case Study 1: HO places without citations - *Hindmarsh Heritage Assessment Study* (David Helms Heritage Planning, 2023)

This study was prepared for a council that had a number of places in its HO but no documentation for them. An entirely new heritage citation was prepared for each place and precinct in the HO including a three-part statement of significance. Comparative analyses were prepared for thematic groups such as schools, churches and commercial buildings as a way of streamlining this process. The mapping of all places and precincts was checked on the basis of site visits and aerial photographs in VicPlan, with a number of errors identified.

To assist the council planners in the implementation of the new statements of significance and other statutory changes, such as planning scheme mapping, the study report clearly sets out key findings and recommendations. Appendix A of the heritage study report includes a 'translation master list' setting out the key details and proposed changes for each place and precinct. Appendix D presents all of the proposed changes to HO polygons shown both in map and list form, which was used by DTP to create updated HO maps. These parts of the study report made the translation of the study into the planning scheme easier and decreased the workload of the council planners.

This study provides a useful approach for councils who have many places in the HO with little or no documentation. In addition, councils that have minimal capacity to carry out all documentation required for a planning scheme amendment can specify the preparation of a 'translation master list' and a summary of HO mapping changes as part of the consultant brief.

Case Study 2: Review of early legacy study - *Maldon Historic Centre Area Precinct Review* (GML Heritage, March 2025)

This heritage precinct was first assessed in 1977. The study contained a detailed history of the town as a whole and brief citations for many individual properties covering only history and a sentence on significance. No citation was prepared for the precinct itself though boundaries were proposed. As this was a very early heritage precinct its mapping was different to current practice. Most properties were in site-specific HOs with bluestone gutters and trees were mapped separately.

During the review, the existing historical research from the 1977 study was used and supplemented by further research where required. Fieldwork was carried out and a new precinct citation was prepared, as well as updated and expanded citations for a number of individually significant places in the precinct. In many cases it is possible to streamline the assessment of such places by solely including them in the precinct citation. See Tip: Reducing the number of individual citations to review for guidance on when this is appropriate.

This study is a useful example for councils with very old HO documentation and HO mapping that is overly complex. While the actual heritage significance of the precinct and places within it may be unquestioned, the outdated documentation and mapping make their management difficult.

Case Study 3: Review of a recent study - *Review of Horsham Heritage Study (2014)* (Landmark Heritage PL, October 2025)

The original Horsham Heritage Study, 2014 was generally in keeping with current practice with three-part statements of significance. The tight original budget was apparent in very brief histories, descriptions and comparative analyses.

Implementation stalled and eight years later it was necessary to review the entire study, particularly to ensure that places and precincts had not been altered over time and to supplement documentation where it was insufficient. Non-standard content in the statements of significance was also corrected. Following the review, the citations represent the bare minimum of documentation required.

This review is a useful example for councils with a reasonably comprehensive heritage study that was not implemented promptly enough and now the places and documentation require checking and updating.

1.2 Audit of planning scheme controls

Where places in a legacy study are already included in the HO the primary purpose of the audit is to identify any obvious errors such as:

- HO schedule issues including:
  - Place name that is incorrect or inconsistent with the name in the legacy study
  - Incorrect address
  - Specific HO schedule controls that are not applied or applied incorrectly (for example, where tree controls are applied but the site does not contain any significant trees or vice versa).
- For HO maps:
  - The HO is applied either fully or partly to the wrong property or does not fully cover all the heritage elements associated with the place
  - The property has been subdivided, with new development on the excised land
  - The HO extent is not the same as recommended by the heritage study.

A secondary purpose of the audit is to identify site-specific HO listings within precincts that may not be required – see Tip: Reducing the number of individual citations to review.

1.3 What tasks can be done by council?

Where a council may have a limited budget for commissioning heritage consultants, there are tasks that council staff can carry out prior to the review of a legacy study which will assist in more accurately defining the scope of the project and reducing potential costs. These are set out in the table below.

Table 1.2: Council tasks to prepare for a legacy study review

Task	Notes and tips
Prepare a spreadsheet	Enter the findings of the audits of the citations and HO controls into a spreadsheet, which can be provided to the consultant. See **Resource 4: Master list spreadsheet for an example**.
Mapping	Carry out a preliminary GIS review of existing HO places: • Do the HO polygons apply to the correct property? • Do they apply to the whole site or part of it? • If only part, does the polygon appear to include all the heritage buildings and elements? If the current HO schedule does not include a precise street address, can this be obtained from the mapping program? As a related task, compare photos (and plans or maps) of heritage places from the legacy study with recent views from available aerial imagery to identify major changes such as alterations or demolition.
Review council records	Using the list prepared under the first task follow up and review relevant planning and/or building permit records for all properties, including those in precincts to specifically identify major changes such as partial or full demolition and construction of new buildings that have taken place since the legacy heritage study was prepared. Prepare lists that could form part of the project brief information which identify: • Places where significant changes have occurred such as large additions involving part demolition, changes to facades • Places that have been fully demolished, destroyed or removed. If a heritage building or element has been fully demolished, destroyed or removed consider: • Removing the property from the scope of the review • Removing the HO control, as required. This could be done as part of a general amendment to correct errors and update the planning scheme.
Photos	Visit all properties and take clear photos to illustrate their current state. All photos should be labelled with the address. Upload at least one photo to HERMES (see below). **Tips** • Consider whether recent photos can be obtained from council records such as building or planning applications, or local laws files. • If new photos are required, consider if other people within council who regularly travel around the municipality could take photographs when they are close to a heritage place visible from the public realm.

