

NSW Heritage Grants

2021-23 Emergency Works Guidelines



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Published by:

Department of Premier and Cabinet
52 Martin Place, Sydney NSW 2000
GPO Box 5341, Sydney NSW
2001
Phone: +61 2 9873 8500 (Heritage Customer Service)
TTY users: phone 133 677, then ask for 131 555
Speak and listen users: phone 1300 555 727, then ask for
131 555 Email: heritage@environment.nsw.gov.au
Website: <https://www.heritage.nsw.gov.au/grants/>

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Cover photographs of *Ewbank Singleton Truck Crash* courtesy of Lisa Redmond

1 How to use these Guidelines

These guidelines provide an overview of the Department of Premier and Cabinet (DPC) Emergency Works heritage grant funding, including what is eligible for funding and who may apply. They outline how applications will be assessed and what to expect if you are awarded funding. Words in **bold** are defined in the glossary at the end of this document.

Who to Contact for Assistance	
Heritage Grants Team	Customer Strategies
Information on grants or assistance in completing an application	Advice on any exemptions or approvals needed under the <i>NSW Heritage Act 1977</i> or permits under the <i>National Parks and Wildlife Act 1974</i>
Telephone: 02 9873 8577 Email: heritage.grants@environment.nsw.gov.au Web: https://www.heritage.nsw.gov.au/grants/	Telephone: 02 9873 8500 Email: HERITAGEmailbox@environment.nsw.gov.au Web: https://www.heritage.nsw.gov.au/applications/

2 Objectives

The NSW Government is committed to ensuring that our heritage is valued, protected, and enjoyed.

Emergency Works funding is:

- available only for declared **Aboriginal Places**, items listed on the **State Heritage Register**, or items with a current **Interim Heritage Order**, and
- to repair damage to the heritage values or protect against further damage to those values caused by unexpected events such as an extreme storm or accident,
- aims to improve the condition of heritage items and mitigate the risk of further damage.

See clause 4 for full eligibility criteria and clause 7 to determine if your item or place fits into an eligible category.

3 Funding

Between \$1,000 (ex GST) minimum up to \$10,000 (ex GST) maximum in Emergency Works funding is available with no matching funding required. Each listed item can only receive Emergency Works funding once for each unexpected event.

Funding is available on an ongoing basis; however limited funding is available each financial year. Approval of funding depends on sufficient funds being available at any given time.

Note: DPC reserves the right to consider exceptional circumstances. Contact the Heritage Grants Team to discuss prior to applying.

4 Eligibility criteria

4.1 To be eligible for Emergency Works funding the applicant must:

- a) be an individual, Aboriginal custodian, community organisation, NSW Local Council, Not for Profit Organisation, Religious organisation, private company or university
- b) be the owner, manager, long-term lessee (generally where the lease is 20+ years), or custodian of an item or place within NSW that is gazetted as an Aboriginal Place, listed on the State Heritage Register or has a current Interim Heritage Order
- c) have legal responsibility for the item or place's maintenance and repair
- d) have the support of all owners of the item/place if not the sole owner
- d) not have acquired or leased the item from a NSW government agency in the last two years and
- e) not have entered into a conservation agreement in the last two years.

4.2 Emergency Works funding can only be used:

- a) to address an issue within the boundary of an Aboriginal Place, [curtilage](#) of a State Heritage Register-listed item or to an item with an Interim Heritage Order, that has been caused by an unexpected event
- b) for works that are not covered by the applicant's/owner's insurance and
- c) for works that have a heritage benefit such as protecting or repairing the parts of an item or place with heritage significance.

4.3 In addition, note on financial capacity:

An applicant's capacity to fund the project independently may be considered when reviewing eligibility.

Note: DPC reserves the right to consider exceptional circumstances if the eligibility criteria are not fully met. Contact the Heritage Grants Team to discuss prior to applying.

4.4 Examples of eligible works:

- Repairing damage caused by vandalism at an Aboriginal Place
- Repair of damage to item caused by a traffic accident, for example a vehicle ran into and damaged an Aboriginal Place or State Heritage Register listed property
- Short term protection, for example propping and providing tarpaulins to protect a State Heritage Register listed building that has been damaged following an extreme storm
- Removal of an item causing damage, for example removal of a tree or electrical wires that have fallen during a storm
- Temporary relocation of a movable item, for example to move an archival or museum collection as its usual location has been inundated by flood waters

4.5 Right to make changes:

DPC reserves the right, as its sole and absolute discretion and at any time, to change the eligibility and selection criteria for this program. Current eligibility and selection criteria are described by this document.

