

# ***HERITAGE INFORMATION SERIES***

## **HOW TO ESTABLISH A HERITAGE ADVISOR SERVICE**

Heritage Council  
  
of New South Wales



NSW GOVERNMENT  
**Department of Planning**

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# HOW TO ESTABLISH A HERITAGE ADVISOR SERVICE

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## **Introduction**

The primary objectives of the heritage advisor are to:

***Work with Council to develop and deliver a heritage policy and heritage strategy***

***Provide professional advice to assist Council and the community to deliver good heritage and urban design management in your local government area***

Heritage advisors provide regular and ongoing expertise to councils, communities and owners of heritage properties and assist in promoting urban design and heritage in the area.

The outcomes of this program have been very positive. Many successful and ongoing partnerships between local and state governments and communities have been developed. Most local councils across NSW have access to a part-time heritage advisor or employ a full-time heritage officer.

## **The Framework**

### **What is a heritage advisor service?**

Heritage advisors are appointed by, and report, to local councils. They are mostly appointed on a part time basis. In rural areas most advisors visit on a one-day-a-month basis; in urban areas more frequent visits are common. At the start of a heritage advisor program and during times of heavy workload, extra time may be needed to ensure the program operates smoothly.

Although accessible to all Council staff, the advisor will normally report to one senior officer e.g. Council's Director of Environmental Services.

A heritage advisor will initially work with Council staff and management to develop a heritage policy and heritage strategy to agree on the areas that the Council and the heritage advisor will address; who will be involved; establish community interests and expectations for heritage outcomes; as well as resources needed to implement the strategy. Depending on the Council and its needs, the heritage strategy may be very simple or more developed for larger councils.

With an agreed strategic and operational framework established, the advisor will normally spend the morning with Council staff, such as planners, health and building inspectors and engineers, looking at current building and development applications which include heritage items.

The afternoon will normally be devoted to inspecting sites and providing advice directly to owners, usually on an appointment basis. The advisor may also be required to attend committee meetings, definitely where heritage advisory committees have been established.

A very important part of the advisor's role is to ensure that the Council and the local community have adequate access to heritage focussed education, management and promotion. It is expected, for example, that the advisor will arrange for special training sessions for Council staff and local professionals, local councillors and for the community.

### **How does council access funding for a heritage advisor?**

Applications can be made to the Heritage Branch at any time throughout the year. Please email or send a letter outlining your funding request to Victoria Throp at [victoria.throp@planning.nsw.gov.au](mailto:victoria.throp@planning.nsw.gov.au) or phone on (02) 9873 8577.

Joint funding is now available to all councils. For the first four years of the Council's heritage advisor service funding is provided on a \$-for-\$ basis, up to a capped amount. After the fourth year, funding support is reduced to \$1-for-\$2. Councils will be reimbursed at the end of each financial year based on total GST-inclusive expenditure and the maximum approved funding available.

### **How does council appoint a heritage advisor?**

The Heritage Branch will assist councils to find a heritage advisor through the list of trained consultants. It is generally suggested that councils seek expressions of interest from as many consultants as possible using the model included in this document (see Attachment A).

### **Fee for service**

The fees for service must be negotiated between the Council and consultant. Fee proposals should include:

- a fee for being in attendance in the Council area for eight hours, including disbursements; and
- an hourly rate fee and a separate component for travel costs.

Although fees may be relatively low compared to normal consultancies, benefits include the certainty of longer term involvement, working in local government and developing additional skill sets and knowledge that are useful in your heritage consultancy, and the back up services provided by Council, such as office, computer access, phone, photographic supplies and possible local transport.

### **Longer term management and access to heritage expertise in addition to a heritage advisor**

Councils are encouraged in the longer term to develop or engage their own in-house heritage expertise. Options available to councils include the following:

- Continuation of the current heritage advisory service;
- Development of heritage skills within existing staff; and
- Appointment of new full time or part time specialist heritage staff to deliver Council's heritage responsibilities.

