



Development Guidelines

ROCKY HILLS PROBATION STATION and ROAD STATION

The Rocky Hills Road Station (1833-1839) was established with the intention of using forced labour to construct and improve the road in the vicinity of Rocky Hills which gave access from Hobart to the East Coast. When the Probation System was introduced into Tasmania the road station was initially adapted as a probation station and then provided accommodation for the convicts constructing the new Probation Station (1841-1847). The Rocky Hills Probation Station was established in 1841 with the intention of using forced labour to continue the construction and maintenance of roads and bridges in the vicinity.

The site of the Rocky Hills Probation Station and Road Station is entered in the Tasmanian Heritage Register primarily for its ability to demonstrate aspects of the development and operation of the probation system for managing convicts, and for the archaeological potential of the remaining surface and subsurface features and cultural deposits on the site to increase our understanding of Tasmania's penal system and the lives of those who lived under it.

The registration includes 13 separate land parcels under private and public ownership. The intent of the single consolidated registration for the site is to ensure a holistic approach is taken to acknowledge and manage the heritage significance of the site despite the diversity of ownership and land uses.

This document should be read in conjunction with the Tasmanian Heritage Register datasheet for the Rocky Hills Probation Station and Road Station.

The guidelines are not to be applied retrospectively to any existing development.

HERITAGE MANAGEMENT OBJECTIVES

These guidelines aim to help property owners understand how best to conserve the heritage values of their properties whilst allowing for appropriate land use and development that will ensure the viability and sustainability of these properties into the future.

The heritage management objectives for the Rocky Hills Probation Station and Road Station site are to:

- a) preserve the relatively **intact historical setting** of the site as a small hillside settlement overlooking Great Oyster Bay and surrounded by cleared farmland and timbered ridge tops;
- b) retain the **intact and in-use historical buildings and structures** through encouraging appropriate and sustainable uses and permitting appropriate degrees of change to facilitate this;
- c) minimise the decline and loss of **redundant historical buildings and structures**, through encouraging appropriate maintenance;
- d) minimise the decline and loss of **significant fabric** - being any part of a building, subsurface feature or cultural deposit that dates from the convict use of the site and the period immediately following closure as a convict settlement up to World War I; and
- e) increase our understanding of Tasmania's penal system and the lives of those who lived under it through appropriate archaeological investigation and recording of the remnant fabric including artefacts.

Managing the archaeology of the Probation Station Site

The surface and subsurface features and cultural deposits of the Rocky Hills Probation Station and Road Station form an extensive convict site, with the road station being one of the best preserved road station sites in Tasmania.

It includes the remains of numerous former buildings and structures associated with the convict development and operation of the probation station. It is likely that there may also be objects left behind by people who lived and worked at the probation station. These materials are important because:

- they are part of this very important historic site; and
- they can be investigated and analysed to provide new knowledge about the past.

The ability of archaeologists to observe and record these remains in an undisturbed state is vital to enabling them to work out what happened and how people worked and lived.

Some elements of the probation station have been recorded, but no archaeological excavations have been undertaken. Significant archaeological work could be done, with the potential to uncover more subsurface features and cultural deposits.

Heritage listing of the site will protect significant surface and subsurface features and cultural deposits, including those we know of and those not yet identified.

Who protects archaeology?

The property owners are the custodians of the archaeological remains on their land that are associated with the probation station.

The datasheet for the Rocky Hills Probation Station and Road Station has identified a range of significant surface and subsurface features and cultural deposits (F.1 to F.47 at Appendix C of the datasheet), and areas of high to low archaeological potential.

By sharing this information owners can better understand the values on their land and their

role as custodians in protecting those values for current and future generations.

If and when more archaeological information becomes available, this will be incorporated in the datasheet in the form of an archaeological site record. This record will be an important asset for all owners to guide future development opportunities.

WORKS APPROVAL PROCESS

Under Part 6 of the *Historic Cultural Heritage Act 1995*, approval from the Tasmanian Heritage Council is required for any works to a place entered on the Tasmanian Heritage Register. Approval may be in the form of a certificate of exemption or a permit.

Where your proposed works are minor and won't affect the significance of the place, the Heritage Council may provide you with a certificate of exemption so you do not need to submit a development application. Please contact Heritage Tasmania to check whether your works would be exempt.

