

# Heritage Regulations 2017

S.R. No. 108/2017

## TABLE OF PROVISIONS

<i>Regulation</i>		<i>Page</i>
1	Objectives	1
2	Authorising provisions	2
3	Commencement	2
4	Definitions	2
5	Form of application to nominate place or object for inclusion in the Heritage Register	2
6	Fee for lodging review of Executive Director's refusal of nomination for the Heritage Register	2
7	Form of submission to the Heritage Council	2
8	Form of application for heritage certificate	3
9	Fee for application for heritage certificate	3
10	Form of notice of intention to sell registered place or registered object	3
11	Form of notice for alterations for the purposes of religious services or rites	3
12	Form of permit application	3
13	Fees for application for permit to carry out works or activities in relation to registered place or registered object	3
14	Fee for application for permit to demolish or destroy registered place or registered object	5
15	Fees to amend permit application to carry out works or activities in relation to registered place or registered object	5
16	Fees to amend permit application to demolish or destroy registered place or registered object	6
17	Form for amendment of permit to carry out works or activities in relation to registered place or registered object or to demolish or destroy registered place or registered object	6
18	Fee for amendment of permit to carry out works or activities in relation to registered place or registered object	6
19	Fee for amendment of permit to demolish or destroy registered place or registered object	7
20	Fee for review of Executive Director's determination in relation to permits	7
21	Fee for review of Executive Director's determination in relation to refusal of a permit to demolish or destroy registered place or registered object	7
22	Form of application for consent	7

<i>Regulation</i>	<i>Page</i>
23 Fees for application for consent to undertake works or activities in relation to archaeological sites or archaeological artefacts	8
24 Fee for review of Executive Director's determination in relation to consent	10
25 Exemption from fees	10
26 Waiver of fees for certain activities in relation to registered place, registered object, archaeological site or archaeological artefact	11
27 Form of site card for reporting of investigations and surveys of land	12
28 Form of interim protection order	12
29 Form of notice of existence of an interim protection order	12
30 Form of identity card for inspectors	12
31 Relevant survey reports	13
32 Infringement offences and penalties	13
33 Infringement penalties	13
<b>Schedule 1—Form of nomination of a place or object for inclusion in the Heritage Register</b>	<b>15</b>
<b>Schedule 2—Form for submission to the Heritage Council</b>	<b>21</b>
<b>Schedule 3—Form of application for heritage certificate</b>	<b>23</b>
<b>Schedule 4—Form of notice of intention to sell registered place or registered object</b>	<b>26</b>
<b>Schedule 5—Form of notice for alterations for the purposes of religious services or rites</b>	<b>28</b>
<b>Schedule 6—Form of permit application</b>	<b>30</b>
<b>Schedule 7—Form of permit amendment application</b>	<b>37</b>
<b>Schedule 8—Form of application for consent</b>	<b>42</b>
<b>Schedule 9—Form of site card</b>	<b>47</b>
<b>Schedule 10—Form of interim protection order</b>	<b>51</b>
<b>Schedule 11—Form of notice of existence of an interim protection order</b>	<b>55</b>
<b>Schedule 12—Form of identity card for inspectors</b>	<b>58</b>
=====	
<b>Endnotes</b>	<b>59</b>

STATUTORY RULES 2017

S.R. No. 108/2017

*Heritage Act 2017*

**Heritage Regulations 2017**

The Governor in Council makes the following Regulations:

Dated: 24 October 2017

Responsible Minister:

RICHARD WYNNE  
Minister for Planning

JONATHAN BURKE  
Acting Clerk of the Executive Council

**1 Objectives**

The objectives of these Regulations are—

- (a) to prescribe forms and documents for the purposes of the **Heritage Act 2017**; and
- (b) to prescribe fees payable in relation to certain permits, reviews, consents and certificates under the Act; and
- (c) to exempt particular classes of people from certain fees relating to permits or consents; and
- (d) to authorise the Heritage Council to waive certain fees prescribed in these Regulations; and
- (e) to prescribe infringement offences and infringement penalties; and
- (f) to prescribe other matters for the purposes of the Act.