## **Restriction on other heritage work due to conflicts of interest**

The key duties for the heritage advisor places certain restrictions on heritage advisors undertaking other work within their local government area. These restrictions are designed to avoid any conflicts of interest.

## **Annual reporting – a joint responsibility**

Reporting requirements for heritage advisors require the heritage advisor to work with Council's heritage officer, where there is one, to prepare an annual report monitoring progress made against the current heritage strategy. The Heritage Branch has prepared an annual reporting template that must be used for this purpose.

The template is available to download from the Heritage Branch website [www.heritage.nsw.gov.au/funding](http://www.heritage.nsw.gov.au/funding) and then Local Government Heritage Management program.

## **The Heritage Advisor**

### **What experience and skills should a heritage advisor have?**

The Heritage Branch maintains a list of trained heritage consultants available to work as heritage advisors. To be included on this list consultants must have attended a training course and been accepted by the Heritage Branch as suitable to be an advisor.

Heritage advisors must demonstrate their ability to meet the following criteria for listing as an advisor:

1. Be listed on the Heritage Branch Heritage Consultants Directory;
2. Attend at least a one-day heritage advisor training and refresher workshop with the Heritage Branch, Department of Planning;
3. Have appropriate professional tertiary qualifications in a heritage related field;
4. Have a good working knowledge and experience in current heritage management theory and practice, including the Australia ICOMOS Burra Charter and Heritage Branch management publications;
5. Have good knowledge and experience in the application of relevant state and local government heritage legislation including the NSW Heritage Act and NSW Environmental Planning and Assessment Act;
6. Have ability and experience in the preparation and implementation of heritage management strategies and provide leadership in the delivery of best practice heritage management outcomes for local government;

7. Be reasonably knowledgeable and experienced in heritage and urban design matters (in theory and practice) and be able to address matters efficiently and effectively. Advisors are required to respond to many situations which impact on heritage management e.g. planning, building, fire and access codes, urban design issues, funding, DCPs etc. They must be able to quickly comprehend complex situations, find options to address issues to satisfy a range of stakeholders and decision makers;
8. Be competent in the preparation of Conservation Management Plans and Heritage Impact Statements;
9. Have the ability to assess development applications and heritage documentation;
10. Be a good communicator and negotiator. A heritage advisor must be able to communicate to a wide range of people from community stakeholders to Councillors as decision makers, both verbally and in writing in ways that leads to good outcomes from a heritage point of view;
11. Be a good problem solver. They must be able to develop problem solving solutions. This requires a positive outlook, a willingness to find acceptable and alternative solutions, even if this takes time and be able to think laterally about issues. And certainly they must not be part of the problem!
12. Be able to manage their own time and work load and meet deadlines. A rural advisor typically has one day a month with their Council. They need to be able to deal with issues quickly and effectively, document processes and decisions, preferably on the same day;
13. Have appropriate equipment and be totally comfortable with it to do the job: mobile phone, fax, computer and preferably a laptop, email and internet access and digital camera;
14. Continue to up-date their skills and knowledge in heritage management and urban design. Advisors must join, and participate in, the Heritage Branch email heritage network, regional heritage network (where available) and attend the annual Heritage Network Seminar; and
15. Hold a current driver's licence and have access to a motor vehicle.

### **Key duties for a heritage advisor**

The key duties for a heritage advisor are included in Attachment B.

The advisor, in consultation with Council's heritage officer, will prepare a policy and a heritage strategy on the objectives to be achieved in heritage management. The heritage strategy must be based on the Heritage Branch publication ***Recommendations for local council heritage management*** available on our website [www.heritage.nsw.gov.au/funding](http://www.heritage.nsw.gov.au/funding) and then Local Government Heritage Management program.