<table>
<tr><th>Task</th><th>Notes and tips</th></tr>
<tr><td></td><td>If a place is currently included in the HO, consider contacting owners and requesting a photograph of the place (this is not recommended for places not currently included in the HO).</td></tr>
<tr><td>Make legacy studies accessible</td><td>If legacy studies exist only in hard copy, arrange for them to be scanned as PDFs, ideally with Optical Character Recognition (OCR) or searchable text capability and upload them to council’s website to make them publicly available.</td></tr>
<tr><td>Gather information</td><td>Scan historical resources for properties to be reviewed, particularly if the legacy citations contain only brief histories and upload them to HERMES (see below). This could include:
Relevant sections from local histories, especially where they are out of print or not widely available
Historical photos and plans (Note: this is not required if the photos and plans are already publicly accessible. For example, via the State Library of Victoria or Victorian Collections websites)
Early building plans where available and recent building or planning permit plans if they are useful in showing changes to buildings
Any other heritage studies prepared for specific heritage places.
Alternatively, compile a detailed list of the available resources held by council and other local institutions such as libraries, archives and historical societies. Examples include:
Early building application/permit registers
Early building permit plans
Early property valuation and rate book records
Title certificates or identifying details (volume and folio numbers)
Historic photographic and archival collections that are not yet digitised
Condition reports and/or photos of council owned or managed buildings
Tree registers for trees on public land and/or private properties.</td></tr>
<tr><td>Update HERMES</td><td>Ensure that each heritage place has a HERMES record with at least the following fields completed:
Name
Address
GIS coordinates for rural properties in remote locations, where the street address is not obvious or for elements without a specific address (e.g. monument in a road reserve)
Item Group and Category
HO number (if relevant)
At least one photo</td></tr>
</table>

Task	Notes and tips
	• Scans of historic documents uploaded to the Attachments field • Construction details if known, including architect/designer, architectural style, builder, and development date/s If the place is within a precinct the record should also be attached to the precinct HERMES record. If the current citation information – history, description, comparative analysis and SoS – is not in HERMES it may be too time consuming to enter this for each heritage place. Also, it is likely that the information may change during the review process. Instead, the following is suggested: • Enter only the SoS into HERMES • Upload the citation for the heritage place to the Attachments field • Ensure the full heritage study is available via council's website. A copy can also be attached to the Heritage Study field in HERMES. See **Resource 5: HERMES database for further information**. To access HERMES go to **orion.heritage.vic.gov.au**

1.4 Prioritising review work

Once the extent of work for the review of legacy heritage citations has been quantified using the Auditing tool (**Resource 3A**), it may become clear that there is not sufficient budget to complete it all. In such a case, the places requiring review should be prioritised to determine the most pressing work, as well as what work should be done in the future once funds become available and which places do not require any further action.

One approach is to align future heritage projects to strategic work plans. *The Guide to Council Planning Scheme Reviews* (DTP, February 2026) is a key tool for examining and identifying improvements to heritage planning frameworks in rural and regional council planning schemes and prioritising heritage work in future strategic work plans.

There are also several examples of prioritisation work carried out for regional councils which are discussed in case studies 4 and 5 below. When the number of places to be reviewed is above what can be funded in the medium term, it can be useful to consider places already in the HO and those of potential local significance in relation to an up-to-date Thematic Environmental History. If some themes are already well-represented in the HO, for example, pre-1945 houses, churches and halls but others have little or no representation, efforts can be focused on the latter group.

A sample decision matrix which can be tailored to each council's circumstances is shown below. It can be used to determine the relative level of priority of all tasks required and to identify how they are best ordered and grouped. The timeframes for each priority group are only indicative.

Table 1.3: Matrix for prioritising legacy heritage work

Level of risk		Importance of work		
		High	Medium	Low
	High	**Urgent (1 – 2 yrs)**	**High priority (by 3 yrs)**	Medium priority (3 – 5 yrs)
	Medium	**High priority**	**High priority**	Low priority (5-7 yrs)
	Low	Medium priority	Low priority	No action

In determining the relative risk consider factors such as:

- Upcoming strategic planning work for an area that is likely to bring change, such as a structure plan
- The current level of development pressure in a given area
- Redundant places and place types (e.g. vacant churches, factories)
- Places not yet protected by the HO
- Place types known to be vulnerable to demolition (e.g. miner's cottages, beach houses)
- Places already in the HO in areas with high development pressure that have insufficient documentation to effectively protect them.

Importance of the work can be broken down as follows:

High importance

- Tasks that must be completed as a prerequisite for other important work to take place
- Successive stages of a recent project (e.g. Stage 1 heritage study) that should be carried out while the information is still current
- Unprotected places identified as having a strong potential for local significance (e.g. places that are rare)
- Areas of the municipality where a high number of potentially significant places and precincts have been identified.

Medium importance

- Typological, thematic or geographic gaps in current HO coverage, including both survey work to identify potential heritage places representing these gaps and their detailed assessment
- Places already identified but not assessed, that have relatively high potential significance
- Places already in the HO that have outdated but still comprehensive documentation.

Low importance

- Areas or place-types that have been the subject of a relatively recent heritage study
- Potentially significant places of average comparative quality (e.g. those in 'low priority' lists in Stage 1 heritage studies)
- Place-types for which the community currently has a low level of appreciation.

Case studies

Case Study 4: Comprehensive review of gaps - *Bass Coast Shire Heritage Gaps Review and Prioritisation Framework* (Bass Coast Shire Council, October 2020)

This project was primarily focussed on prioritising places of potential local significance for future assessment. Only a third of the places of potential significance identified in a Stage 1 heritage study had been assessed. Nearly 20 years later council officers revisited these places to determine if they had been substantially altered or demolished.

Those that remained substantially intact were considered by the heritage consultants in this review. They also identified geographic and thematic gaps in current HO coverage and considered the currency of documentation for places already in the HO. Finally, the Shire's Thematic Environmental History was also reviewed.

The final step was to create a five-year work plan which prioritised the work required to prepare and update all related documentation. The priorities were based on a matrix taking into account risk and potential for heritage significance.

