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Introduction

Providing protection for local heritage places is an important role of Development Plans. In order to identify, and thus protect places of local heritage value, Council must undertake a Heritage Development Plan Amendment (DPA).

To assist Councils with the preparation of their Heritage DPAs the Department of Planning, Transport and Infrastructure (the Department) has prepared this Guide to Heritage DPAs, providing advice on:

- General considerations
- Local Heritage Advisory Committee (LHAC) requirements
- Heritage mapping
- How to amend existing places or propose new heritage places.

In addition, the Department has identified a number of key issues that can be improved in Heritage DPAs in order to ensure consistency across all Development Plans, and to improve the level of heritage information available to both Council staff and the general public. This includes:

- Tabularised listings for State Heritage Places, Local Heritage Places, and Contributory Items that accord with the templates contained in the latest version of the State’s Planning Policy Library
- Identifiers for all Local Heritage Places and Contributory Items to be supplied by the Department. Heritage ID numbers for State Heritage Places are provided by the Heritage Branch at the Department of Environment, Water and Natural Resources (DEWNR)
- Figures depicting the location of all State and Local Heritage Places and Contributory Items within the Council area (refer to example map in Appendix 1).

The Department, in conjunction with DEWNR, uses the above information to compile an electronic database of all heritage places (State and local) within South Australia. This database is of Geographical Information System (GIS) format and enables convenient searching of heritage places throughout the State through the South Australian Heritage Register.

In support of the database, the Department is assisting Councils to prepare heritage place mapping as each Heritage DPA is undertaken. Appendix 2 outlines the steps Councils need to be aware of in relation to a Heritage DPA, in particular the mapping process.

To assist Councils in undertaking a Heritage DPA, pro-forma templates have been prepared by the Department to ensure that the correct documentation is submitted to the Minister.

The templates can be accessed through the planning practitioners website, and within this document they are identified as (template available).
Heritage DPAs - General Considerations

The following information is provided as general advice in respect to the preparation of a Heritage DPA.

Heritage Surveys

Heritage surveys (template available) may effectively be the ‘Statement of Investigation’ for each item added to the Local Heritage list. Accordingly, it is important to ensure that all details (eg site history, addresses, property descriptions, relevant criteria under the Act to support the listing, extent of listing) are accurate. Land owners will generally make reference to the survey extract and may challenge its content and accuracy.

Heritage surveys should be prepared by a qualified heritage consultant and be recent (preferably completed or reviewed within the last 18 months). Irrespective of the survey's age, Council should check whether the following have occurred since the completion of the surveys:

- building work has been undertaken at the site (thus making the survey inaccurate)
- approval has been given for demolition or redevelopment of the site (thus potentially affecting the heritage value of the place).

The heritage survey should be in the same format required by the Department of Environment and Natural Resources for State heritage items. Extracts from the survey should be sent to land owners during the public consultation stage.

Identification of Heritage Places

Current legal property identification (CT and Plan/Parcel references) must be used for all heritage properties being proposed/listed.

Legal suburbs/bounded localities that are defined under the Geographical Names Act 1991 must be used (see the Atlas SA website: http://www.atlas.sa.gov.au or Place Names Online: www.placenames.sa.gov.au).

All of South Australia within a Local Government Area has legally defined bounded localities or suburbs under the Geographical Names Act 1991.

Councils are strongly encouraged to update property identification for any existing heritage places not affected by the DPA.

Ordering of properties in tables is to be in alphabetical SUBURB order, and then each suburb area is to be sorted alphabetically by STREET name. Each street name should be sorted by STREET NUMBER.

NB: property addresses should be based on street names that have been gazetted.

Property Owner Disputes

Should a property owner dispute a property's address or legal property identification (ie Lot, Plan and CT references), Council should seek legal advice as to whether a property can be retained simply by amending the address/property identifiers for the place that was given Interim Operation protection at the consultation stage of the DPA.

Responding to Submissions

Council's response to submissions should be answered in the context of section 23(4) of the Development Act 1993 wherever possible. It is also suggested that responses are verifiable; responses to the effect of ‘it is said that this property was a residence sometime before the 20th century’ gives the impression of inconclusive research and is less likely to be supported, particularly if a land owner argues otherwise.
**DPA approval requirements**

Prior to lodging the DPA for approval, Council is requested to contact the Department to arrange a meeting to ensure that the mapping and graphics components of the DPA are of a suitable standard for authorisation.
Changes to existing heritage listed properties (Local Heritage Places and Contributory Items) need to be recorded accurately (template available).

