

Heritage Permit Process

Application for Heritage Permit [s.67]

Notice of application in accordance with s.68.
Notice to responsible authority [s.71]

Any person may lodge written submission in relation to application within 14 days of notice [s.69]

Application referred to Heritage Council if in a class to be referred to Council under s.70(2)

Executive Director considers and determines application in accordance with s.73(1) and s.73(1A)

Heritage Council to consider application and advise Executive Director within 30 days (or longer with Ministerial approval) that:

- (a) it does not object to the issuing of the permit; or
- (b) it does not object if subject to conditions; or
- (c) it objects to the issuing of the permit.

[s.72(1)]

Executive Director determines:

- (a) to issue the permit for the proposed works and activities; or
- (b) to issue the permit for some of the proposed works and activities specified in the application; or
- (c) refuses to issue the permit.

Permit can be issued with conditions [s.74]

Review by VCAT [s.77]

The applicant, owner or a person with a real and substantial interest in the place/object may appeal to the Heritage Council against a permit refusal or permit condition.

An appeal must be in writing and lodged within 60 days after permit or refusal is issued. [s.75]

Appeal to be determined within 60 days (subject to adjournment or request for additional information) [s.76(1)]

Heritage Council **must** conduct a hearing if requested by the National Trust or in any other case, unless the appellant agrees to a determination without a hearing [s.76(2)]

Heritage Council Decision

After considering the appeal and conducting a hearing, the Heritage Council may:

- (a) grant the permit with or without conditions [s.76(4)(a)]
- (b) confirm the decision of the Executive Director [s.76(4)(b)]
- (c) vary the conditions on the permit [s.76(4)(c)]

Solid colour – Heritage Victoria managed process

Hatching – Hearings Coordinator managed process