

SOUTH AUSTRALIAN HERITAGE COUNCIL

PERMIT APPLICATION

Permit issued under
Section 27 - Protection of archaeological artefacts
of the *Heritage Places Act 1993*

SUMMARY OF APPLICATION:

APPLICANT:

TITLE:
(Mr/Mrs/Ms /Dr/Prof)

GIVEN
NAME:

LAST
NAME:

ORGANISATION NAME:
(if applicable)

PROJECT TITLE:

Issued by

Manager, Heritage South Australia, Department for Environment and Water
Delegate of the South Australian Heritage Council

July 2020

PERMIT APPLICATION

To undertake research on a place or object of particular significance or to disturb land potentially containing or known to contain archaeological remains of heritage significance.

1. **Section 27** – a person must not, without a permit from the Council excavate or disturb any land (not designated as a place of archaeological significance) for the purpose of searching for or recovering archaeological artefacts of heritage significance or knowing or having reasonable cause to suspect that the excavation or disturbance will, or is likely to result in, an archaeological artefact of heritage significance being discovered, exposed, moved, damaged or destroyed.

Maximum penalty: \$75 000

2. Two copies of the Permit Application, with the Permit Fee (if applicable), should be sent to:

BY POST:

Senior Heritage Officer
Heritage South Australia
Department for Environment and Water
GPO Box 1047
ADELAIDE SA 5001
Email: DEWNRHeritage@sa.gov.au

IN PERSON:

Senior Heritage Officer
Heritage South Australia
Department for Environment and Water
Level 8, 81-95 Waymouth Street
ADELAIDE SA 5000

APPLICANT DETAILS

TITLE:
(Mr/Mrs/Ms /Dr/Prof)

FIRST
NAME:

LAST
NAME:

ORGANISATION NAME:
(if applicable)

POSTAL ADDRESS:

STREET ADDRESS:
(if different from
above)

E-MAIL ADDRESS:

TELEPHONE:

Business:

Home:

Mobile:

SIGNATURE OF APPLICANT:

DATE:

CONSENT OF OWNER TO THE MAKING OF THIS APPLICATION

Required if the Owner is not the applicant

TITLE: (Mr/Mrs/Ms /Dr/Prof) FIRST NAME: LAST NAME:

ORGANISATION NAME: (if applicable)

POSTAL ADDRESS:

STREET ADDRESS: (if different from above)

E-MAIL ADDRESS:

TELEPHONE: Business: () Home: () Mobile:

SIGNATURE OF OWNER: DATE:/...../.....

SUPERVISOR

The Supervisor must be a person with the appropriate archaeological qualifications, skills, or experience.

TITLE: (Mr/Mrs/Ms /Dr/Prof) FIRST NAME: LAST NAME:

ORGANISATION NAME: (if applicable)

POSTAL ADDRESS:

STREET ADDRESS: (if different from above)

E-MAIL ADDRESS:

TELEPHONE: Business: () Home: () Mobile:

SIGNATURE OF SUPERVISOR: DATE:/...../.....

PLACE OR PROPERTY DETAILS

If the Property is entered in the South Australian Heritage Register as a State Heritage Place:

NAME OF STATE HERITAGE PLACE:

SA HERITAGE REGISTER NO.:

ADDRESS OR LOCATION (include Coordinates and Datum used where appropriate)

OTHER HERITAGE LISTINGS (eg National, Local) if applicable

If the Property is not entered in the SA Heritage Register as a State Heritage Place:

| Parcel Type | Parcel No. | Plan Type | Plan No. | CT | VOL | FOLIO |
|-------------|------------|-----------|----------|----|-----|-------|
| | | | | | | |
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| | | | | | | |
| | | | | | | |