## Council responsibilities and requirements

### Your Council agrees to:

- A. Where a new advisor is required, to seek the assistance of the Heritage Branch in calling for expressions of interest and request its agreement to the proposed appointee.
- B. Publicise the purpose and functions of the advisory service eg by letter to heritage listed owners, council newsletter or local newspaper.
- C. Acknowledge in relevant publicity and all reports that these services are being assisted by the Department of Planning Heritage Branch; the logos for the Department and the Heritage Council are to be used in all of this material.
- D. Supply backup office facilities, including appointment taking, telephone, office space and computer access to provide continuity for the heritage advisor on their visits.
- E. Assist as fully as possible the advisor to promote heritage conservation in the community and resolve conflicts as they arise.
- F. Always seek the advice of your advisor when consideration is being given to any matter involving a heritage item or an urban design issue, whether listed or not. The council further agrees that such advice will be taken into account in determining any matter involving a listed or unlisted heritage item and urban design and that the advisor's written advice will be included as stand alone advice in any report or other material submitted for determination to the council or its delegate. This same provision is to apply where the advisor provides advice to the council, whether sought or not.
- G. Explain in writing to the advisor why Council or its delegate has not accepted the advisor's advice on those occasions when this occurs.
- H. Financially support, with the Heritage Branch, the advisor's attendance at the Annual Heritage Network Seminar. These costs shall be limited to reasonable transport costs, one overnight stay (if required) and an attendance fee at the daily agreed rate. Where the advisor has more than one council the cost is to be shared between the councils concerned. The payment can be drawn from your heritage advisory account to enable part of this payment to be claimed back from the Heritage Branch.
- I. Prepare a Heritage Strategy, as directed by the Heritage Branch, in consultation with your heritage advisor on the objectives to be achieved in heritage management. This strategy must be based on the Heritage Branch publication *Recommendations for local council heritage management* available on our website [www.heritage.nsw.gov.au/funding](http://www.heritage.nsw.gov.au/funding) and then Local Government Heritage Management program.

- J. Prepare an annual report on the implementation of council's current Heritage Strategy to be prepared by council's heritage advisor and council's heritage officer. The Heritage Strategy Annual Report template is available on the Heritage Branch website [www.heritage.nsw.gov.au/funding](http://www.heritage.nsw.gov.au/funding) and then Local Government Heritage Management program.
- K. The Heritage Strategy Annual Report will accompany your annual claim for reimbursement of fees to be with the Heritage Branch by the end of May each year.
- L. Include a summary of the Heritage Strategy Annual Report in the council's annual report and any State of the Environment report.
- M. Council agrees to a performance review every 12 months to review the performance of the heritage advisor and to review the agreed fee for service. Remuneration will be reviewed within the context of satisfactory performance and increases in hourly rates and travel costs.
- N. Where requested by the Heritage Branch, to review the appointment of any current advisor, including the calling of expressions of interest in the position and the possible appointment of a new advisor. The circumstances of such a request could include the need for a consultant with more appropriate skills for the current position, the possibility of a more efficient provision of service to your council as a result of a rationalisation of services in your region and/or deemed unsatisfactory service by the current advisor.

## **Heritage Branch responsibilities and requirements**

### **The Heritage Branch's role is to:**

- Provide training for new advisors;
- Support advisors, especially through our electronic heritage network, Heritage Network Seminar and other learning opportunities;
- Assist Councils to find and appoint new advisors; and
- Provide guidelines and management frameworks to assist Councils to fulfil their statutory obligations and to manage and deliver heritage at the local level.

Where the advisor's position is jointly funded with the Heritage Branch, the Branch will:

- Approve the advisor to be appointed; and
- Receive a heritage strategy annual report on the program.

## **Performance**

If the Heritage Branch is not satisfied with the performance in relation to any of the matters contained in this document, funding may be reduced or withdrawn at any time. The decision of the Heritage Branch will be final in all matters.

## **Further information**

Further information may be obtained by contacting Victoria Throp at the Heritage Branch by emailing [victoria.throp@planning.nsw.gov.au](mailto:victoria.throp@planning.nsw.gov.au) or phoning (02) 9873 8577.

## **ATTACHMENT A Model expression of interest letter**

**For Councils to send to short-listed consultants - *add any other matters relevant to heritage management in your area***

**Proposed heritage advisor position for ..... Council**

I am pleased to invite you to express an interest in the above position.

