

# Entering a place in the South Australian Heritage Register



## Nomination for the Register

A nomination of a place can come from the public, individuals, organisations or surveys. A nomination should be accompanied by as much evidence as possible about its significance. You can download a nomination form from the Department for Environment and Water (DEW) website.

## Informal letter

During the nomination's assessment process DEW sends an informal letter of intent to an owner/s so that there is an opportunity for owners to ask any questions they may have regarding entering a place in the Register. After this consultation period, the nomination is considered by the South Australian Heritage Council.

## Provisional entry

If the Council decides to provisionally enter a place in the Register they must give notice to an owner setting out the reasons why the place is considered to be of State heritage significance. The Council must also inform the Minister for Environment and Water and the local council (if the place is within a local council area) and give public notice in a newspaper circulating throughout the State.

## Submissions from owners and public

Anyone who wishes to make a submission either for or against the decision to confirm a provisional entry of a place in the Register must do so within three months of the public notice. The submission must be in writing, and a person making a submission may also request to be heard in person by the Council at a meeting.

The Council must consider all submissions before deciding whether to confirm the entry of a place in the Register.

If the Minister considers that an entry of a place in the Register would not be in the 'public interest', the Minister may direct the Council not to confirm the entry. A provisional entry that has not been confirmed within 12 months must be removed from the Register, unless the Minister grants an extension.

An owner who has made a submission and is not satisfied with the decision of the Council can appeal to the Environment, Resources and Development Court within two months after notice of that decision. The Court may either determine the matter itself or return it to the Council for reconsideration.

## Confirmation of an entry

A provisional entry of a place may be confirmed in the Register after the submission period ends and the Council has considered any submissions. A State Heritage Place is protected under the Heritage Places Act 1993 and Development Act 1993.

## Alteration of an entry

If the Council is of the opinion that the confirmation of a place is no longer justified or that an entry in the Register should be altered, it may take steps to remove all or part of the place from the Register.

## Development of a State Heritage Place

Provisional entry gives a place the same protection as a confirmed entry. Development is regulated by the heritage provisions in the *Development Act 1993*.

Development affecting a State Heritage Place is referred to DEW for comments and recommendations. However, owners are encouraged to contact DEW first to discuss concepts and proposals before spending money on sketches and drafted plans from their architect. Free expert advice is available to owners of State Heritage Places from DEWNR's architects and advisers.

Once the proposed development is worked through satisfactorily with DEW architects, the relevant authority (usually the local council) can then make a decision on the development application.

Inclusion in the Register does not preclude development. The aim is to protect places from adverse changes which detract or destroy important features or elements of the place that contribute to its heritage significance.

Inclusion in the Register does not mean extensions have to exactly match the style of the original. Additions in a contemporary style are often the best option if kept in sympathy with the historic character of the place and compatible with the size, scale, colour and materials of the historic building. In practice this means that such aspects as siting, size, form, scale, colour and materials should be carefully considered in any proposed development.

### More information

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