## **2 Authorising provisions**

These Regulations are made under sections 255 and 256 of the **Heritage Act 2017**.

## **3 Commencement**

These Regulations come into operation on 1 November 2017.

## **4 Definitions**

In these Regulations—

***community group*** means a not-for-profit society, association or club (other than a charity)—

- (a) established for the purpose of educating the community about, or to protect, a place or object; and
- (b) whose officers receive no remuneration or gratuity for their services to the society, association or club;

***the Act*** means the **Heritage Act 2017**.

## **5 Form of application to nominate place or object for inclusion in the Heritage Register**

For the purposes of section 27(2) of the Act, the prescribed form is the form set out in Schedule 1.

## **6 Fee for lodging review of Executive Director's refusal of nomination for the Heritage Register**

Subject to regulation 26, for the purpose of section 30(2)(b) of the Act, the prescribed fee is 25 fee units.

## **7 Form of submission to the Heritage Council**

For the purposes of section 44(2) of the Act, the prescribed form is the form set out in Schedule 2.

---

**8 Form of application for heritage certificate**

For the purposes of section 58(2)(a) of the Act, the prescribed form is the form set out in Schedule 3.

**9 Fee for application for heritage certificate**

Subject to regulations 25 and 26, for the purposes of section 58(2)(c) of the Act, the prescribed fee is 3.75 fee units.

**10 Form of notice of intention to sell registered place or registered object**

For the purposes of section 59 of the Act, the prescribed form is the form set out in Schedule 4.

**11 Form of notice for alterations for the purposes of religious services or rites**

For the purposes of section 90(4)(a) of the Act, the prescribed form is the form set out in Schedule 5.

**12 Form of permit application**

For the purposes of section 93(2)(a) of the Act, the prescribed form is the form set out in Schedule 6.

**13 Fees for application for permit to carry out works or activities in relation to registered place or registered object**

(1) Subject to subregulation (2) and regulations 14, 25 and 26, for the purposes of section 93(2)(b) of the Act, the prescribed fees are as follows—

- (a) for a permit application for the subdivision, consolidation or realignment of a boundary of a registered place or the subdivision of a building on that registered place—  
100 fee units;

- (b) for a permit application for works or activities to a registered place or registered object—
- (i) if the estimated cost of the works or activities is less than \$10 000—20 fee units; or
  - (ii) if the estimated cost of the works or activities is \$10 000 or more but less than \$20 000—75 fee units; or
  - (iii) if the estimated cost of the works or activities is \$20 000 or more but less than \$100 000—200 fee units; or
  - (iv) if the estimated cost of the works or activities is \$100 000 or more but less than \$250 000—300 fee units; or
  - (v) if the estimated cost of the works or activities is \$250 000 or more but less than \$500 000—367.4 fee units; or
  - (vi) if the estimated cost of the works or activities is \$500 000 or more but less than \$1 000 000—442.4 fee units; or
  - (vii) if the estimated cost of the works or activities is \$1 000 000 or more but less than \$5 000 000—760.3 fee units; or
  - (viii) if the estimated cost of the works or activities is \$5 000 000 or more but less than \$10 000 000—885.8 fee units; or
  - (ix) if the estimated cost of the works or activities is \$10 000 000 or more but less than \$30 000 000—1017 fee units; or
  - (x) if the estimated cost of the works or activities is \$30 000 000 or more—1149.1 fee units.
-

- (2) The prescribed fee for an application for a permit to carry out more than one class of works or activities set out in subregulation (1) is the sum of—
- (a) the highest of the fees which would have applied if a separate application had been made; and
  - (b) 50 per cent of each of any other fee that would have applied if a separate application had been made.

**14 Fee for application for permit to demolish or destroy registered place or registered object**

Subject to regulations 25 and 26 and sections 49(3) and 92 of the Act, for the purposes of section 93(2)(b) of the Act, the prescribed fees are as follows—

- (a) for an application to demolish or destroy the whole of a registered place—885.8 fee units;
- (b) for an application to demolish or destroy the whole of a registered object—885.8 fee units.