If you do not have a certificate of exemption from the Heritage Council, you will need to lodge a development application with your local council. Your local council will forward your application to the Heritage Council to assess any impacts on the historic heritage values of the place.

How long before I receive a decision?

The development application process may take up to 42 days from the date it is lodged with the local council. If you do not provide enough information with your application, it may take longer. Please contact Heritage Tasmania to check what information you need to lodge with your application.

Are there any penalties for not abiding by the Act? Yes. However the Heritage Council tries to work proactively with owners to resolve issues through discussion and mediation, rather than by conflict, objection and using penalties.

DEVELOPMENT GUIDELINES

Seek advice and discuss your plans early

In support of the Tasmanian Heritage Council, Heritage Tasmania provides a free heritage advisory service to the owners of registered properties. They cannot design or draw up your building plans, but they can advise:

- whether a certificate of exemption may be issued for your proposed works or whether a development application will need to be lodged;
- what sort of heritage works might fulfil your needs whilst avoiding or minimising heritage impacts – thus maximising the likelihood of your getting an approval;
- whether the Heritage Council is likely to have concerns about the proposed heritage works, and what you might be able to do to avoid or address those concerns, including clarifying where archaeological investigation may be required;
- on general solutions for developing, conserving and maintaining heritage properties including dealing with common maintenance problems.

The best use of this advisory service can be made by contacting a Heritage Advisor at an early stage, when you have a reasonable idea of what you want to build, modify or remove, but before you have building plans drawn up or obtain quotes for the work.

Where any doubt exists as to whether works may require an approval, or actions are proposed at the property that may result in an impact, the advice of a Heritage Advisor should be sought as soon as possible.

Demolition or removal works

- 1) Demolition of convict-period or pre-1918 fabric that forms all or part of a significant building, surface or subsurface feature or cultural deposit will generally require approval through a development application. Demolition should be avoided where practicable; and will only be approved in circumstances such as where it is required:
 - for major repairs or reconstruction;
 - or

- to provide a connection to an approved addition or extension; or
- to provide for an appropriate ongoing use.

The Heritage Council may want to discuss what alternatives you have considered ahead of demolition.

- 2) Demolition or removal of any building, structure or landscape element that originates entirely from the post-1918 period will generally be issued with a certificate of exemption, but this should be confirmed by a Heritage Advisor prior to proceeding.
- 3) Demolition or removal of any post-1918 fabric that forms part of a significant building, surface or subsurface feature or cultural deposit will generally be permissible, but should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged.
- 4) Demolition or removal of fabric for which the date and origin is unclear should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged.

Works to significant buildings and structures

Relevant to all buildings and structures identified within the list of historic features F.1 to F.47 in Appendix C of the datasheet.

- 5) A certificate of exemption will be issued for maintenance work including routine minor repairs and/or the replacement of damaged fabric on a like-for-like basis (ie matching the original appearance, design, detailing, materials and construction or fixing methods).
- 6) Major repairs or conservation works, such as replacing roofing, rebuilding a wall, replacing a floor, re-plastering an exterior, should be discussed with a Heritage Advisor before proceeding to ascertain

whether a certificate of exemption may be issued or a development application will need to be lodged, dependent on the extent and nature of the works and the degree to which convict-period or pre-1918 fabric is affected.