This includes the following types of changes:

- Proposing new places.
- Removing existing properties (e.g., because they have been delisted/demolished).
- Making editorial changes to existing text (e.g., correcting the address/details/CT information etc).
- Adding new information for the property (e.g., entering plan/parcel information for the first time).

Within the available template there are two separate worksheets labelled:

- Current Heritage to be Updated
- Proposed Local Heritage Places.

All of the fields that are (or will be) included in the Development Plan tables are included in the spreadsheet; and some fields provide a drop down list to ensure the legal identifiers such as suburb and street type are entered. All fields need to be filled in using current legal identifiers.

Additional fields that need to be completed are:

- Type of Change (applies to existing heritage items only) - This is a drop down list used to specify the type of change occurring.
- DPTI ID (applies to existing heritage items only). This can be obtained from the Department’s online search tool (if it’s not already being used in the Development Plan Table) or alternatively the Heritage Branch Identifier can be used (see the next field). NB. Either this field or the Heritage Branch ID is required to accurately identify the heritage place that is being altered.
- Heritage Branch ID (applies to existing heritage items only) - This is the identifier attributed to the heritage place by the State Heritage Branch. This can be obtained from the Department’s online search tool or from the Heritage Branch. NB. Either this field or the DPTI ID is required to accurately identify the heritage place that is being altered.
- Council Reference - If the Council uses an internal referencing system for each heritage listed place (which is included in the Development Plan table) it can be entered here as another way of identifying the place.

For each place being listed or altered please enter into the spreadsheet all data as shown. Where updated or new data is being added please indicate this by highlighting the text in red.

NB: for new heritage places, please contact the Department to obtain DPTI ID references.
Local Heritage Advisory Committee Requirements

Pursuant to section 25(15)(b) of the Development Act 1993, the Minister responsible for the administration of the Development Act 1993 will seek advice from the Local Heritage Advisory Committee (LHAC) if landowners have objected to the listing of their properties.

LHAC’s advice will be based on written submissions, an inspection of the contested sites and a hearing of landowners. Structures contact information and property information is required for the LHAC hearing.

Contact Information

Contact information is required for land owners who have submitted an objection to the listing of their property as a local heritage place. This information should be formatted as per Appendix 2 and provided in hardcopy and electronic format.

The list will be used to fulfil the statutory requirement of contacting land owners and offering them an opportunity to make submissions to LHAC.

The list should include all owners who have submitted an objection to the listing, regardless if Council resolves to remove, retain or alter the listing. All owners that object to the listing are provided with an opportunity to appear before LHAC.

Property Information

Council is required to provide LHAC with a folder containing property information for each of the objections.

Each given listing should be in the same order as in the ‘contact information’ table (Appendix 3) and separated by a coloured divider page which should be numbered with a tab for referencing purposes.

Each item in the folder should contain:

1 Location map for the proposed local heritage place.
   The map needs to pinpoint the location of the place(s) in relation to the allotment and surrounding streets. This is useful where street addresses are incorrect or where the place is located on a large allotment.

2 Colour photo of the proposed local heritage place.
   Colour photos will be a useful point of reference should LHAC hold follow up meetings to confirm its provisional resolutions. This may occur where Council proposes to list a large number of places and final decisions cannot be made in a single meeting.

3 A copy of the land owner's submission to Council.
   Occasionally, a land owner’s submission will state that Council incorrectly summarised their original submission. Therefore, it is useful for LHAC members to consider the land owner’s submission first hand.

4 Relevant extract copies from the Heritage Survey discussing the local heritage place, including the criteria for assessment and the listing recommendation.
   Extracts from the survey would usually have been sent to land owners during the public consultation stage.

5 An extract from Council’s summary table of submissions, summarising the objection along with Council’s response.
Comments from Council's heritage adviser in response to the submissions.

Should Council intend to retain a contested item, comments from Council's heritage adviser are likely to strengthen Council's case for listing.