OTHER INFORMATION ¹

| | Yes | No |
|---|--------------------------|--------------------------|
| Is the property within a River Murray Protection Area ? | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the property within a National Park reserve ? | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the property on coastal land ? | <input type="checkbox"/> | <input type="checkbox"/> |
| If the work is on coastal land, will it involve excavation or filling exceeding nine cubic metres in total ? | <input type="checkbox"/> | <input type="checkbox"/> |
| Does the work have the potential to intrude on locations or involve work with cultural significance to Aboriginal communities ? | <input type="checkbox"/> | <input type="checkbox"/> |
| Is the area the subject of a Native Title Claim ? | <input type="checkbox"/> | <input type="checkbox"/> |
| Will the work have a significant impact on native vegetation or wildlife ? | <input type="checkbox"/> | <input type="checkbox"/> |

¹ See General Information

PROJECT DETAILS

PROJECT TITLE:

IS THIS A RENEWAL ?

If so, please provide the the original Permit Number, any outstanding Project Reports as required under the Standard Permit Conditions, and note below any changes to the previous application. If no changes, indicate "As per previous permit".

PROJECT SUMMARY:

NAMES AND CONTACT DETAILS OF ALL PERSONS WHO WILL BE COLLABORATING ON THIS PROJECT AND BRIEF DESCRIPTION OF THEIR ROLE AND/OR ACTIVITIES:

| Name | Role | Contact Details |
|------|------|-----------------|
| | | |
| | | |
| | | |

Research Design:

It is important for archaeological investigations to follow a Research Design to ensure work is organised around significant aspects of a site, artefacts and structures are appropriately managed, and findings are correctly recorded.

1. Your Research Design should include (but may not limited to) the rational behind the investigations, details of work methodology, artefact strategy including recording and management, and project reporting plans.
2. A detailed map of the site and area to be excavated or disturbed must be supplied. Photographs may also help describe the project and proposed works.

This information can be provided as a separate document. Write 'See attached' below if you are submitting a separate project description. See further information in 'Standard Permit Conditions'.

WHAT IS THE EXPECTED DATE OF COMMENCEMENT OF THE EXCAVATION AT THE SITE?

..... / /

WHAT IS THE EXPECTED DATE OF COMPLETION AT THE SITE?

..... / /

| | | | |
|------------------|---------------|--------|-------------------|
| OFFICE USE ONLY: | Application # | File # | Date Received / / |
|------------------|---------------|--------|-------------------|

STANDARD CONDITIONS

1. APPLICATIONS

The Applicant can be a person, an educational institution (eg University) or the owner of the land or place.

Student applications must be endorsed by, and made in the name of, the educational institution and be accompanied by supporting documentation from the Lecturer/Supervisor.

All signatures on the form must be original.

2. SUPERVISION

The Supervisor must be a person with the appropriate archaeological qualifications, skills, or experience.

The Supervisor is responsible for implementation of the research design, and the actions of other persons involved in its execution.

3. RENEWALS

Permits will not be renewed unless the Department for Environment and Water (DEW) has received a satisfactory progress report or until all prior requirements have been met.

4. PERMIT REPORTS

A full report of the results of the work carried out must be submitted within 2 months of the expiration of the Permit.

Upon completion of the work, or the expiration of the Permit, whichever is sooner, a copy of all notes, plans, sections and photographs relating to the work carried out should be lodged with DEW to form an archive in the event that the original notes are accidentally destroyed.

If an account of the research is published, or information circulated, after the standard report has been submitted, the reference details of this material must be lodged with DEW within 2 months of publication or circulation.

If after two years of receipt of the final report the supervisor has not published the material DEWNR reserves the right to publish the findings of the investigation.

5. SPECIMENS AND/OR ARTEFACTS

The number and location of all specimens or artefacts recovered must be supplied.

You will be required to provide details of the disposition of specimens and artefacts recovered. (Note that under the *Heritage Places Act 1993*, specimens or artefacts belong to the Crown).

The number of specimens or artefacts taken must be limited to the number specified in the Permit, or where the number is not stated, to the minimum required for the approved research.

Specimens or artefacts may not be disposed of or exported from South Australia without the written prior consent of the delegate appointed under either the *Heritage Places Act 1993*.

