

CULTURAL HERITAGE MANAGEMENT PLANS

What is a Cultural Heritage Management Plan?

A Cultural Heritage Management Plan is a written assessment determining whether a project is likely to have an impact on an area of Aboriginal cultural significance or Aboriginal cultural heritage values, and what measures can be taken to avoid the impact, or recommend management techniques during and after construction. A CHMP is prepared by a Cultural Heritage Advisor (who may be an archaeologist or other heritage specialist) in conjunction with Aboriginal community representatives.

Further information on CHMP's and Planning can be obtained from the Department of Planning and Community Development by telephoning 1300 366 356, or online at:

<http://www.dpcd.vic.gov.au/indigenous/aboriginal-cultural-heritage/information-for-planners-and-developers>

Will I need to prepare a CHMP?

A CHMP is required if all or part of the proposed activity is:

1. Within an area of Cultural Heritage Sensitivity that has not previously had significant ground disturbance, and
2. All or part of the proposal is a high impact activity.

1. Areas

Within Manningham City Council¹, the areas of Cultural Heritage Sensitivity are:

- Registered Aboriginal Cultural Heritage Places and areas within 50 metres of the place;
- Named waterways and land within 200m of named waterways;
- Certain prior waterways and land within 200m of certain prior waterways.

Council can provide further guidance regarding the location of areas of Cultural Heritage Sensitivity, however the Department of Planning and Community Development are the most appropriate point of contact to establish the exact location of the perimeter of areas around waterways and registered places. The contact details are provided at the end of this information sheet. A map on the final page provides guidance as to the extent of the land included in the areas of Cultural Heritage Sensitivity.

2. High Impact Activities

Activities that are high impact are activities that are likely to harm Aboriginal cultural heritage. These activities listed in the regulations include:

- Changes in land use – for specified purposes where a statutory authority is required;
- Buildings and works for specified uses, if they are a change from the current land use, and if they result in significant ground disturbance (s.43 of the regulations for comprehensive list);

¹ Note that this criterion only applies to sites within Manningham City Council. Advice for use and development of land outside Manningham City Council should be sought from the relevant Council.

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- An activity requiring an earth resource authorisation (such as mining or quarrying);
- Extraction or removal of sand if extraction results in significant ground disturbance (even if an earth resource authorisation is not required);
- Extraction or removal of loose stone on agricultural land on the Victorian Volcanic Plain – on land which has not been cultivated, for the purpose of pasture enhancement;
- Constructing specified items of infrastructure if it results in significant ground disturbance (s.44 of the regulations for comprehensive list);
- Constructing a dam - if a licence is required under section 67(1A) of the *Water Act, 1989*;
- Dwellings – constructing, or carrying out works for three or more dwellings on a lot;
- Timber production – if over 40 hectares and a permit is required under a planning scheme and it will cause significant ground disturbance;
- Subdivision – into three or more lots for dwellings (if three or more lots are less than 8 ha), or two or more lots for industry;
- Alpine resort – constructing a building or carrying out works in an Alpine resort; and
- Searching for stone – if it will cause significant ground disturbance.

3. Exempt Activities

The following activities are always exempt from the requirement to prepare a Cultural Heritage Management Plan:

- Constructing one or two dwellings
- Buildings and works ancillary to a dwelling
- Services to a dwelling
- Alteration of buildings
- Minor works
- Demolition of a building
- Consolidation of land
- Subdivision of existing building
- Amendments to a statutory authorisation in some instances
- A jetty for one dwelling
- Works on the sea-bed of Victorian waters
- Emergency works

Please note however that the works that are listed above as exempt do not mean that a planning permit is not required for the works. For all works, Council suggests you contact the planning department to seek advice on any permit requirements.

What is significant ground disturbance?

Disturbance of the topsoil or surface rock layer of the ground or a waterway by machinery in the course of grading, excavating, deep ripping (60cm or deeper), digging or dredging.

Any other disturbance is not significant ground disturbance. Other forms of ploughing than deep ripping, for example, are not significant ground disturbance despite disturbing the ground.

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What impact the preparation of a CHMP have on my planning application?

If you also require a planning permit to develop or use the site, the CHMP must be prepared and approved by the Department of Planning and Community Development prior to the planning application being submitted to Council. If it is established after a planning application has been submitted to Council that a CHMP is required, the planning application will be placed on hold until the approved CHMP is received by Council.

How do I find out more information about the Aboriginal Heritage Act, 2006 and the Aboriginal Heritage Regulation, 2007?

Contact the Department of Planning and Community Development on:

<http://www.dpcd.vic.gov.au/indigenous/aboriginal-cultural-heritage/aboriginal-heritage-act-2006>

or by telephoning 1300 366 356.

