



Heritage Victoria and Heritage Council of Victoria Policy Guideline

THE CONSIDERATION OF RECOMMENDATIONS OF THE VICTORIAN DESIGN REVIEW PANEL UNDER SECTIONS 73(1)(f) and 73(1A)(b) OF THE HERITAGE ACT 1995

Adopted 1 July 2012

Revised 3 October 2013

Purpose

1. This Guideline is intended to provide guidance on the consideration of the recommendations of the Victorian Design Review Panel (**the Panel**) by the Executive Director of Heritage Victoria (**the Executive Director**) or his/her delegate in considering a heritage permit application under s73(1)(f) and s73(1A)(b) of the *Heritage Act 1995* (**the Act**).
2. The Guideline is intended to assist:
 - 2.1 Heritage Victoria staff advising the Executive Director on a heritage permit application where a report has been provided by the Panel regarding the development proposed for the heritage place.
 - 2.2 The Executive Director in considering whether or not to issue a heritage permit where a report has been provided by the Panel regarding the development proposed for the heritage place and what permit conditions should apply.

Relevant legislation

3. This Guideline relates to s.73(1)(f) and s.73(1A)(b) of the Act which provides:

73. Matters to be considered in determining applications

 - (1) *In determining an application for a permit, the Executive Director must consider -*
 - (f) *any matters relating to the protection and conservation of the place or object that the Executive Director considers relevant.*

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 - (1A) *In determining an application for a permit, the Executive Director may consider -*
 - (b) *any other relevant matter.*



Victorian Design Review Panel

4. The Panel:
- has been established to provide independent and authoritative advice to government and statutory decision makers across Victoria to improve the design of significant development proposals;
 - is independent, external to government and statutory processes, and its advice and recommendations are not statutory decisions and have the status of advice only;
 - may review any public construction project, including Public Private Partnerships and Alliances;
 - selects projects based on their significance because of their size or the uses they contain, because of their site, and/or because the project has an importance greater than its size, use or site would suggest. Ultimately, selection of projects for design review will be at the discretion of the Victorian Government Architect; and
 - provides a written report with recommendations that is signed off by the Victorian Government Architect and provided to the proponent and their design team within 7 – 10 working days following the design review.

Policy Statement

5. The following policy and guidelines apply to the consideration of recommendations of the Panel that relate to a place and/or an object associated with a place that is included in the Victorian Heritage Register.
6. Where the recommendations of the report are relevant to the protection and/or conservation of the heritage place, its physical fabric or its cultural heritage significance, the Executive Director may consider them under s.73(1)(f).
7. Where the recommendations of the report relate to other relevant matters - for instance broader architectural or urban design issues - the Executive Director may consider them under s.73(1A)(b).
8. The recommendation of the Panel may be relevant for the purposes of the Executive Director developing permit conditions.
9. The Executive Director will provide the Victorian Government Architect with a copy of the permit or notice of refusal issued under s.74(1) of the Act.