This report would be a useful reference for councils that need to balance completing priorities. In this case, competing objectives were ensuring existing HO places are properly documented, following up on the recommendations for further assessment of places in a Stage 1 legacy study and the need to ensure that there is geographically and thematically balanced HO coverage. It also provides a useful discussion about the integration of the efforts of council officers and heritage consultants in the early stages of this project.

Case Study 5: Creation of a comprehensive heritage work plan - *City of Greater Bendigo Heritage Gap Analysis* (City of Greater Bendigo, May 2019)

This report was prepared to help council determine the best approach for managing and prioritising the work required to complete the suite of post-contact heritage studies and reviews. A combination of a desktop review of previous studies and HERMES records with fieldwork and input from council officers helped determine the shortcomings of existing documentation such as old and insufficient citations, as well as the geographical and thematic gaps in heritage protection.

These gaps were considered in relation to existing threats and competing planning objectives and prioritised on this basis. This informed the creation of a prioritised work plan which included recommendations for the most efficient and effective approaches to future heritage work and the harnessing of in-house skills and knowledge.

This report would be useful for councils who have a long heritage to do list that they need to prioritise and balance against other strategic planning goals.

Step 2: Undertaking a legacy study review

The key tasks associated with undertaking a legacy study review are:

1. Preparing the brief
2. Appointing the heritage consultant
3. Managing the project
4. Stakeholder consultation
5. Adoption of the study by council.

The following resources can assist with undertaking a legacy study review:

- Resource 1: Work program
- Resource 3A: Auditing tool
- Resource 4: Master list spreadsheet
- Resource 5: HERMES database
- Resource 6: Consultant brief examples
- Resource 7: Project plan example
- Resource 8: Establishing local thresholds
- Resource 9: Statement of significance examples
- Resource 10: Stakeholder consultation
- Resource 11: Final report example
- Resource 12: Planning scheme amendment

2.1 Preparing the brief

Please refer to **Resource 6: Consultant brief examples**, which provides templates that can be used to invite tenders for:

- A comprehensive review which requires the preparation of new heritage citations or substantial changes to citations as well as significant changes to the HO schedule and maps
- A limited review which requires relatively minor updates to heritage citations and limited changes to planning controls.

The templates identify how the findings of the audit carried out in Step 1 can be used and integrated into the brief.

See *Practice Note: Preparing studies and reports: contractual and ethical issues* (Australia ICOMOS Burra Charter, November 2013). This practice note is useful for preparing a heritage brief or managing a heritage study consultant. It covers issues such as defining scope, preparing contracts, authorship, review of work by the client, consultation and public access.

Establishing the project budget

This toolkit does not provide budget estimates for the preparation of a legacy study review as each project will be different. A budget will depend on the nature and complexity of the work and variables such as the number of submissions and their content. Consultant rates also change over time. When establishing a project budget, you should:

- Seek advice from other councils that have recently funded a similar heritage study review to gain an understanding of a potential 'ballpark' figure and to understand industry rates for project work and the proportions allocated for expenses such as project management, accommodation and travel
- Confirm with relevant council staff how your project budget is allocated and if there are any limitations or payment deadlines that may impact the project timelines. This should be specified in the project

brief. For example, if the budget is to be spent within a single financial year, is allocated over multiple financial years or if the amount spent is capped per financial year

– Where possible set aside a contingency for unforeseen costs, such as extra Project Control Group (PCG) meetings, site inspections and consultation, or for preparation of councillor briefing material or briefing attendance
– Ensure the project brief specifies your council's preference for in-person or online attendance with key stakeholders such as councillor briefings, as the consultant may need to include travel and accommodation costs if in-person attendance is required
– If unsure whether the amount you have is sufficient, consider if the project brief should specify the total budget available and request tenderers to identify the tasks or numbers of places that can be included.

Tip: Preparing comparative analyses economically

When reviewing citations for places already in the HO whose local significance has already been established, the workload and the budget for the review can be reduced by retaining legacy comparative analyses or by preparing new 'minimal' versions based on typological groups. The consultant can then focus on updating descriptions and expanding statements of significance, so they provide clear guidance to manage the heritage place.

Case Study 6: *Hindmarsh Heritage Assessment Study* (David Helms Heritage Planning, April 2023)

The following 'minimal' comparative analysis was provided for two shire halls which are places of individual significance.

"The former Dimboola Shire Hall of 1877, and the former Lowan Shire Hall of 1888, are characteristic of the small buildings erected by small rural councils in the late nineteenth century. The limited resources available to these Councils meant that such buildings were unpretentious and fit for purpose with the minimum amount of accommodation required to perform the necessary municipal functions, as the Councils were keen to avoid any impression of extravagance or wasteful spending. Nonetheless, they were solid buildings, usually of masonry construction (when timber construction was more common) and with enough decoration to be considered an 'ornament' to the town, which was the usual compliment. Built about a decade apart these buildings are similar in terms of their hip and gable roofs and verandahs to the principal elevations, and the internal layout comprising a large central hall for the Council chamber with attached offices. Lowan Shire Hall is larger, and the detailing is more elaborate, with shaped bargeboards and truss work including large finials to the gable ends, and the ornate cast iron frieze and brackets to the verandah."

2.2 Appointing the heritage consultant

Appointing a heritage consultant with the right skills and experience is essential to ensure the best outcome and is more likely to result in documentation with sound conclusions that will assist in the future management of the heritage places and a be strategically justified planning scheme amendment.

A heritage assessment requires a diverse skill set. Most commonly these key skills are a knowledge of Australian architectural history and historical research. In some cases, a single person or a small team of two or three including a historian, with a degree qualification in history or heritage may possess all the required skills and experience to carry out a straightforward project. For larger studies and those that include complex sites, a multi-disciplinary team may be required including expertise such as garden history, tree identification, historical or industrial archaeology and community-based research.