- 7) Alterations or modifications to convict-period or pre-1918 fabric should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged. The approval of any alterations will generally be dependent on the degree to which the proposed alterations or modifications satisfy the heritage management objectives (on page 1). Alterations and modifications that are capable of being easily reversed will be more likely to be approved than those where the change will be permanent. Acceptable modifications may include those that:
 - a) address an ongoing conservation issue or threat to the building such as installing damp proof courses, improving drainage around a building, replacing decayed timbers with treated timber, installing subfloor ventilation in exterior walls, etc;
 - b) address an inability to replace the original fabric on a like-for-like basis as the original material is no longer readily available at a reasonable cost;
 - c) address a deficiency in the original design such as a need for additional roof bracing, damp proof coursing or downpipes;
 - d) are required to comply with statutory codes and industry standards in respect of issues such as health and safety, disability access, fire egress, ventilation, etc.
 - e) provide 'fair and reasonable amenity' that will help the sustainable ongoing use of a place such as converting a bedroom into a bathroom or kitchen; creating a new doorway to improve circulation; a window or skylight to provide light or ventilation to a room without a window, etc.
- 8) Additions should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged. The approval of any additions will generally be dependent on the degree to which the proposed additions satisfy the heritage management objectives (page 1), The following principles may assist you:
 - a) additions should generally not be made off any primary facade or prominent public elevation to the building, but be discretely positioned to the rear or side away from public view;
 - f) for relatively small additions (eg a single room) the best solutions are frequently either where the form and construction matches the original and looks like it may have been an original part of the building, or where the form and construction is lightweight and transparent and could be easily removed with the building returning to its previous appearance;
 - g) for larger additions (eg three or more rooms or a large open plan area) the best solutions are generally where the additions are designed as a separate building pavilion that is connected "lightly" to the original building such as by a short corridor or breezeway. Considerations for large additions are similar to those for a new building – refer 18.
- 9) Internal works should generally seek to minimise the demolition, removal or alteration of any convict-period or pre-1918 fabric. Some degree of change to support ongoing sustainable use may be acceptable in situations where there are no reasonable alternatives. Works that involve any substantive changes to convict and pre-1918 fabric should be discussed with a Heritage before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged.

- 10) A certificate of exemption may be issued for internal works that do not necessitate any structural changes to convict and pre-1918 fabric, such as are likely with the installation of new kitchens, bathrooms, electrical and plumbing services.
- 11) A certificate of exemption will be issued for alterations or modifications to any post-1918 fabric, external or internal.
- 12) Where practicable, alteration and addition works should generally be reversible – so that they can be removed, modified or replaced at some future date to suit new needs or owners.

Works to non-significant buildings and structures

Relevant to all buildings and structures that are NOT identified within the list of historic features F.1 to F.47 in Appendix C of the datasheet, including the house at 12017 Tasman Highway, the workshed at 11923 Tasman Highway, and any other 20th century outbuildings and structures within the registered area.

- 13) All demolition and removal, external and internal alterations, internal works, maintenance works and repairs can be completed with a certificate of exemption, unless the works are in a zone of moderate or high archaeological potential (refer Appendix D of the datasheet) – in which case the works should be discussed with a Heritage Advisor as a development application may need to be lodged;
- 14) A certificate of exemption may be issued for additions to non-significant buildings and structures that are not visible from the public domain, unless the works are in a zone of moderate or high archaeological potential (refer Appendix D of the datasheet) – in which case the works should be discussed with a Heritage Advisor as a development application may need to be lodged.
- f) Additions to non-significant buildings that are visible from the public domain should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a

development application will need to be lodged. The approval or exemption will generally be dependent on the degree to which the proposed additions satisfy heritage management objective (a) To preserve the relatively intact historical setting of the site as a small hillside settlement overlooking Great Oyster Bay and surrounded by cleared farmland and timbered ridge tops;

- 15) . Considerations for additions are similar to those for a new building – refer to point (17) below.

New buildings

- 16) The following new construction should be discussed with a Heritage Advisor before lodging a development application as an approval certificate of exemption may be issued if:
 - a) the proposed building is less than 10m² in area (eg a small shed or outbuilding) and is not visible from the public domain;
 - b) the proposed building is a temporary or transportable unit that will be on site for less than 4 months (eg a construction shed or transportable shearing shed);
 - c) the proposed building is greater than 10m² in area AND is not visible from the public domain, AND is located on a property that does not contain any significant features F.1 to F.47 (see Appendix C of the datasheet).
- 17) All other new building construction and should be discussed with a Heritage Advisor prior to proceeding.
- 18) The approval of any new construction will generally be dependent on the degree to which the proposed additions meet the heritage management objectives (page 1). The following principles may assist you:
 - a) where possible any new construction should be situated out of view of the public domain or where it is not visually prominent from the public domain, and should avoid being:
 - on the skyline overlooking the site;

- directly between the Rocky Hills Road and any significant buildings or standing ruins, ie be situated behind or to the side of any significant buildings in views from the public domain.

NOTE 1: The Heritage Council may want to discuss what alternatives you have considered ahead of new construction within a key viewscape.