**15 Fees to amend permit application to carry out works or activities in relation to registered place or registered object**

Subject to regulations 25 and 26, for the purpose of section 96(3)(b) of the Act, in respect of a permit application to carry out works or activities in relation to a registered place or registered object—

- (a) for a permit application that has not been on public display in accordance with section 94 of the Act, the prescribed fee is 45 per cent of the corresponding permit application fee set out in regulation 13; or
-

- (b) for a permit application that has been on public display in accordance with section 94 of the Act, the prescribed fee is 75 per cent of the corresponding permit application fee set out in regulation 13.

**16 Fees to amend permit application to demolish or destroy registered place or registered object**

Subject to regulations 25 and 26, for the purpose of section 96(3)(b) of the Act, in respect of a permit application to demolish or destroy the whole of a registered place or registered object—

- (a) for a permit application that has not been on public display in accordance with section 94 of the Act, the prescribed fee is 20 per cent of the corresponding permit application fee set out in regulation 14; or
- (b) for a permit application that has been on public display in accordance with section 94 of the Act, the prescribed fee is 30 per cent of the corresponding permit application fee set out in regulation 14.

**17 Form for amendment of permit to carry out works or activities in relation to registered place or registered object or to demolish or destroy registered place or registered object**

For the purposes of section 105(2)(a) of the Act, the prescribed form is the form set out in Schedule 7.

**18 Fee for amendment of permit to carry out works or activities in relation to registered place or registered object**

Subject to regulations 25 and 26, for the purpose of section 105(2)(b) of the Act, in respect of an amendment to a permit to carry out works or activities in relation to a registered place or registered object, the prescribed fee is 75 per cent

---



of the corresponding permit application fee set out in regulation 13.

**19 Fee for amendment of permit to demolish or destroy registered place or registered object**

Subject to regulations 25 and 26, for the purpose of section 105(2)(b) of the Act, in respect of an amendment to a permit to demolish or destroy the whole of a registered place or registered object, the prescribed fee is 30 per cent of the corresponding permit application fee set out in regulation 14.

**20 Fee for review of Executive Director's determination in relation to permits**

Subject to regulations 25 and 26, for the purpose of section 106(3) of the Act, the prescribed fee is 200 per cent of the corresponding permit application fee set out in regulation 13.

**21 Fee for review of Executive Director's determination in relation to refusal of a permit to demolish or destroy registered place or registered object**

Subject to regulations 25 and 26, for the purpose of section 106(3) of the Act, in respect of a review of a determination by the Executive Director in relation to a refusal of a permit to demolish or destroy the whole of a registered place or registered object, the prescribed fee is 40 per cent of the corresponding permit application fee set out in regulation 14.

**22 Form of application for consent**

For the purposes of section 124(2)(a) of the Act, the prescribed form is the form set out in Schedule 8.

**23 Fees for application for consent to undertake works or activities in relation to archaeological sites or archaeological artefacts**

Subject to regulations 25 and 26, for the purposes of section 124(2)(b) of the Act, the prescribed fees are as follows—

(a) for an application for consent to uncover and expose—

(i) an archaeological site or part of an archaeological site recorded in the Heritage Inventory; or

(ii) an archaeological site or part of an archaeological site which is not recorded in the Heritage Inventory—

in order to assess the condition and potential of the archaeology for the purposes of—

(iii) constructing one domestic residential dwelling on a lot or allotment; or

(iv) constructing an extension to one domestic residential dwelling on a lot or allotment—20 fee units;

(b) for an application for consent to excavate—

(i) an archaeological site or part of an archaeological site recorded in the Heritage Inventory; or