5 Ineligibility

The following are considered ineligible:

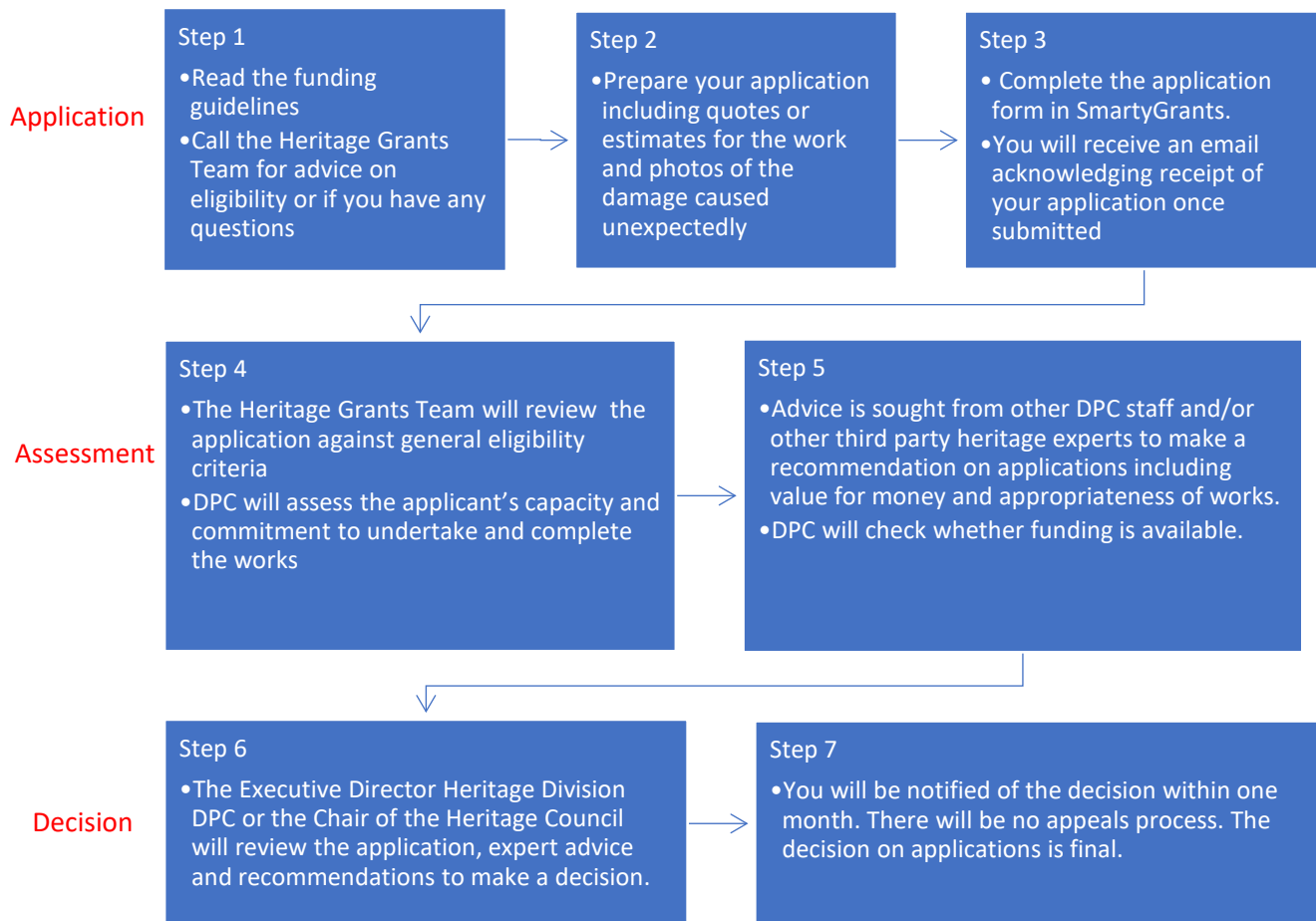
- a) damage or issues that have resulted from standard wear and tear
- b) routine maintenance/replacement
- c) construction, relocation or purchase of items
- d) purchase of equipment
- e) project management by salaried officers as either voluntary or cash contributions
- f) multiple applications for the same emergency event per item/place
- g) projects completed before submission of application
- h) items owned and managed by a State or Federal Government Agency
- i) projects where the applicant is deemed not to have capacity or commitment to undertake the project (which may take into consideration outcomes from any previous funding)

State and Federal Government Agencies are not eligible to apply for an Emergency Works grant.