NOTE 2: This guideline does not apply if there are no alternatives within a given property to developing within the key viewscales. For example, the owners of the currently undeveloped property of Title 242749/2 - 12003 Tasman Highway, Rocky Hills shall be able to construct a dwelling or undertake similar development as appropriate subject to compliance with the other guidelines; the owners of Title 45257/1 - 'TIRZAH' - 12017 Tasman Highway, Rocky Hills shall be able to undertake a development that alters, adds to, or entirely replaces the existing post-convict period development subject to compliance with the other guidelines.

- b) Any new construction should be subservient to the visual prominence of the significant buildings and where possible:

- avoid being a singular large form that is substantially greater than the significant buildings anywhere on the site – any new large buildings should generally adopt a broken up roof and wall form that has the appearance of a group of buildings; and
- adopt a low-lying form, that is not taller than any nearby significant buildings and is generally not taller than a single storey plus attic configuration; and
- adopt a design style, construction and exterior colour scheme that complements the visual character of the significant buildings and the agricultural context and setting, ie either adopt a Georgian-style hip-roofed masonry form with tall and

narrow windows (most appropriate if in close proximity to a significant building of that appearance) or adopt an agricultural or industrial farm building style through a composition of hip, gable or skillion roof forms and exterior claddings of timber, steel and glass (more appropriate if situated some distance away from significant buildings); and

- avoid highly reflective exterior surfaces or brightly-coloured exteriors other than traditional 19th century colour schemes; and
- utilise plantings of shrubs or trees to reduce the visibility of the new building from the public domain, or enable it to better blend into the overall landscape of the site;
- avoid looking like a modern (eg brick-veneer) suburban house as this is inconsistent with the historic character and rural setting of the site, as are common suburban details such as incorporating the garage under the same roof form as the house proper.

Works that may disturb archaeological features or areas of archaeological sensitivity ground

19) Any works that require excavation of the ground surface within an area of high or moderate archaeological potential should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged. See Appendix D of the datasheet, for maps showing significant features and archaeological potential.

20) Where the works are considered likely to disturb significant surface or subsurface features or cultural deposits you may be requested to provide additional information to assess any impacts of the works on heritage values. Normally, the requested information will take the form of a Statement of Archaeological Potential completed by a qualified historical archaeologist.

- 21) If it is clear that the works may affect archaeological values, the works may be approved with conditions, such as relocation, monitoring building works, undertaking a test excavation or a controlled archaeological investigation. A Heritage Advisor can provide advice on such matters.
- 22) Structural remains or artefacts uncovered during works must be reported to Heritage Tasmania.
- 23) Any works within the listed boundary on your property must be managed in accordance with Practice Note No 2, Version 4: November 2014 *Managing Historical Archaeological Significance in the Works Application Process*, which is available from our website.
- Roads and landform works**
- 24) The following types of work should be discussed with a Heritage Advisor before lodging an application as it may be possible to issue a certificate of exemption if:
- new roadworks (including bridgeworks, culverts, signage, barriers and guideposts) that are unlikely to impact upon significant surface or subsurface features or cultural deposits or areas of high archaeological potential;
 - new driveways, parking, retaining walls and paving areas that are unlikely to impact upon significant surface or subsurface features or cultural deposits or areas of high archaeological potential;
 - the modification, upgrading or replacement of existing road or landscape elements as above, which is unlikely to impact upon any significant building fabric, surface or subsurface features or cultural deposits or areas of high archaeological potential
- 25) A development application must be lodged for any substantial excavation works within areas of high archaeological potential, such as the construction of road cuttings, drainage or service trenches, swimming pools, stock dams, etc.
- 26) A development application must be lodged for any works to fill-in an excavated historical feature such as a well, the ruins or the quarry.
- 27) The approval of any road and landscaping works will generally be dependent on the degree to which the proposed additions meet the heritage management objectives (on page 1). The following principles may assist you:
- the alignment or location of the work should avoid disturbance of significant surface or subsurface features or areas of high and moderate archaeological potential, or seek to minimise disturbance where it is unavoidable;
 - the works should be situated, designed and built so as to avoid:
 - detracting from the visual setting of any significant buildings or standing ruins when viewed from the public domain;
 - avoid or minimise any physical impact upon significant buildings or standing ruins;
 - avoid or minimise any physical impact upon surface or subsurface features or cultural deposits. Works should generally be reversible – so that they can be removed, modified or replaced at some future date to suit new needs or owners.
- Domestic landscaping**
- 28) A certificate of exemption will be issued for general gardening activity in areas and to depths already in cultivation, including establishment of gardenbeds or cropping areas, individual tree or orchard planting of species that will not grow taller than 6m, terracing, decks, paving and the construction of freestanding garden structures or small lightweight garden sheds.
- 29) For domestic landscaping within areas of high archaeological potential approval in the form of either a certificate of