The amount of work required to review a legacy study also depends on the quality and reliability of the original work. Similarly, the better the heritage review work done today, the fewer problems that are likely to arise during the amendment process. If the PPV members are faced with many factual errors in the reviewed citations, they may lose confidence in the entire review. For this reason, it is important to seek unvarnished references when engaging a heritage consultant, both from referees that they provide in their proposal as well as through one's own network. This could include speaking to strategic planners at other councils for which the consultant has recently worked.

Another way of potentially gaining an understanding of the quality of a consultant's work is to read any PPV reports in relation to a heritage study they have prepared to see if any systemic issues were identified by the Panel in relation to the methodology or findings.

Tip: Engaging a heritage consultant

Consider approaching both large and small heritage consultancies including sole operators to tender, as this will ensure you have a range of methodologies, project fees and timelines to choose from and decide which would best suit your project.

Excessive procurement requirements that are unrelated to the work performed in a heritage study may discourage smaller consultancies from responding. Consider working with your procurement officer to set insurance and other requirements appropriate to the actual risks involved.

Allow sufficient time for consultants to respond to an invitation to tender and be prepared to extend the date if it will enable a larger number of tenders to choose from.

Avoid inviting tenders at busy times, such around the end of the financial year or when people are usually on or about to go on annual leave during the Christmas-New Year period.

Ensure the tender process is equitable. If questions or further information is requested by one tenderer then the question and response must be shared with all tender participants.

2.3 Managing the project

The project should be overseen by a Project Control Group (PCG). Usually this comprises:

– The council planner who is acting as project manager
– The heritage consultant.

It may also include:

– A senior council staff member such as a Team Leader or Manager who may not attend all meetings but can be involved when key decisions are being made
– A DTP representative.

An important first step at the inception of the project is for the consultant to prepare a project plan. The project plan sets out the:

– Timetable and deadlines for completion of key tasks
– Payment schedule, which is usually aligned to the completion of tasks
– Meeting dates with the PCG.

Please refer to **Resource 7: Project Plan example**, which provides a template for preparing a project plan.

It is important for the project manager to issue meeting agendas and follow up with minutes or notes summarising study progress, future actions and the endorsement of any variations to the original endorsed project plan. It is helpful to have this information at hand when reporting on the study progress internally.

Another matter to be confirmed at the beginning of the project is the approach to stakeholder consultation (see section 2.5). As part of consultation, consider whether appointing a community reference group would be useful.

A community reference group usually comprises of a small group of people with knowledge of local history, such as local historians or members of local historical societies. They can save time, build community ownership in the process by answering specific questions posed by the heritage consultants, identifying sources of information, providing local insight and knowledge about places and assisting in the review of citations, particularly the history sections (see below). If there is difficulty contacting owners to arrange a site inspection, they may be able to tap into a local network to suggest the best way of making contact.

The approach to establishing a community reference group will vary from council to council. Discussion with relevant senior council staff is desirable.

Tip: Project management

Use the HERMES database. Ensuring the HERMES database is up to date can streamline the audit and assessment processes and save time. Rather than sending a consultant multiple links to historic documentation, HERMES can be used to store known information about a heritage place in one location. It is especially useful for the consultant when undertaking comparative analysis. See **Resource 5: HERMES database** for further information.

Be realistic about the timeframes to complete key tasks. It is better to allow extra time rather than setting a tight deadline that may compromise the standard of work due to it being carried out in a rushed manner. Most heritage consultants will have multiple projects on the go at a time, therefore they do not work "full time" on any single project.

Once timeframes and deadlines are set, they should be adhered to. However, there may be legitimate reasons why they should change such as difficulty in arranging onsite inspections or inclement weather affecting fieldwork.

Make sure you allow yourself sufficient time to review the consultant's work at key milestones (see section 2.4). If there are a large number of citations, consider whether it would be easier for them to be submitted in batches. One way of doing this is by typological groups, for example: residential buildings, commercial buildings, community buildings and rural/farm complexes.

Maintaining regular communication with the consultant is essential, especially to identify when issues arise that may affect timelines and delivery.

2.4 Reviewing draft citations

It is important to review the draft citations before they are circulated to the community to ensure they are factually correct, easy to understand and consistent in their format, approach and recommendations. Circulating draft citations with obvious errors or inconsistencies in the assessment of places and recommended controls can undermine community confidence in the process.

Use the following resources to assist with reviewing citations:

- Resource 2: Heritage citations form and content
- Resource 8: Establishing local thresholds - for further guidance in relation to the comparative analysis
- Resource 9: Statements of significance examples - for examples of SoS for an individual place, a precinct and a GTS listing.

Once you have completed your review, provide your comments to the consultant. If there are limited issues the feedback could be in the form of a brief list, or if there are multiple issues it may be more efficient to prepare a Word or Excel spreadsheet (See Table 2.1). This table can be provided to the consultant to input responses and suggest recommended changes. Before any changes are made they should be discussed at the appropriate PCG meeting and confirmed.

Table 2.1: Draft citation review spreadsheet headings

Heritage place	History	Description	CA	SoS	Statutory recommendation	Consultant summary of recommended changes
Insert name	*Council comment:* TBA *Consultant response:* TBA	*Council comment:* TBA *Consultant response:* TBA	*Council comment:* TBA *Consultant response:* TBA	*Council comment:* TBA *Consultant response:* TBA	*Council comment:* TBA *Consultant response:* TBA	

Tip: Reviewing draft citations

There is no need to point out spelling and grammatical errors. A simple request for these to be corrected in the final draft is usually sufficient. Exceptions include locally specific errors, such as the misspelling of locality or family names, which should be identified.

Ensure errors and inconsistencies are identified. For example, if one part of the history says a building was erected in 1914 but later it says 1915.

Do not be afraid to question if you don't understand something. For a heritage citation to be useful it must be understood by a wide variety of users, ranging from heritage consultants to property owners who have differing levels of understanding of heritage concepts. If something is not clear to you then it may not be understood by another user.

Depending on the number of citations, it may not be possible to review them all in detail. Instead, choose a selection of different types of individual places and of the precincts and/or GTS listings.