6. ABORIGINAL CONSULTATION

A Permit will cease to have effect upon a determination that Native Title exists in any of the lands or waters covered by the Permit to the extent that such determination affects those lands or waters.

7. MINIMAL IMPACT

The Supervisor should pursue opportunities to minimise project impacts on historic structures and remains. This may include negotiations with project managers or others conducting development work. Where the permit relates to a research excavation, the area should be returned as close as possible to its pre-disturbance state and revegetated as appropriate.

8. CONFIDENTIALITY

A aim of archaeological investigations on places or objects of particular significance is to encourage collaboration and the sharing of knowledge between researchers, the public, the South Australian Heritage Council, and DEW. As part of the process of application review, it may be necessary to consult other Departments or representative groups to help to determine both the impact of the work and how best to minimise any impact.

Permits will respect confidentiality of information that an Applicant or land owner does not want widely distributed. Similarly, DEWNR will distribute progress reports and unpublished data to relevant staff as part of the appraisal process for ongoing projects. Unpublished information will not be used in any way without permission of the Applicants.

9. The Permit may be varied or cancelled, or a condition varied or cancelled, at any time.

GENERAL INFORMATION

1. HERITAGE PLACES ACT 1993

The *Heritage Places Act 1993* protects State Heritage Places designated as a place of geological, palaeontological, speleological or archaeological significance by the South Australian Heritage Council.

This protection extends to archaeological artefacts of heritage significance discovered on any land that has not been so designated, whether or not it is entered in the South Australian Heritage Register. The Act also protects geological, palaeontological or speleological specimens.

A copy of the Act can be found by visiting www.legislation.sa.gov.au/browseActs.aspx and following the links.

2. OTHER LEGISLATION

You may require a permit or approval under other legislation before commencing work. The information below is given as a guide, but it is the responsibility of the Applicant/Permit Holder to ensure compliance with this and any other legislation.

- **HISTORIC SHIPWRECKS ACT 1976 (COMMONWEALTH) AND HISTORIC SHIPWRECKS ACT 1981 (STATE)**

These Acts protect certain shipwrecks and relics of historic significance. The remains of ships 75 years or more are historic shipwrecks, whether they have been discovered or not. The Commonwealth Act applies both within and outside Australia and extends to every external Territory. The State Act applies to waters within the limits of the State or waters adjacent to the State being waters to which the Commonwealth Act does not apply.

A copy of the *Historic Shipwrecks Act 1976* (Commonwealth) can be found by visiting www.comlaw.gov.au and following the links. A copy of the *Historic Shipwrecks Act 1981* (State) can be found by visiting www.legislation.sa.gov.au/browseActs.aspx and following the links.

- **RIVER MURRAY ACT 2003**

If you answered 'Yes' to the question 'Is the property within a River Murray Protection Area' your application will be assessed against the *Objectives for a Healthy River Murray*. Details of these Objectives can be found by visiting www.legislation.sa.gov.au/browseActs.aspx and following the links.

Note: If necessary, a copy of this Permit Application will be sent to the Water group for information.

- **NATIONAL PARKS AND WILDLIFE ACT 1972**

If you answered **Yes** to the question 'Is the property within a National Park' you must have a permit from the DEWNR Science Resource Centre, before commencing work. There is no fee for this permit.

Further information can be obtained by telephone on (08) 8222 9435, by email at DEWNRresearchpermits@sa.gov.au, or by visiting

www.environment.sa.gov.au/Plants_and_Animals/Permits_and_Licences/Scientific_Permits/Applying_for_a_Scientific_Permit

Note: If necessary, a copy of this Permit Application will be sent to DEW Science Resource Centre for information.

- **DEVELOPMENT REGULATIONS 1993**

If you answered **Yes** to the question 'Is the property on coastal land and does the work involve excavation or filling of an area exceeding nine cubic metres in total,' you must obtain Development Approval from the local council.