exemption or a permit is required where there will be excavation or disturbance of the ground surface below the depth already in cultivation (for example when establishing a new garden plot). A certificate of exemption may be issued where the excavation will only disturb areas known to be highly disturbed by previous works or where the proposed garden plots are so designed as to avoid disturbance to any cultural deposits (eg raised garden beds).

- 30) A development application must be lodged for any large scale tree plantings which may impact upon surface or subsurface features or cultural deposits or the landscape setting of the site, and including tree plantings that are outside of the immediate garden setting of the dwellings across the site.

Developing land for forestry, agricultural and pastoral purposes

- 31) The planting of private forestry areas within the site is prohibited as it would severely impact upon the historical landscape setting of the settlement.
- 32) A certificate of exemption will be issued for agricultural or pastoral activities (including orcharding, cropping, ploughing/harrowing, irrigating, farm track work, running heavy machinery, slashing, clearing, tree felling, and fencing) in areas away from significant surface or subsurface features or cultural deposits or areas of high to medium archaeological potential.
- 33) Agricultural or pastoral activities as above within areas of low archaeological potential should be discussed with a Heritage Advisor in the planning phase as it may be possible to exempt it from approval issue a certificate of exemption, dependent on the risk of disturbance they pose to any surface or subsurface features or cultural deposits.
- 34) The construction of minor structures associated with agricultural and pastoral use such as tanks, pumphouses, windmills, haystores and sheds will generally require approval in the form of either a certificate of exemption or permit (dependent upon

their size, visibility, proximity to significant surface or subsurface features or cultural deposits or areas of archaeological potential).

Undertaking conservation and interpretation works

- 35) Any conservation and interpretation works, ranging from substantial reconstruction works such as the rebuilding of a partially intact or lost structure to the erection of interpretation display signs or creation of heritage walking trails should be discussed with a Heritage Advisor should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged. The approval of any new construction will generally be dependent on the degree to which the proposed additions meet the heritage management objectives (on page 1).

In-ground services

- 36) The installation of in-ground services such as electricity, water, cables (IT or telephone), gas, plumbing, sewerage etc, using existing service trenches or not extending beyond their original form will be issued a certificate of exemption.
- 37) Any new trenches within areas of archaeological potential, or where existing trenches are to be extended beyond their original form, should be discussed with a Heritage Advisor before proceeding to ascertain whether a certificate of exemption may be issued or a development application will need to be lodged.

Subdivision and consolidation of titles

- 38) A certificate of exemption will be issued for consolidation of existing titles.
- 39) A development application will need to be lodged for subdivision of titles, as subdivision risks creating an expectation that any newly-created block can be built upon and subdivision will generally not be permitted in locations where a built development of any sort would be

considered to impact upon the setting of the Probation Station site.

Maintenance obligations upon owners

- 40) All owners are encouraged to retain and maintain in a structurally sound and weather-tight condition any significant buildings on their property which are in active use or have a reasonable potential to be actively used on an ongoing basis.
- 41) Where buildings and structures are not in active ongoing use, owners are encouraged to make fair and reasonable attempts to stabilise and prevent the collapse of the building or structure, and prevent any substantial loss of significant fabric. The individual circumstances of an owner may affect their ability to do this, and owners should write to the Heritage Council if there are circumstances beyond their control that are affecting their ability to undertake such maintenance.
- 42) In respect of visible archaeological features including standing ruins and surface features, owners are encouraged to minimise the degradation of these sites by:
 - a) managing any vegetation in close proximity through action such as spraying or removing invasive plants, lopping or removal of trees, etc;
 - b) managing any animals that pose a threat by fencing or trapping, etc;
 - c) reducing human impacts such as vehicle or foot traffic by fencing or screen planting.
- 43) Owners are encouraged to make attempts to stabilise standing ruins with appropriate supporting structures and seek advice from Heritage Advisors or other professionals as appropriate.

For further information contact

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