Council is seeking to appoint a heritage advisor to positively promote and manage heritage and urban design in this council area.

The Council's area includes some ..... items which are listed for protection/ proposed to be protected under the Council's Local Environmental Plan. The area also includes many unlisted heritage items.

It is proposed that the heritage advisor will visit the area ..... times a week/fortnight/month and preferably on a [day of week] .....

**The primary objectives of the heritage advisor are to:**

***Work with Council to develop and deliver a heritage policy and heritage strategy***

***Provide professional advice to assist Council and the community to deliver good heritage and urban design management in your local government area***

The key duties for the heritage advisor are set out in Attachment B – (consider attaching to this letter).

If you are interested, please send a letter and include the following:

- your curriculum vitae;
- confirmation that you have completed the Heritage Branch heritage advisor training and refresher workshop;
- brief statement outlining why you would be a good advisor for this area;
- provide written statements demonstrating how you meet the heritage advisor eligibility criteria (refer to the Heritage Branch publication *How to establish a heritage advisor service*);
- two referees who will support your suitability as a heritage advisor;
- a fee proposal which includes your fee for an eight-hour visit (include all your expenses), inclusive of GST;
- a fee to cover your travel costs, inclusive of GST; and
- your hourly rate for any advice requested of you in between visits to the area, inclusive of GST.

**Include air fare information where appropriate:** e.g. for your information the advance purchase price of a return air ticket from Sydney is \$..... There is a service arriving at ..... AM and leaving .....PM on the following days ..... The Council will arrange to meet you at the airport.

Please address your reply to ..... at the above before the .....

If you have any queries would you please phone ..... or email ..... at the Council on .....

## **ATTACHMENT B Model letter of offer and key duties for the heritage advisor**

### **For engaging a heritage advisor**

Dear

#### **Letter of Offer for the Heritage Advisor Consultancy for.....**

I am pleased to advise that you have been selected for this position.

This position has been jointly funded by the Heritage Branch, Department of Planning and this Council.

The main benefits of the heritage advisory program are that the heritage advisor works with Council staff, councillors and the community and provides an in-house consultancy service and access to the best possible educational, management and promotional management for heritage and urban design in the local government area.

#### **Role of the heritage advisor**

The primary objectives of the heritage advisor are to:

***Work with Council to develop and deliver a heritage policy and heritage strategy***

***Provide professional advice to assist Council and the community to deliver good heritage and urban design management in your local government area***

The heritage advisor will initially work with the Council staff, management and Councillors to develop the heritage policy and a heritage strategy.

The Heritage Branch's publication, ***Recommendations for local council heritage management*** should be used to inform the preparation and updating of the local government heritage strategy. The strategy will generally be reviewed and updated every three years.

Once completed, the heritage policy and heritage strategy should be adopted by Council.

These documents should be the prime non-statutory strategic management documents for heritage management in your local council. Depending on the council, the strategy may be very simple or more ambitious.

#### **The scope of the heritage policy and heritage strategy will require:**

- Agreement on outcomes to be delivered;

- Agreement on scope of the projects required to deliver on these outcomes;
- Involvement of community and key stakeholders in this process to establish interests and expectations; and
- Agreement on resources, time frames and performance measures to implement the strategy.

**Key duties for the heritage advisor are to:**

- Provide educational and promotional opportunities for heritage
- Initiate research and studies for improved heritage management
- Ensure effective statutory management of heritage
- Manage heritage and development processes
- Promote sustainable management of heritage
- Liaise with, and assist heritage owners and developers for best heritage outcomes
- Promote incentives, including grants and funding for heritage
- Work with the community and key stakeholder groups
- Work with local professionals and tradespeople
- Work with Council to manage its heritage assets
- Provide advice concerning matters for action under the *NSW Heritage Act, 1977* when requested by the Heritage Branch
- Establish, in consultation with the local library and historical society, the collection of heritage resource material, including photographs, to assist heritage management and promotion in the area

**Supervision**

The heritage advisor will generally be responsible to the following person at the Council: .....