6 Application, Assessment and Decision Process

Applications can be submitted at any time through our website at:

<https://www.heritage.nsw.gov.au/grants/applying-for-a-grant/>. This web page will take you to the SmartyGrants online grants management system. You will need to register online if you have not used SmartyGrants previously.

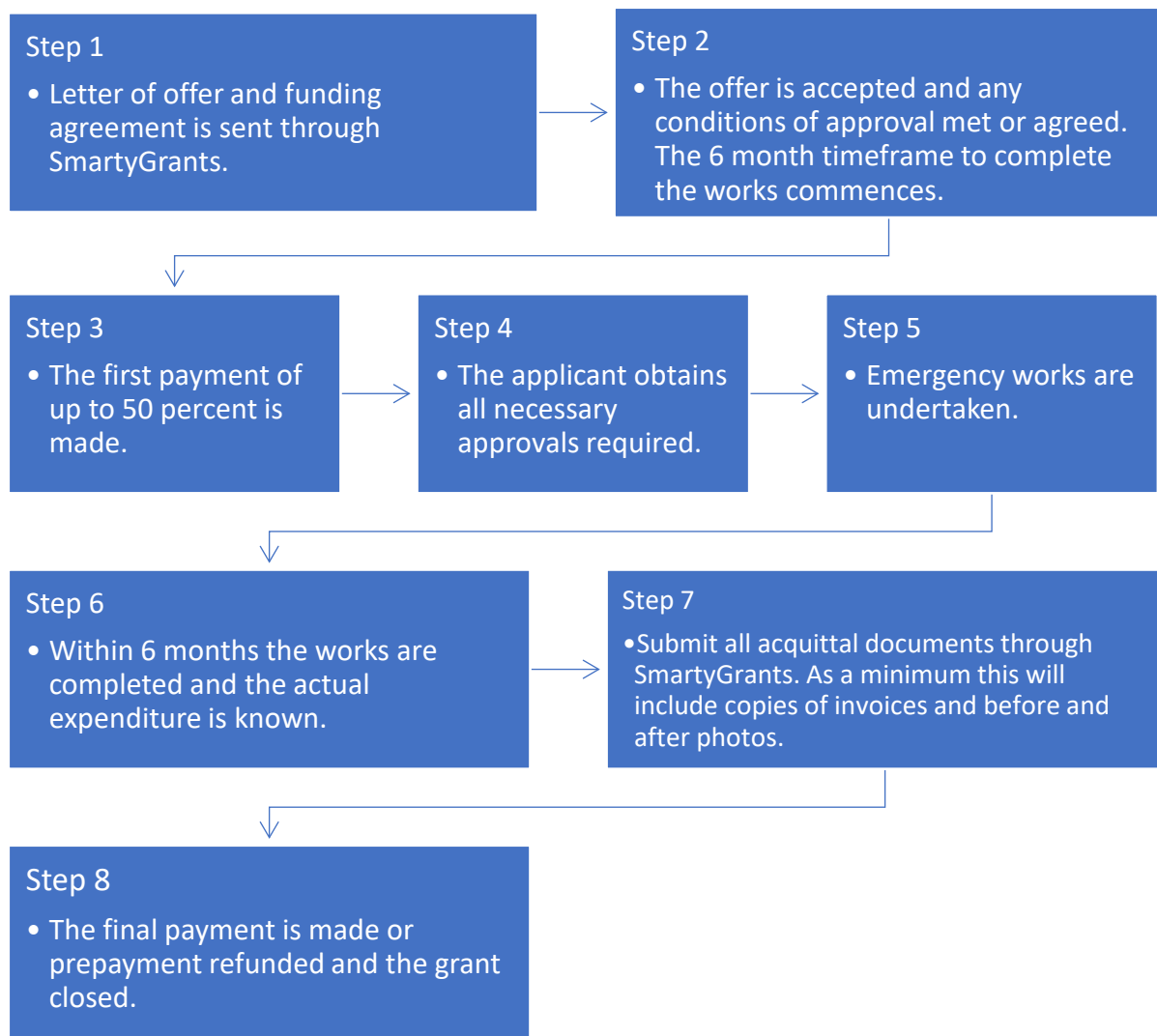


6.1 Successful Applicants

Successful applicants will be required to sign a funding agreement which specifies the terms and conditions for grant payments. By signing the agreement applicants agree to the following conditions:

