

Development Guidelines

YORK TOWN SETTLEMENT SITE

York Town is the site of the first colonial settlement in Northern Tasmania and is one of the earliest settlement sites in Australia. It was occupied from 1804 to 1808 and since then the landscape has remained largely undeveloped, occupied by gardens, orchards and associated dwellings.

Extensive archaeological remains of the first settlement survive across the site with the potential to provide information on the lives of convicts, settlers and the military in early 19th century Australia.

The site has been provisionally entered in the Tasmanian Heritage Register because it is a rare representative example of an early founding settlement site. The heritage values of the site include the archaeological remains and the significant landscape characteristics of the place.

The area entered in the Heritage Register includes private land, and land owned or managed by the West Tamar Council and the State Government.

The listing protects:

- the landscape character of the settlement and visual links between key features of the site; and
- archaeological remains, including those which are visible in the ground surface and those which survive below ground and may not be visible.

These guidelines aim to help property owners understand how best to conserve and enhance the heritage values of their property. It should be read in conjunction with the Tasmanian Heritage Register datasheet for York Town Settlement Site.



Yorktown, Port Dalrymple, Van Diemens Land, 1808 by GP Harris, copied by J W Lewin 1809 (MITCHELL LIBRARY, STATE LIBRARY OF NEW SOUTH WALES)

THE ARCHAEOLOGY OF YORK TOWN

Archaeological remains are scattered across the York Town settlement site and include the remains of former buildings and objects left behind by people who have lived and worked in the area. These materials are important because:

- 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 value of any archaeological remains in the site will depend on how intact they are. *Protecting those values depends on not disturbing any archaeological remains.* 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 lived.

The attached map shows our current understanding of where the archaeological remains of the settlement site are.

Most recently, archaeological excavations were undertaken by Latrobe University and the West Tamar Historical Society from 2005 to 2007. These excavations have revealed building footings and shown that materials, such as glass and crockery, lost or discarded by the occupants of these buildings survive across the site.

More archaeological work could be done throughout the site, with the potential to uncover more archaeological remains.

Heritage listing of the site protects all archaeological remains, including those we know of and those not yet identified.



Archaeological excavations at York Town, 2006.
Photo: Heritage Tasmania



York Town Settlement Site. Photo: Heritage Tasmania

Who protects archaeology?

Protecting the site's archaeology is a shared responsibility:

- the West Tamar Council and the Parks and Wildlife Service are responsible for managing the archaeology of public areas in the settlement site; and
- the owners of private property are the custodians of the archaeological remains on their land for current and future generations. The York Town Settlement Site datasheet aims to ensure as much of the information held as possible is shared with all owners so that they can better understand and protect the site.

Using the archaeological information already available, the Parks and Wildlife Service and Heritage Tasmania will create an archaeological site record. This record will be an important asset for all owners and can be used to guide future development. It will also be an important tool for archaeologists to help identify priority areas and research questions for further investigation and provide a sound basis for determining the significance of new discoveries.

If and when more archaeological information becomes available the site record will be updated.

DEVELOPMENT GUIDELINES

What do I need to do to manage archaeology on my property?

- Owners are encouraged to discuss proposed works with Heritage Tasmania prior to seeking approval for works. This will help determine whether you need to complete a development application or a certificate of exemption may be issued (see Works Approval Process, page 4).
- These discussions can also assist you in understanding whether additional information is required to assess any impacts of the works on heritage values. Normally, this would take the form of a 'Statement of Archaeological Potential' completed by a qualified historical archaeologist. Please contact Heritage Tasmania for more information.
- Depending on the outcomes of discussions and further archaeological work, a certificate of exemption may be issued if it is clear the works will have no impact on archaeological values.
- If it is clear that the works may affect archaeological values, the works may be approved with conditions, such as redesign, relocation, monitoring building works, undertaking a test excavation or a controlled archaeological investigation. Heritage Tasmania can provide advice and support on such matters.
- Any works on your property must be managed in accordance with Practice Note No 2, version 2: revised May 2006 *Managing Historical Archaeological Significance in the Works Application Process*, which is available from our website.
- Structural remains or artefacts uncovered during works must be reported to Heritage Tasmania.

Maintenance: A certificate of exemption can be provided for repairs to buildings and structures that involve replacement of like-with-like.

New construction including

additions: Works approval is required where a new building or structure is to be erected or additions are to be made. This includes new buildings, garages, outbuildings or engineered structures. In some cases, a certificate of exemption may be issued. Contact Heritage Tasmania for advice.

New construction needs to be designed and located so as to avoid impact on the significant landscape characteristics of the settlement site.

Every effort should be made to avoid development in areas of archaeological potential. Where it can be demonstrated that there is no alternative to development in those areas, construction should minimise ground disturbance. Measures to minimise impact may include using light weight construction, suspended floors or shallow, raft type footings in construction.

Alterations: A certificate of exemption will be provided for changes to the exterior or interior parts of a building for renovation, refurbishment or to suit changes of use if there is no ground disturbance.

Services: A certificate of exemption will be provided for the installation of in-ground services such as electricity, water, cables (IT or telephone), gas, plumbing, sewerage etc, if existing service trenches are re-used or not extended beyond their original form.

A development application may be required for new trenches, or where existing trenches are to be extended beyond their original form.

Domestic landscaping: This includes general gardening, individual tree planting,

terracing, paving and constructing retaining walls and garden structures. A development application is not required for general gardening activity in areas and to depths already in cultivation, or for creating garden plots that do not disturb the site (eg creating raised beds).

A permit or certificate of exemption 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 possible where the excavation will only disturb areas known to be highly disturbed by previous works, subject to the appraisal of Heritage Tasmania.

Large scale plantings which affect the landscape characteristics of the site or which may impact archaeological remains will require works approval.

Agricultural activities: This includes tree planting, ploughing and cultivation, running heavy machinery, slashing, clearing, tree felling, fencing and dam construction.

A certificate of exemption can be provided for agricultural activities in areas and to depths already in cultivation. A permit or certificate of exemption is required where excavation or disturbance of the ground surface below the depth already in cultivation is required.

Large scale plantings which affect the landscape characteristics of the site or which may impact archaeological remains will require a permit.

Subdivision / consolidation of titles: Consolidation or subdivision of titles will require works approval, either in the form of a certificate of exemption or permit.

Demolition: The demolition of an existing building or structure may be done through a certificate of exemption unless the demolition involves ground disturbance (eg removal of floor slabs or

footings), in which case a development application will be required.

Archaeology: A permit is required for archaeological excavations, bottle collecting and metal detecting that involves any ground disturbance or removal of artefacts. A certificate of exemption may be provided for metal detecting that does not involve ground disturbance.

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.