

South Australian Heritage Council

Procedure: Provisional Entry of an Object

OBJECTIVE:

To establish procedures for the provisional entry of an Object of heritage significance in the South Australian Heritage Register.

CONTEXT:

Section 17(5) of the *Heritage Places Act 1993*.

INTERPRETATION:

Under section 3(1) of the *Heritage Places Act 1993* (the Act) an 'object' means a natural or manufactured object and includes –

- (a) an archaeological artefact; or
- (b) a geological, palaeontological or speleological specimen,

but does not include an Aboriginal object within the meaning of the *Aboriginal Heritage Act 1988*.'

Under section 16(2) of the Act an 'object is of heritage significance if –

- (a) it is an archaeological artefact, or any other form or artefact that satisfies 1 or more of the criteria set out in subsection (1); or
- (b) it is a geological, palaeontological or speleological specimen that satisfies 1 or more of the criteria set out in subsection (1); or
- (c) it is an object that is intrinsically related to the heritage significance of a State Heritage Place (SHP) or a State Heritage Area.'

FUNCTIONS OF THE COUNCIL:

Under section 5A(1)(b) the South Australian Heritage Council (the Council) has the function in connection with the administration of the 'Act –

- (ii) to identify places, and related objects, of State heritage significance, and to enter them in the Register.'

Under section 14(2) the 'Council may, in relation to a place or area entered in the Register –

- (c) include as part of the Register any object (not necessarily located at the relevant place or area) that is, in the opinion of the Council, an object of heritage significance.'

Section 17(5) of the Act states that 'if the Council has, in relation to a place or area entered in the South Australian Heritage Register (the Register), also entered in the Register an object under section 14(2)(b), the Council must –

- (a) give the owner of the object a written notice –
 - (i) stating the reasons for entering the object into the Register; and
 - (ii) explaining that the owner has a right to make submissions, within 3 months from the date of notice, in relation to the entry; and
- (b) give written notice to the Minister of the entry.'

Under section 17(6) the Council may enter an 'object under section 14(2)(b) –

- (a) if the entry is in relation to a place, may occur on or after the provisional entry of the place in the Register (or after the confirmation of that entry); and
- (b) will, at first instance, be taken to be a provisional entry.

Under section 18(1) of the Act, 'if the Council gives notice that it has made a provisional entry in the Register, any persons may, within 3 months after the notice is given, make written representations to the Council on whether the entry should be confirmed.'

SCOPE:

This procedure relates to the listing of objects of state heritage significance.

PROCEDURE:

A Summary of State Heritage Object (SSHO) is to be prepared for each object.

In the instance where an object's related State Heritage Place (SHP) does not have a Summary of State Heritage Place (SSHP) or Assessment Report, or an approved statement of heritage significance, a Better Heritage Information Summary of State Heritage Place (BHI SSHP) must be endorsed by the Council prior to their consideration of the SSHO.

Content of the SSHO

The SSHO will include the following information:

- Register name
- Address of related SHP (including First Nations Country, street address and land title(s))
- Statement of heritage significance for the SHP and SHO
- Physical description
- History of the object
- Chronology
- References
- Object details
- Photos/images

Provenance

Evidence of the object's provenance will be provided to the Council at the time of provisional entry and form part of the accompanying agenda paper.

Notification of Interested Parties

Notification in writing will be sent from Heritage South Australia to the owner of the SHO informing them of provisional entry. The nominator will also be informed (if different to the owner).

A link to the SSHO and BHI SSHP or SSHP will be provided to interested parties and will remain publically available.

The notification will also inform the owner of their right to make submissions, within 3 months from the date of notice, in relation to the entry.

Any error(s) found in the Register Entry or SSHO report are to be corrected in accordance with the Council's Procedure: Correction of Errors.'

All proposed corrections are to be approved by the Council in

accordance with section 21 of the Heritage Places Act.

Responsibilities of the Executive Officer and Register Officer

CHAIR:



Minutes are confirmed as correct with the Council.

The Executive Officer advises the Register Clerk of the provisional entry of the Object.

The Register Officer, under delegation of the Council, will give written notice to the owner and advise the Minister of the provisional entry of the object.

Details are published on the Department for Environment and Water website after confirmation.

The South Australian Heritage Register is updated.

APPLICATION:

Applies to the Council and the departmental staff supporting the Council.

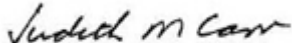
RELATED PROCEDURES:

Procedure: Confirmation or Removal of Provisional Entry in the South Australian Heritage Register

Procedure: Correction of Errors

Procedure: Better Heritage Information

DATE ADOPTED: 9 / 12 / 2015

CHAIR: 

REVIEWED DATE: 15/02/2024