If you have established a community reference group, ask them to review the citations and in particular, focus on the history sections to identify any glaring errors or omissions.

If necessary, question whether individual citations and site-specific HO listings for places within precincts are required. See Tip: Reducing the number of individual citations to review.

2.5 Stakeholder consultation

Effective stakeholder consultation is an essential aspect of preparing heritage studies. The reasons why consultation is important include:

- To involve the community and council departments that manage heritage places in the process to give them a sense of ownership, avoid misunderstandings, improve support and generate goodwill and avoid the perception of a "top down" approach where the consultants are the sole "experts" on heritage
- To pass on information about the study so that people can ask questions and potential issues can be canvassed and explained
- To gather information that may otherwise not be known or available, such as photographs or other documentation, local knowledge and stories
- To help assess places, particularly those that are important to the community such as places of social value, which are difficult to assess without community input.

The other purpose of stakeholder consultation is to enable early engagement with public authorities and other formal stakeholders that may be affected, such as DEECA, DTP, VicTrack, Heritage Victoria (for

State-listed places) and Traditional Owner groups. Engagement with government agencies during the consultation phase, rather than only the formal exhibition stage of a PSA is recommended, as it may avoid the need to make changes during the implementation phase.

Generally, being open and transparent about a heritage study is preferred, but the process needs to be carefully managed. All engagement should be undertaken with a view to building trust while seeking the information required.

Ensure that community members have sufficient time to review the new documentation in an unrushed manner and try to avoid scheduling it over busy periods such as harvest time or other busy farming or work times depending on the region, or the Christmas and New Year holiday period.

When reviewing a legacy study, a key objective of stakeholder consultation is to ensure that the information in the heritage citation is still correct and up to date.

The approach to consultation will depend on the type of legacy study, particularly the date of completion and standard of documentation and whether the place is currently included in the HO, as set out below.

Please refer to **Resource 10: Stakeholder consultation**, which includes examples of:

- Letters to owners
- Frequently asked questions (FAQ) factsheet.

Places included in the HO

The following approaches are suggested for heritage places that are currently included in the HO:

- For early legacy studies (prior to 2015), a comprehensive review including a site inspection will usually be required and there should be two stages of consultation with affected owners:
    - At the inception of the study to inform them it is underway invite them to share any information they have about the place and where required arrange an on-site inspection
    - Once the draft citation is prepared a copy should be forwarded to the owner for review. The covering letter should also explain whether any changes to the HO schedule or maps are recommended.
- For more recent legacy studies (usually post-2015) a less comprehensive review will be required, there will be fewer changes to the heritage citation and existing or recommended HO controls and site inspections may not be required. In this case:
    - Inception letters would be sent only to places that require an on-site inspection
    - Once the draft citations are completed, send a copy to owners for review. As above this should also identify any changes to HO controls.

Places not currently included in the HO

When a heritage place is not currently included in the HO, it may be desirable to avoid contacting place owners unless necessary for a site inspection, especially if the citation is from an early (pre-2015) legacy study. This is because:

- Not all places will be found to satisfy the threshold of local significance
- The potential heritage values of the place may not be fully understood, so it can be hard to respond to questions at this point about what contributes to the place's significance
- It may result in some owners seeking to demolish or alter their buildings to avoid heritage listing though this is rare.

Delaying engagement with the owners of properties until a draft citation has been prepared can avoid the above issues, as the draft SoS will clearly define what is significant and what is not, so any disputes about potential significance can be more focused. Sometimes, people are more swayed in favour of protection when they are presented with evidence including a detailed history of their property that can explain why it is important. In relation to the final issue, having a draft citation and SoS in place also means that council has the basis to seek interim controls to prevent demolition, if required.

Other stakeholder consultation actions

Prior to commencing stakeholder consultation, it may be necessary to provide a briefing to council and seek their endorsement of the report and the draft citations for community consultation. Alternatively, the adoption of a stakeholder consultation plan and a general endorsement for undertaking the whole of the study could be obtained at the beginning of the study. Please discuss the preferred approach with senior council staff, include council's consultation requirements in the project brief and confirm at the project inception meeting. See also Tip: Version control.

Other actions council should consider are:

- Promote the commencement of the study on its website, through physical materials (posters, flyers, etc.) or any other media that it uses for council projects. This material could be based on the FAQ factsheet in **Resource 10: Stakeholder consultation**
- Establishing a community reference group, as noted above.

Alternative consultation approaches may be considered. These could use and adapt the templates in **Resource 10: Stakeholder consultation**.

> **Tip: Version control**
>
> Prior to commencing community consultation, establish a clear process for managing different versions and the updates made to the study and the heritage citations throughout the process. This will be especially important when reporting to council and if required, appearing at a Panel hearing. For example, by using watermarks or headers and footers to identify versions.

2.6 Responding to submissions

To keep track of submissions and ensure there is a clear record of council's response, the preparation of a Word or Excel spreadsheet (or similar) is recommended.

The spreadsheet should include the following information:

- A number or unique submission identifier. Note: due to privacy issues, the name of the submitter and their contact details is usually not included in this table. If it is necessary to include it, this should be done in way that can easily be removed or hidden if the spreadsheet becomes a public document
- The name and address of the heritage place
- The HO number if relevant
- The key issues raised by the submission. Where possible these should be summarised. It may be possible to use standard descriptors, such as 'More historical information' or 'Description is incorrect'. For each issue the spreadsheet should clearly identify where:
  - Changes are proposed in response to the submission to resolve an issue
  - Changes are not proposed and the rationale why. For example, the additional historical information may be general family history that is not relevant to the significance of the place or the heritage consultant believes the description is correct based on the architectural style or details.

In relation to the last two dot points a key task will be to identify the changes that can be made by council officers and those that will require the input of the consultants. Examples of typical changes that could be made by council are minor spelling or grammatical errors, address corrections or other obvious errors.

