Heritage Places Act 1993

(South Australia)
What does the Heritage Places Act do?

- Promotes understanding, appreciation & conservation of South Australia’s heritage

- Allows for the identification & documentation of areas, places & objects of State heritage significance:
  - historical towns & areas
  - buildings, artifacts & objects
  - archaeological artefacts
  - geological specimens & paleontological areas
Heritage Places Act 1993 (SA)

How is the Act relevant to the University?

- Some [land, buildings & objects] the University owns, occupies & maintains are on the State Heritage Register or Local Council Heritage Place Schedule including;
  - Mitchell Building
  - Elder Hall
  - Barr Smith Library
  - Bragg Laboratories
  - Union House
  - Urrbrae House
  - Roseworthy Main Building

- As a G08 University physical image & historical links are important as these buildings reflect University history & development
Heritage Agreements (Part 6 of Heritage Places Act)

**A Heritage Agreement is:**
- Binding on current & future owners of the land
- Generally registered on the Certificate of Title

**A Heritage Agreement can:**
- Restrict the use of land
  - For example: 131 hectares of the Waite campus is under Heritage Agreement, which states that part of the land must be reserved for sports grounds & part must be used for agricultural-related education purposes
- Provide for the management of land, specimens or artefacts
  - An “understanding” that heritage places & objects will be preserved may exist
- Provide for a reduction of rates or taxes in respect of the land if the local council agrees
Approval process for alterations to a Heritage Place

• All proposals must be discussed with Infrastructure Property

• All proposals meet conservation standards
  – See *Burra Charter*

• Infrastructure will initially organise discussions with the Local Council & with the Department of Environment & Heritage to determine heritage requirements

• Final approval will come from the Department of Environment & Heritage (State Heritage Branch) or a local council’s Heritage Advisor as part of the Development Approval

• Approval is rarely given to completely demolish or substantially alter a heritage place
Heritage Places Act 1993 (SA)

How is the University involved in the approval process

*Infrastructure, Property & Technology Services:*

- Provide appropriate advice & direction for any development, including:
  - Updating light fixtures & glass panels
  - Painting & decorating
  - Installation of air-conditioners & non-structural alterations
  - Plastering & re-roofing
  - Salt damp repair

- Provide appropriate co-ordination of contractors on site

- Consider if & how an existing building is maintained
  - Including the ‘precinct’ (surrounding area) of the building
Offences under the Act include

- Intentional or reckless damage to a State Heritage place
- Making alterations or amendment to a Heritage place without approval
- Damage, destruction or disposal of Heritage objects or specimens without a permit
- Development, damage or reduction in value a Heritage place without approval
- Failure to comply with a ‘stop order’
  - cease or not commence, work that may reduce or destroy the heritage significance of a place

*NOTE: Almost all work on a heritage listed building is classified as ‘development’*
What can happen if I don’t comply?

**University Consequences:**

- Fines of up to $120,000 per breach
  - *This may include criminal or civil penalties*
- Legal & administrative costs
- Negative publicity
  - *Damage to the University’s reputation*
  - *Attraction & retention of staff & students is compromised*
University obligations under the Act

• Submit all development plans & maintenance requests to Infrastructure, Property & Technology Services
  – *Central control is important*

• Follow appropriate approval channels for alterations to Heritage places or objects
  – *Obtain & comply with all necessary permits*

• Be aware of [University places, buildings & objects](#) that are on the Register

• Remember that almost all work on a heritage listed building is classified as development
Remember the criteria for State registration of a heritage building (only 1 must be satisfied)

The place or object:

- Demonstrates important aspects of the evolution or pattern of the State's history
- Has rare, uncommon or endangered qualities that are of cultural significance
- May yield information that will contribute to an understanding of the State's history, including its natural history
- Is an outstanding representative of a particular class of places of cultural significance
- Demonstrates a high degree of creative, aesthetic or technical accomplishment
- Has strong cultural or spiritual associations for the community or a group within it
- Has a special association with the life or work of a person or organisation or an event of historical importance

*NOTE: Local criteria is in the Development Act 1993 (SA)*
Additional Resources

- **Harald Baulis**, Manager, Strategy & Space Planning
  - 8313 7589

- **University of Adelaide's Heritage Inventory List**

- **Department for Environment & Heritage**

- **Burra Charter**
  - conservation standards of heritage places

- **Heritage Places Act 1993 (SA)**
Disclaimer

The content of this material is intended only to provide a summary & general overview of the *Heritage Places Act* as it applies to the University of Adelaide.

It is not intended to be comprehensive nor does it constitute legal advice.

Please contact *Harald Baulis, Manager, Strategy & Planning* or Legal & Risk if you are unsure of your compliance obligations under the Act.

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