To achieve the objectives of the heritage advisor role, within the framework set by the Council heritage strategy, the advisor will be given reasonable freedom of operation including direct negotiation with the local community, Councillors, owners, developers, government and the Heritage Branch and the making of recommendations to the Council.

**Back-up facilities**

Telephone, office space, computer access, appointment taking facilities and use of Council vehicles will be provided by the Council.

**Terms of payment**

According to the fee for service proposal, Council has agreed to a daily payment of \$..... for an eight hour day which includes all your expenses and a payment of \$..... to cover your travel costs.

While in the area the advisor will be paid ..... cents per kilometre for using your own vehicle on inspections, etc, unless Council supplies a vehicle.

When advice is required from your office in between visits you will be paid at the rate of \$..... per hour.

Council agrees to a performance review every 12 months to review the performance of the heritage advisor and to review the agreed fee for service. Remuneration will be reviewed within the context of satisfactory performance and increases in hourly rates and travel costs.

### **Procedure for payment**

You will be required to lodge a claim for payment with ..... every month.

### **Restriction on other paid work due to conflict of interest**

While employed as an advisor you, or other persons or firms with which you have a formal and/or financial association, may not undertake other paid work in this local government area. However, you may seek Council agreement to the following exemptions:

- (i) completion of an existing heritage project for architectural services commenced prior to appointment as the advisor;
- (ii) work on any heritage or urban design matter provided it does not:
  - involve a heritage item, a heritage site or an item in an urban conservation area whether listed or not; or
  - involve any item which might reasonably be expected to be the subject of advice by a heritage advisor; or
  - lead to a conflict of interest with your role as the heritage advisor.

### **General conditions**

Either party may terminate this agreement with one month's written notice. The terms of this contractual letter may be varied with the agreement of both parties and the endorsement of the Heritage Branch.

### **Reporting**

Reporting requirements for heritage advisors require the heritage advisors to work with the council heritage officer, where there is one, to prepare an annual report monitoring progress made against the current heritage strategy. The Heritage Branch has prepared an annual reporting template that must be used for this purpose. The template is available to download from the Heritage Branch website [www.heritage.nsw.gov.au/funding](http://www.heritage.nsw.gov.au/funding) and then Local Government Heritage Management program.

**Commencement**

Council requires that you commence work on ..... and visit this council every .....

**Acceptance of this offer**

If you would like to accept this consultancy in accordance with the above terms and conditions, please initial each page and sign and date a copy of this letter and return to the Council not more than two (2) weeks from the date of this letter.

Yours sincerely,

Council officer's name  
Position

<p><b>Please sign and return this acceptance of the offer to Council within two weeks of receipt of this letter</b></p> <p>I accept the terms and conditions of this consultancy specified in this contractual letter.</p> <p>Signature ..... Date .....</p>
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## **ATTACHMENT C Annual report on heritage strategy implementation**

A requirement of the local government heritage advisor funding program is that each council must prepare, adopt and implement a heritage strategy. This strategy must be based on the Heritage Branch publication *Recommendations for local council heritage management* available on the Heritage Branch website [www.heritage.nsw.gov.au/funding](http://www.heritage.nsw.gov.au/funding) and then Local Government Heritage Management program.

### **All Councils to use the Heritage Strategy Annual Report template**

Please use the template below to prepare an annual report to summarise your council's achievements throughout the year. It is suggested that you complete this template electronically by inserting your responses as follows:

1. Fill in the key performance indicator data in the boxes as indicated for each heritage strategy suggestion.
2. Using this data, complete all four evaluation questions for each outcome.

*Please do not change or amend the template.* You are welcome to add as much qualitative information in the evaluation section about your council as needed.

The Heritage Branch will collect and aggregate this data for use in its annual report on the local government heritage management program across NSW, as funded through this program.

### **Lodging your heritage strategy annual report**

As per the heritage advisor agreement, a copy of this annual report must be:

1. lodged with Council for adoption;
2. lodged with the Heritage Branch along with claims for payment in May of each financial year.