Issues that require the input of the heritage consultants are usually technical matters relating to changes to the content of the heritage citation or the HO controls.

However, there may be exceptions. For example, council with the input of a community reference group could decide not to include the full 10-page history of the Smith family in a citation as requested by an enthusiastic submitter.

If in doubt, refer the issue to the heritage consultant to review.

This spreadsheet, with appropriate edits could then be attached to a council report to demonstrate how the legacy study review has considered and incorporated community feedback.

Depending on the number and nature of submissions, consider whether follow-up meetings with property owners would be helpful to resolve any outstanding issues.

Tip: Responding to submissions

Issues that are relevant and require a response are those that are directly related to the assessment of heritage significance and the recommended HO controls. Examples include:

- Errors of fact in the history or description of a place
- Comparative analysis does not establish a sound basis for local significance
- The statement of significance does not correctly describe the significance of the place
- The heritage controls are not justified by or are not consistent with the assessment of significance.

Generally, issues such as impacts upon development potential and property value are not relevant to the assessment of heritage significance and the recommended HO controls. This has been confirmed by several PPV decisions for heritage amendments. For further information see *Heritage Issues. Summaries from Panel Reports* (Planning Panels Victoria, April 2024).

Similarly, building condition is not a relevant issue, unless the condition is so poor that it would be considered beyond repair and demolition is the only outcome. If a building is in poor condition, it may be worthwhile asking council's Municipal Building Surveyor to inspect it and provide an opinion.

The publication *Local Government's role in heritage protection – An introduction for councillors* (MAV and HCV*, 2023)* contains a useful checklist of 'Heritage misconceptions and facts' which provides evidence that refutes commonly held myths about heritage identification and protection.

2.7 Completion and adoption of the final report

Once the stakeholder consultation phase has finished, the final report should be prepared. In addition to the citations this will include:

– The report setting out the methodology, key findings and recommendations. Please refer to **Resource 11: Final report example**, which identifies what the report should include
– The draft planning scheme amendment documentation, which will include a separate SoS for each heritage place suitable for incorporation in the planning scheme. See **Resource 12: Planning scheme amendment for examples** (see also section 3.1).

The PCG will review the final report and amendment documentation and provide feedback to the consultant. This is also an appropriate point to discuss the proposed implementation of the study with the relevant DTP Regional Planning Services team, who can review the study and amendment documents in relation to *VLHG* and the MDFC requirements.

Allow a minimum two-week review period to review the final draft material. This could occur concurrently to save time.

By this stage, the issues in relation to the heritage citations should be largely resolved and the focus should be on whether:

- The methodology clearly sets out how the threshold of local significance has been established
- The recommended planning scheme controls are logical and justified by the information contained in the SoS
- The instructions to update or introduce new planning scheme controls are clearly set out and easy to understand.

Once the final report is completed it should be presented to council to be formally adopted. The report to council should follow council's standard template.

If additional information is required for a council briefing prior to the formal meeting, you may consider using the *Heritage in your Municipality PowerPoint template* (HVC, 2023). See also Tip: Council reporting.

It is recommended that adopted reports are implemented in a timely manner. The most efficient way to do this is through a PSA which can be considered at the same time the report is adopted. A resolution from council to adopt the study and seek authorisation from the Minister for Planning to prepare and exhibit an amendment to implement the heritage study will achieve this (see Tip: Council resolution).

In some cases, it may be better to seek adoption of the study by the council separately, so that any issues raised by the council can be resolved before beginning to prepare documentation to support an authorisation request. This may also depend on the specific powers of delegation that apply for your council. Discussion with relevant senior staff is desirable.

Tip: Council reporting

The publication *Local Government's role in heritage protection – An introduction for councillors* (MAV and HCV, 2023) which forms part of the *Heritage Information Pack,* contains useful information that could be included in a council report, including local government responsibilities and the financial, public and reputational risks of not taking steps to identify and protect heritage.

See *Why heritage: a synthesis of evidence for the social, economic and environmental impacts of heritage* (Public Value Consulting and Extent Heritage, August 2023). This includes a useful one page 'Headline findings' infograph (Figure 3 on p.17) that identifies 10 key economic, social and environmental benefits of cultural heritage and a section that examines 10 heritage 'myths'. It discusses some of the common assumptions about the value of heritage in Australia and explores the evidence for or against them.

Relevant information from the above document could be included in the council report or provided to staff presenting the report to respond to councillor questions before, during or after the council meeting.

For further details about the above documents please see **Resource 13: Further reading (Technical guidelines and background reports)**.

Tip: Council resolution

Draft the council resolution to allow for flexibility to address changes required by the Minister for Planning at authorisation stage.

Example:

That Council:

1. *Adopts the Emerald Heritage Review Study* (May 2026) (Attachment 1).
2. *Writes to the Minister for Planning to request authorisation to prepare and exhibit Emerald Planning Scheme Amendment C001emrd.*
3. *Authorises the <Chief Executive Officer / Director / Executive Manager> to make minor changes to the amendment documentation to comply with the Minister for Planning's authorisation conditions.*
4. *Exhibits the amendment in accordance with directions issued by the Minister for Planning*.

Changes to the heritage study by council

Usually, a council will adopt all recommendations made by a consultant.

However, if council decides not to accept a consultant recommendation it is not appropriate to request the consultant to change the report if they do not agree with the proposed change.

Instead, the report to council to adopt and/or implement the heritage study should clearly identify the recommendations that are not being implemented and/or changed, with a clear rationale as to why. This can be used to inform DTP when seeking authorisation or when preparing a submission to the Panel, if one is appointed and will maintain the integrity of the heritage study and its findings.