Please be aware that Council is required to supply eight copies of the above information in folders. The above information should also be submitted with the approval draft of the DPA.

Once the DPA has been received and undergone an initial check by the Department, Council will be advised of dates for the LHAC site inspection and land owner hearing.

A representative from Council is encouraged to attend and provide the information to LHAC as required.
Appendix 1

Example of Overlay Map - Heritage

For further information on State and Local Heritage Places and Contributory items please refer to the relevant tables within this document.

Overlay Map ChSt/16
HERITAGE
CHARLES STURT COUNCIL
SAMPLE
## Appendix 2

### Heritage DPA Process as it relates to Mapping

**LHAC = Local Heritage Advisory Committee**

<table>
<thead>
<tr>
<th>Stage</th>
<th>Action</th>
</tr>
</thead>
</table>
| **Statement of Intent**  | Council lodges a Heritage Statement of Intent.  
Minister agrees to the Statement of Intent (adds mapping requirements as a condition of agreement). The key issues and requirements, including mapping, tables (*templates available*), the LHAC process and the Heritage ID/Planning SA ID number system are outlined in an attachment to the SOI agreement letter. |
| **Investigations**   | Council fills out the Heritage Excel Spreadsheet (*template available*) to record all proposed, and any alterations to current, Local Heritage Places/Contributory Items. This should be sent in electronic format to the DPA Coordinator as early as possible in the Investigations stage.  
The Department then works with Council to produce accurate heritage mapping for inclusion into the DPA. |
| **Interim Operation** | Council checks all information in DPA before CEO certifies it as suitable for consultation and submits it for Interim Operation approval.  
Minister considers the DPA and grants Interim Operation approval and Council begins consultation.  
Note: There may be instances where the Minister resolves not to approve the DPA for Interim Operation. |
| **Approval**        | Council removes any listed properties as a result of consultation and amends the DPA table accordingly if properties are removed:  
The Department works with Council to produce accurate heritage mapping for inclusion into the final approval version of the DPA. |

**Handover Meeting**  
Council contacts the Department to arrange a hand over meeting to ensure the approval package and LHAC folders are complete. (refer to Local Heritage Advisory Committee requirements)  
LHAC undertakes review (if required) and may recommend that listings be altered. LHAC then advises the Development Plan Advisory Committee DPAC.  
DPAC considers LHAC’s recommendations and prepares a report for Minister’s consideration.
<table>
<thead>
<tr>
<th>Stage</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minister consults with Council regarding altered listings (if required).</td>
</tr>
<tr>
<td></td>
<td>Council amends listings and tracks the changes in MS Word and works with the Department to prepare final heritage maps for approval.</td>
</tr>
<tr>
<td></td>
<td>Minister considers the DPA for Approval.</td>
</tr>
</tbody>
</table>
### LHAC Consultation Table Example

<table>
<thead>
<tr>
<th>Name of Objecting Owner (in alphabetical order)</th>
<th>Description of Item and Street Address</th>
<th>Owner's Postal Address (Type owners postal address in full, even if identical to 'Description of Item and Street Address')</th>
<th>Daytime Contact Number</th>
<th>Council's Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr John Smith</td>
<td>Cottage excluding later rear additions</td>
<td>22 Jones St Adelaide SA 5000 RSD 55 JONESVILLE SA 5888 (08) 8xxx-xxxx or 04xx xxx xxx</td>
<td>RETAIN</td>
<td></td>
</tr>
<tr>
<td>Mr &amp; Mrs Paul &amp; Mary Jones</td>
<td>Hall excluding later rear additions</td>
<td>24 Jones St Adelaide SA 5000 RSD 55 INGLEWOOD SA 5133 (08) 8xxx-xxxx or 04xx xxx xxx</td>
<td>RETAIN</td>
<td></td>
</tr>
<tr>
<td>Ms Jane Thompson</td>
<td>Church External form and fabric of building, excluding interior</td>
<td>Lot 15 Temple Street Gawler SA 5168 PO Box 15 GAWLER SA 5118 (08) 8xxx-xxxx or 04xx xxx xxx</td>
<td>AMEND EXTENT OF LISTING (ie amend from all facades to front facade only)</td>
<td></td>
</tr>
</tbody>
</table>