Further information can be obtained by telephone on (08) 8124 4900, email at marineDEWNR@sa.gov.au, or by visiting www.environment.sa.gov.au/Conservation/Coastal_marine

Information on Schedules 2(5) and 8(1) of the Development Act Regulations can be found on www.legislation.sa.gov.au/browseActs.aspx by following the links.

Note: If necessary, a copy of this Permit Application will be sent to the Coastal Management Unit, DEW, for information.

- **NATIVE TITLE (SOUTH AUSTRALIA) ACT 1994**

If you answered **Yes** to either of the questions relating to locations with cultural significance to Aboriginal communities or Native Title Claims, you may have legal obligations.

Further information on locations of Aboriginal heritage significance can be obtained from the Aboriginal Affairs and Reconciliation Division by telephone at (08) 8226 3184 or by email at aboriginalheritagereview@sa.gov.au.

With respect to Native Title claims, further information can be obtained from the Native Title Unit, Attorney Generals Department by telephone (08) 8207 1771 or email at heather.barr@sa.gov.au.

Note: If necessary, a copy of this Permit Application will be sent to the Native Vegetation Council for information.

- **NATIVE VEGETATION ACT 1991**

If you answered **Yes** to the question relating to significant impact on native vegetation, you may need the consent of the Native Vegetation Council.

Further information can be obtained by telephone on (08) 8303 9741, or by email at nvc@sa.gov.au or by visiting <http://www.environment.sa.gov.au/dwlbc/native/nvc/index.html>.

A Guide to Exemptions under the Native Vegetation Act can be obtained from the Native Vegetation Council Secretariat or from www.environment.sa.gov.au/dwlbc/native/index.html

3. APPROVAL PROCESS

Please allow a minimum of 2 to 4 weeks for the approval process. If the proposed work involves consultation with other government departments or groups, processing may take longer

Permit applications or renewals will not be processed until all consultation has been completed.

4. PAYMENT OPTIONS

NOTE: If representing an educational institution, payment of a Permit Fee is **not** required.

- If applicable, the Permit Fee for **2020-21** is **\$180.00**, in accordance with Schedule 1 (Fees) of the *Heritage Places (Fees) Notice 2020*.

As the Permit Fee is reviewed each year in line with the CPI, applicants should contact DEW on (08) 8124 4960 for the latest information.

- For payment via Credit Card please provide a contact number for DEW staff to contact you:
_____ - _____ - _____
- Payment by cheque should be made payable to the **Department for Environment and Water (DEW)**.
- Postal payments may be made by mailing the Permit Fee with the Permit Application to the Department for Environment and Water, GPO Box 1047, ADELAIDE, SA, 5001.

5. PERMITS UNDER OTHER ACTS

Excavation or disturbance authorised under other Acts, does not override the notification and authorisation provisions of the *Heritage Places Act 1993* in the event of a significant artefact being discovered.

6. SOME USEFUL DEFINITIONS

Owner of land means:

- if the land is unalienated from the Crown – **the Crown**.
- if the land is alienated from the Crown by grant in fee simple – **the owner of the estate in fee simple**.
- if the land is held from the Crown by lease or licence – **the lessee or licensee**.
- If the land is held from the Crown under an agreement to purchase – **the person who has the right of purchase**

and if the land is subject to a mining tenement a reference to the owner of the land extends to the holder of the tenement.

Place means any site or area, with or without improvements, any land, any building, structure or other work, whether temporary, permanent or moveable or immovable (including an item or thing that is permanently fixed or moored, any other location, item or thing that constitutes a place within the State, and includes any fixtures or fittings, any land where a place is situated, any subsurface area, any part of a place

Research Design is a plan of works for an archaeological investigation designed to answer research questions or investigate particular aspects of a site. A Research Design includes, but may not be limited to, the rationale behind the investigations (why the work is important), the work methodology including roles and responsibilities, artefact strategy, and site rehabilitation and reporting plans.

River Murray Protection Area means a River Murray Protection Area under the *River Murray Act 2003*