Step 3: Implementing the legacy review

The key tasks associated with the implementation of a legacy study are:

1. Discussion with the relevant DTP Regional Planning Services regional office to let them know an amendment is being prepared
2. Creation of a Planning Scheme Amendment (PSA) in the Amendment Tracking System (ATS) and authoring changes to planning scheme ordinance
3. Submitting a request for authorisation in ATS
4. Submitting exhibition documentation and requesting pre-set panel dates in ATS
5. Giving notice and exhibition of the PSA
6. If required, responding to submissions including requesting the appointment of a Panel
7. Preparing for the Panel hearing
8. Updating the PSA documentation following exhibition and Panel hearing (if applicable)
9. Council resolution to adopt the PSA.
10. Submitting the final PSA documentation for approval by the Minister for Planning (the Minister)
11. Final updates once the PSA is approved and gazetted.

Resource 12: Planning scheme amendment can assist with implementing a legacy study review.

Resource 13: Further reading (Technical guidelines and background reports) provides a list of essential reading materials, which includes:

– *VLHG*
– *PPN46*
– *Heritage Information Pack*
– *Local Government's Role in Heritage Protection: An introduction for councillors*
– *Heritage issues. Summaries from Panel Reports.*

3.1 Planning Scheme Amendment

Once council has resolved to request authorisation to prepare and exhibit the PSA, the first task is to draft the PSA documentation to support an application.

Table 3.1 provides a checklist of the typical planning scheme ordinance, mapping and supporting documents required to translate a heritage study into an authorisation request. It is those items that should be uploaded to the ATS.

A specific issue that may arise is how to translate legacy heritage studies that are currently listed in clause 72.04 as an incorporated document – See Tip: Incorporated documents.

Please refer to 'Amending a Planning Scheme' at **planning.vic.gov.au**, which provides a step by step guide to the amendment process, including templates and checklists for preparing and processing amendments.

Refer to **Resource 12: Planning scheme amendment**, which contains:

– Links to webpages and guidelines that provide further information in relation to PSA process and procedures, translating legacy study findings into draft ordinance, preparing the PSA package and using the ATS to create and manage an amendment

Tip: Use current templates

The examples in **Resource 12: Planning scheme amendment**, are provided for information purposes but should not be used as templates. You should always download a 'fresh' template from the DTP webpage when required, as new versions are released periodically.

Tip: Incorporated documents

Some legacy heritage studies are incorporated documents listed in the schedule to clause 72.04. This is no longer best practice.

The amendment to implement a legacy heritage study review should aim to include:

- The legacy study as background report listed in the schedule to clause 72.08
- The legacy study review (final report and heritage citations) as a background report listed in the schedule to clause 72.08
- New or updated statements of significance for every heritage place, precinct or GTS listing as incorporated documents listed in the schedule to clause 72.04.

Ideally, the introduction of the legacy study and legacy study review final report should occur as part of one amendment. However, if it is proposed to review and update the legacy heritage study in stages, then the legacy study should remain listed as an incorporated document until the review process is fully completed.

Other changes to a planning scheme to implement a heritage legacy study review may also include, as relevant:

- Municipal-wide heritage guidelines that communicate expectations for heritage places across the municipality can become a background document listed in the schedule to clause 72.08 and cited as a policy document under clause 15.03-1L
- Site-specific, precinct or GTS listing heritage guidelines can become incorporated documents listed in the schedule to clause 72.04
- A concise list of high-level outcomes that the council wants to achieve for heritage places can be expressed as local policy in the Planning Policy Framework.

Table 3.1: Request for authorisation of a PSA checklist

PSA document	Checklist	Notes
Documents to submit via ATS for a request for authorisation	☐ An explanatory report ☐ An instruction sheet ☐ Notice of preparation of an amendment gazette notice ☐ Strategic assessment guidelines checklist	None specified
Supporting documents to submit via ATS for a request for authorisation for a heritage amendment	☐ Planning scheme map sheets including any deletion maps for existing heritage controls being replaced ☐ Proposed incorporated SoS for each place and precinct ☐ Supporting heritage study to be included as a background document	Are the new HO extents consistent with the legacy study recommendations? Are the titles of the SoS consistent with the following naming convention: *10 Emerald Street, Emerald Town, Statement of Significance (Emerald Shire Council, April 2026)* or

PSA document	Checklist	Notes
	☐ Copy of council resolution/s (council meeting agenda and minutes) ☐ Any advice received from relevant authorities or agencies	*Emerald Precinct, Statement of Significance (Emerald Shire Council, April 2026)*
Interim publish documents downloaded from ATS	☐ A copy of the interim publish 'compare' and 'clean' version:	
	☐ Schedule to clause 43.01 (Heritage Overlay)	Have the application requirements been updated in accordance with the legacy study, as relevant? Are the HO schedule entries correct and the same as the legacy study in relation to: • HO number • Name and address • Statement of significance name • Application of specific controls (external paint, internal alteration, etc.)
	☐ Schedule to clause 72.03 (What does this planning scheme consist of?)	Have all new HO maps been added? Have all redundant HO maps been removed?
	☐ Schedule to clause 72.04 (Incorporated Documents)	Have all the SoS been listed as incorporated documents? Are the names, addresses and HO numbers in the SoS the same as those for the HO schedule and in the legacy study citation? Are the titles of the SoS consistent with the naming convention (see above)
	☐ Schedule to clause 72.08 (Background Documents)	Has the legacy study been included as a background document using the correct naming convention: *Emerald Town Heritage Review Study (Emerald Consultants, April 2026)?*

3.2 Amendment exhibition and consultation

Giving notice of a PSA involves notifying property owners, occupiers and land managers who may be materially affected by the amendment. Notice is also given to prescribed Ministers and public authorities.

For letters to affected property owners, you may consider adding additional text to inform people, as relevant, how their submission earlier in the project has been considered and incorporated into the PSA. Example text is provided below.

