

State Heritage referrals and pre-lodgement agreements

This fact sheet provides information about referrals to the State Heritage Unit of the Department for Environment and Water (DEW) and associated pre-lodgement agreements.

It is produced by the Planning and Land Services (PLUS) Planning and Development section of the Attorney-General's Department (AGD) which offers a free pre-lodgement service.

What is the role of the State Heritage Unit?

The State Heritage Unit considers the merits of your proposal's treatment of a State Heritage Place and/or any effects on the context of the place. The Unit provides specialist advice to you and the State Planning Commission (SPC).

Can the State Heritage Unit issue a development approval?

No, the Unit cannot approve a development project.

The SPC is the approval authority for development proposals eligible for the pre-lodgement process.

When is a development proposal referred to the State Heritage Unit?

A development proposal is referred to the Unit when the proposal:

- directly affects a State Heritage Place
- substantially affects the context in which a State Heritage Place is situated in the opinion of the AGD planning officer.

How can I find out if a building is heritage listed?

- Conduct a search in DEW's heritage places database¹ at maps.sa.gov.au/heritagesearch/HeritageSearchLocation.aspx.
- To see mapping data of State Heritage Places turn on the Heritage Overlays in the South Australian Property and Planning Atlas (SAPPA) at sappa.plan.sa.gov.au/.

¹ State heritage referrals are not relevant for local heritage places, which are managed by the relevant Council

How does the pre-lodgement service assist a referral to the State Heritage Unit?

The pre-lodgement service helps you manage referrals to the Unit and negotiate pre-lodgement agreements with the Unit.

Pre-lodgement agreements can preclude the need for referrals during the formal assessment process. This can significantly reduce assessment timelines and provide you with greater certainty.

How and when should the State Heritage Unit be contacted?

If you are using the pre-lodgement service, your case manager will help determine whether review by the Unit is required prior to lodging your application with SPC.

If so, your case manager will ask a senior representative of the Unit to attend pre-lodgement panel meetings to discuss your proposal during the planning and design stage.

Should you choose to lodge your application directly with SPC, rather than going through the pre-lodgement process, PLUS Planning and Development section planning officers will refer your application to the Unit after lodgement, if required.

When and how do I obtain a pre-lodgement agreement with the State Heritage Unit?

You can request a pre-lodgement agreement once you have finalised your proposal – provided you have all the required documentation and have paid the referral fee. Your case manager will help you submit a pre-lodgement agreement request form at the appropriate time.

The Unit will consider undertaking a pre-lodgement agreement when it has sufficient information to assess the heritage-related impacts of your proposal.

What information is required for a pre-lodgement agreement with the State Heritage Unit?

The amount of information required depends on the complexity of the proposal and its potential impact on the State Heritage Place. At minimum, you will need to provide the following:

- concept, site, demolition and extent of works plans
- specifications comprising details of proposed finishes, colours, materials, conservation methods and building fabric management techniques
- photographs that show the site, setting, buildings or parts of a building and/or landscape features, as well as historic photos, if relevant.

Some development proposals may also require a comprehensive heritage impact statement prepared by an independent qualified heritage consultant or architect. The statement should set out the rationale in your design approach and enable the planning authority to understand and assess heritage impacts.

If a Conservation Management Plan or another heritage statement already exists for the heritage place the conservation policies it contains may – depending on their prevalence – provide the benchmark for planning the project and assessing its impact. Your proposal should address any relevant conservation policies and any urgent works identified in the plan/statement.

If a Conservation Management Plan does not exist for a State Heritage listed building, and refurbishment or alterations to that building are proposed it is recommended that one be prepared early in the design process to ensure elements of heritage value can be protected. Using the plan to inform decision-making will help you progress through the assessment process.

Your case manager will let you know the precise level of detail required to support your proposal during the pre-lodgement process.

What if I do not use the pre-lodgement service?

If you lodge your development application directly with SPC and do not obtain a pre-lodgement agreement your application is subject to a 30 business day statutory referral to the Unit.

If the material you provide with your development application is incomplete at time of lodgement the Unit may 'stop the clock' on the application to request further information.

Once the Unit has all required material it reviews the heritage-related merits of your proposal and its impacts on the State Heritage place. It then provides advice to the State Commission Assessment Panel (SCAP) to consider during its assessment. If the Unit does not consider the proposed treatment appropriate it will likely direct SCAP to refuse the application.

Further information

You can download a pre-lodgement pack from plan.sa.gov.au/en/pre-lodgement or ask PLUS Planning and Development section to mail it to you.

To discuss your needs, contact our **Inner Metro Development Assessment Team** on 1800 752 664 or email PlanSA@sa.gov.au or the **State Heritage Unit of the Department for Environment and Water** on (08) 8124 4922 or email DEW.StateHeritageDA@sa.gov.au.