- The grantee is responsible for seeking advice on any tax implications of the grant funding from their accountants or the Australian Tax Office before accepting any funding
- DPC will provide up to 50 percent of the funds on signing of the funding agreement.
- The remaining funds will be paid retrospectively once evidence of the completed works has been submitted and a figure for actual expenses is known.
- The grantee is responsible for obtaining the appropriate [permits and approvals](#) under the *Heritage Act 1977* and/or Aboriginal Heritage Impact Permits under the *National Parks and Wildlife Act 1974* before commencing works. See clause 8 for more details about permits, approvals and exemptions
- The grantee is responsible for compliance with any Local Council planning and building requirements.
- Work is to be undertaken under the supervision of a suitably qualified heritage specialist
- The names of successful applicants, details of works and amount of funding provided will be made public.
- The works will be expected to be completed within six months.

6.2 Undertaking the work



7 How to determine if the item is on the State Heritage Register or gazetted as an Aboriginal Place

State Heritage Register

Heritage items have varying levels of classification and significance. The majority of heritage items are **locally significant** and are listed on **Local Environmental Plans** which are managed by local government. Items that are **state significant** have been nominated and assessed by the **Heritage Council of NSW** and are listed on the State Heritage Register by the Minister.

Interim Heritage Orders

Interim Heritage Orders (IHO) protect items (places and objects) potentially of heritage significance that are under immediate threat. They are made by the Minister and provide up to 12 months where the item cannot be harmed while an in-depth heritage assessment is carried out for listing on an appropriate register

Aboriginal Places

Places of special cultural significance to Aboriginal people may be declared as an Aboriginal Places under the *National Parks and Wildlife Act 1974*. Aboriginal Places are declared by the Minister and recognise and protect Aboriginal cultural heritage sites.

Only items declared as Aboriginal Places, of state significance on the State Heritage Register, or those with an Interim Heritage Order, are eligible for Emergency Works funding. Contact your local council for assistance with locally significant items.

You can search the State Heritage Inventory on the Heritage NSW website at <https://www.heritage.nsw.gov.au/search-for-heritage/state-heritage-inventory/> to see if an item or place is an Aboriginal Place, has an Interim Heritage Order or is on the State Heritage Register. Some items are both an Aboriginal Place and on the State Heritage Register.

If you are unsure about whether an item or place is a gazetted Aboriginal Place, listed on the State Heritage Register or has an Interim Heritage Order, contact the Grants Team on 9873 8577 for assistance.

8. Permits, Approvals and Exemptions

You should consider whether the works meet the criteria for a standard exemption or whether you need to apply for approval or permit under Acts such as the *National Parks and Wildlife Act 1974* (Aboriginal Heritage) or *Heritage Act 1977* (if listed on the SHR). These approval processes are separate to the grant process and will require additional time.

More information is available at our website at:

<i>National Parks and Wildlife Act 1974</i>	Aboriginal Places and objects https://www.heritage.nsw.gov.au/applications/aboriginal-objects-and-places/
<i>Heritage Act 1977</i>	State Heritage Register items Historical archaeology https://www.heritage.nsw.gov.au/applications/

Alternatively, please contact us:

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Web: https://www.heritage.nsw.gov.au/grants/	Web: https://www.heritage.nsw.gov.au/applications/

9 Glossary

Aboriginal Place	An Aboriginal Place is a place declared under the <i>National Parks and Wildlife Act 1974</i> by the Minister due to its special significance to Aboriginal culture
Applicant	An individual, organisation, community group, trustee or a NSW Local Council who is responsible for the State Heritage Register listed item. If the applicant is successful, they are referred to as the Grantee once the funding agreement has been signed.
Curtilage	The area of land (including land covered by water) surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance.
Emergency Works	A serious, unexpected, and potentially dangerous situation requiring urgent and immediate action in order to avoid further harm or damage to the heritage values.
Interim Heritage Order	Interim heritage orders are made by the Minister on the recommendation of the Heritage Council, or by local councils under delegation. The purpose of an interim heritage order is to provide a "breathing space" of no more than 12 months during which a full heritage assessment can be completed. Temporary in nature, the majority of interim heritage orders are made in response to community representations or concerns raised by local government.
Locally Significant	The item has significance to a particular place, community, district, region or area, but it does not have whole-of-state significance – see 4A of Part 1 of the <i>Heritage Act 1977</i> .
State Significant	The item is of significance to the whole of the state of New South Wales, but it does not have national significance – see 4A of Part 1 of the <i>Heritage Act 1977</i> .
State Heritage Register	A register of items kept by the Heritage Council of NSW. Items can only be listed or removed from the State Heritage Register at the direction of the Minister for Heritage.