The proposed heritage controls have responded to your submission to the [insert name of heritage study], which was exhibited in [insert month, year] by [delete as required]:

- *Change to SoS. For example: 'Identifying that the altered outbuilding is not significant'*
- *Change to specific HO schedule controls. For example: 'Applying the proposed external paint controls only to the house and not the garage'*
- *Change to proposed HO extent/curtilage. For example: 'Reducing the extent of the HO to only include the homestead and exclude the non-significant outbuildings'.*

3.3 Responding to submissions

If no submissions are received, then you may proceed directly to seeking adoption of the amendment by council and a resolution to submit the amendment to the Minster for approval (see section 3.5).

If submissions are received, you should generally follow the same process as set out in the previous chapter for responding to submissions.

The matters to decide in relation to an objecting submission to an amendment are:

- Can the issue be satisfactorily resolved by a change to the amendment?
- If the issue (or issues) cannot be resolved, should it be referred to a Panel?

Once again, a heritage consultant should be engaged to respond to submissions of a 'technical' nature that require their professional opinion. Usually, this will be the same consultant that prepared the legacy study review.

However, if there are a large number of submissions or if they raise significant issues you may consider appointing a different consultant to undertake an independent review of submissions. This should not be viewed as a reflection on the quality of the original consultant's work, but as a commitment of council to a rigorous and open process that provides a sound basis for inclusion of a place in the HO.

The outcome of this process will be to identify the heritage places or other parts of the amendment that have:

- No submissions or the submissions have been satisfactorily resolved and can proceed to adoption and approval
- Objecting submissions that cannot be resolved and should be referred to a Panel for consideration.

3.4 Panel hearing

Once the Panel hearing has been confirmed, a key decision will be whether council will prepare and present its own submission or if this will be done on behalf of council by a planning consultant or legal representative.

The Panel issues a directions letter to the planning authority confirming the timing for delivery and content of its submission, which is typically prepared in two parts:

- **Part A** (background). This includes the:
  - **Amendment Background:** A chronology of events leading to the amendment
  - **Strategic Context:** Relevant planning policies and provisions, other amendments, and how they relate to the current amendment
  - **Authorisation Conditions:** Explanation of how any conditions of authorisation have been met
  - **Submissions:** A summary of all submissions received, indicating which issues have been resolved
  - **Heritage Study Documentation:** Outline proposed post-exhibition changes to study material, including tracked changes
  - **Council's Final Position:** A clear articulation of the council's stance on the amendment.
- **Part B** (response to issues, expert evidence and final position on amendment).

Professional representation is usually only required if there are a large number of submissions or if they raise significant or complex issues.

Council will also need an expert witness to answer questions relating to heritage significance and the proposed application of heritage controls. Usually, the original heritage consultant will provide evidence in relation to the preparation of the legacy study and its methodology and findings. If a different consultant was appointed to review submissions, then they would continue to provide evidence in relation to those submissions.

For further information see chapter 2.7 of *Using Victoria's Planning System*.

3.5 Approval and final updates

The final key step in the process will be for council to resolve to adopt the PSA and submit it to the Minister for approval. At this stage, it is important to undertake a final proofread of the PSA documentation to:

- Cross check that all changes made in response to submissions or the Panel report are correct, using the checklist in Table 3.1 (see 'Responding to the Panel report', below)
- Identify any minor spelling or grammar changes.

Responding to the Panel report

Following the hearing the Panel will submit a written report to council.

Council must consider the Panel's report before it decides whether to adopt the amendment as it was exhibited or in a modified form and forward it along with all submissions and the Panel report to the Minister for Planning recommending approval.

The planning authority may accept or not accept all or part of the Panel's report and/or change the amendment. If council as planning authority disagrees with and departs from the Panel's recommendations, it must provide a written explanation for its departure. It must give the Minister for Planning any other information as required in the *Planning and Environment Regulations 2015.*

Final tasks after approval

Table 3.3 provides a checklist of the final and ongoing tasks after an amendment is approved by the Minister for Planning.

Table 3.3: Final tasks checklist

Task	Description
Update and maintain HERMES	There are two potential approaches: • Enter or update the SoS only, and upload the citation to the Attachments section, or • Enter or update the SoS, history, description and comparative analysis into the relevant fields. For both approaches ensure the name, address, HO number, Item Type and Category, Heritage Study, Precinct (if relevant) and Construction details are correct. Also ensure the final version of the updated legacy study is attached to the heritage study record in Hermes. If possible, ensure one dedicated staff member is given responsibility for oversight on HERMES data entry for the council. Other staff should be able to help maintain and update the database, but a lead person can ensure consistency and continuity in the data entry. See **Resource 5: HERMES database** for further guidance.
Update council's website	The approved version of the updated legacy study should be uploaded to council's website. This could include a link to the incorporated SoS on the DTP website. Council may consider promoting the availability of the study.
Add heritage projects to strategic work plans	Consider preparing an excel spreadsheet that: • Lists all individually significant heritage places including those within precincts and precincts themselves to assist with tracking any significant changes that are made in the future due to planning permits, including subdivision • Identifies whether it will be necessary to update the HO schedule controls, maps or incorporated SoS as a result of the future changes. Note: for precincts, a separate listing is not required for all Contributory places within the precinct. The precinct listing should identify major changes that occurred such as full demolition of Contributory places or subdivision and development that could potentially affect the precinct boundary or level of significance of a place. For example, if the rear of a property containing a Contributory house is subdivided to create a separate allotment or allotments, which is then developed for a new dwelling. For further information see *The Guide to Council Planning Scheme Reviews* (DTP, February 2026).

Resources

The following resources are available on the Regional Planning Hub toolkit webpage:

Resource 1: Work program

Resource 2: Heritage citations form and content

Resource 3A: Auditing tool

Resource 3B: Legacy studies before and after revision

Resource 4: Master list spreadsheet

Resource 5: HERMES database

Resource 6: Consultant brief examples

Resource 7: Project plan example

Resource 8: Establishing local thresholds

Resource 9: Statement of significance examples

Resource 10: Stakeholder consultation

Resource 11: Final report example

Resource 12: Planning scheme amendment

Resource 13: Further reading (Technical guidelines and background reports)

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