(ii) an archaeological site or part of an archaeological site which is not recorded in the Heritage Inventory—

for the purposes of—

(iii) constructing one domestic residential dwelling on a lot or allotment; or

- (iv) constructing an extension to one domestic residential dwelling on a lot or allotment—30 fee units;
  - (c) for an application for consent to uncover and expose—
    - (i) an archaeological site or part of an archaeological site recorded in the Heritage Inventory; or
    - (ii) an archaeological site or part of an archaeological site which is not recorded in the Heritage Inventory—  
in order to assess the condition and potential of the archaeology for all other purposes—  
50 fee units;
  - (d) for an application for consent to excavate—
    - (i) an archaeological site or part of an archaeological site recorded in the Heritage Inventory; or
    - (ii) an archaeological site or part of an archaeological site which is not recorded in the Heritage Inventory—  
for all other purposes—72.4 fee units;
  - (e) for an application for consent to damage and disturb an archaeological site or part of an archaeological site for—
    - (i) the construction of one domestic residential dwelling on a lot or allotment; or
    - (ii) the construction of an extension to one domestic residential dwelling on a lot or allotment—50 fee units;
-

- (f) for an application for consent to damage and disturb an archaeological site for all other purposes, where damage is less than 50 per cent—200 fee units;
- (g) for an application for consent to damage and disturb an archaeological site for all other purposes, where damage is 50 per cent or more—400 fee units;
- (h) for an application for consent to possess, or dispose of archaeological artefacts, to undertake geotechnical or soil testing, trenching or boring in order to install, maintain or upgrade service utilities, a test archaeological excavation as part of a cultural heritage management plan or for all other purposes for which a consent is required in relation to an archaeological artefact, archaeological site or a site recorded in the Heritage Inventory—72.4 fee units.

**24 Fee for review of Executive Director's determination in relation to consent**

Subject to regulations 25 and 26, for the purpose of section 126(2)(c) of the Act, the prescribed fee is 45 per cent of the corresponding consent application fee in regulation 23.

**25 Exemption from fees**

A person who is an eligible beneficiary within the meaning of the **State Concessions Act 2004** is exempt from paying a fee in respect of the following—

- (a) an application under section 58(1), 93(1), 96(1), 105(1) or 106(1) of the Act that relates to—
  - (i) a registered place of which the applicant is the owner and which is the applicant's principal place of residence; or
  - (ii) a registered object of which the applicant is the owner;
- (b) an application under sections 124(1) and 126(1) of the Act that relates to an archaeological site or archaeological artefact situated in or under land that the applicant owns and which is the applicant's principal place of residence.

**26 Waiver of fees for certain activities in relation to registered place, registered object, archaeological site or archaeological artefact**

The Heritage Council may waive the fees prescribed by regulations 6, 9, 13, 14, 15, 16, 18, 19, 20, 21, 23 and 24 if the Heritage Council is satisfied that the works, activities or review to which the application relates—

- (a) is for the purposes of the conservation or research of a registered place, a registered object, an archaeological site or an archaeological artefact; or
  - (b) is to educate the public as to the cultural heritage significance of a registered place, a registered object, an archaeological site or an archaeological artefact; or
  - (c) is for the safety of the public; or
-

- (d) is the same, or primarily the same, as those for which a permit or consent has previously been issued to the applicant in relation to a registered place, a registered object, an archaeological site or an archaeological artefact; or
- (e) is in respect of a permit application, permit application amendment application or permit amendment application from a community group; or
- (f) is for a review of a determination by the Executive Director from a community group that has an interest in the application; or
- (g) is in respect of a consent application for an archaeological site that is determined by the Executive Director to have low archaeological value.

**27 Form of site card for reporting of investigations and surveys of land**

For the purposes of sections 3(1) and 127 of the Act, the prescribed form of site card is the form set out in Schedule 9.

**28 Form of interim protection order**

For the purposes of section 143(2) of the Act, the prescribed form is the form set out in Schedule 10.

**29 Form of notice of existence of an interim protection order**

For the purposes of section 147(3) of the Act, the prescribed form is the form set out in Schedule 11.

**30 Form of identity card for inspectors**

For the purposes of section 195(2) of the Act, the prescribed form is the form set out in Schedule 12.

---

### **31 Relevant survey reports**

- (1) If a person undertakes a survey of land for the relevant survey purpose of finding an archaeological site and that survey does not reveal an archaeological site, the person must notify the Executive Director and provide a copy of the survey report within 12 months of completing the survey.

Penalty: 20 penalty units.

- (2) Subregulation (1) does not apply in relation to an archaeological site if the person did not know or could not reasonably have been expected to know that the archaeological site was an archaeological site.

### **32 Infringement offences and penalties**

For the purposes of Division 4 of Part 10 of the Act, the following offences against the Act and the regulations are prescribed to be infringement offences—

- (a) an offence against section 89(1) of the Act;
- (b) an offence against section 89(3) of the Act;
- (c) an offence against section 104 of the Act;
- (d) an offence against regulation 31.

### **33 Infringement penalties**

For the purposes of Division 4 of Part 10 of the Act, the prescribed infringement penalties for an infringement offence referred to in regulation 32 are as follows—

- (a) for an offence against section 89(1) of the Act—
  - (i) in the case of a natural person—  
10 penalty units; or

- (ii) in the case of a body corporate—  
20 penalty units;
- (b) for an offence against section 89(3) of the Act—
  - (i) in the case of a natural person—  
10 penalty units; or
  - (ii) in the case of a body corporate—  
20 penalty units;
- (c) for an offence against section 104 of the Act—
  - (i) in the case of a natural person—  
10 penalty units; or
  - (ii) in the case of a body corporate—  
20 penalty units;
- (d) for an offence against regulation 31—  
3 penalty units.



## **Schedule 1—Form of nomination of a place or object for inclusion in the Heritage Register**

Regulation 5

All fields are required. Anonymous nominations will not be accepted.

### 1. Nominator details

Title:

First name:

Surname:

Address:

Email address:

Telephone:

Is this nomination on behalf of a company or organisation?

\*Yes/\*No

What is its name?

What is your position title?

### 2. Owner details (where known)

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

### 3. Nomination type

Place

Place with objects integral to it (please provide list)

Object

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 1—Form of nomination of a place or object for inclusion in the  
Heritage Register

---

Archaeological place

4. Place or object details

Place or object name:

Address or GPS location:

Local Council or Shire:

5. Land details (for places or objects)

5.1 Extent of nomination

Note: It is usual for place extents to accord with title boundaries or fence lines.

For a place: How much land do you wish to be included in the registration?

For an object: How much of the object do you wish to nominate?

Please attach a simple and accurate extent diagram clearly showing the extent (boundaries) of your nomination. This may take the form of a copy of an existing map or plan with a clear hand drawn line around the extent showing the land, buildings and other key features you are nominating.

Is the place located on Crown land? \*Yes/\*No

What are the title details of this land?

Note: You must provide a Certificate of Title for places not on Crown land. This should be dated within one month of making this application. You can search for a title online at: [*up-to-date internet address*]

5.2 Local Heritage Overlay information

Does this place have a local Heritage Overlay (HO) within a planning scheme? \*Yes/\*No

What is the HO number?

5.3 Photographs

Please attach recent photographs of the place or object; you may include historical photographs as well.

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 1—Form of nomination of a place or object for inclusion in the  
Heritage Register

---

5.4 Conservation Management Plan

Please include copies of any guiding documents for the conservation and management of the heritage place or object (Conservation Management Plan(s)) if they exist for this place or object.

5.5 Inventory (for collections of objects)

If you are nominating a collection of objects, you will need to provide an inventory. Please contact Heritage Victoria to discuss the most appropriate format for your inventory.

6. Heritage Council criteria

Which Heritage Council criteria does this place meet?  
For a place or object to be included in the Victorian Heritage Register it must be of State-level cultural heritage significance based on at least one of the Heritage Council criteria. Please address only the relevant criteria. It is usual for a place or object to meet 2 or 3 criteria. Further explanation about these criteria can be found in the Victorian Heritage Register Criteria and Threshold Guidelines.

7. Statement of cultural heritage significance

Please describe the place or object in the sections below using 1 to 2 paragraphs, naming the most significant elements.

7.1 What is its significance?

7.2 How is it significant?

7.3 Why is it significant?

7.4 History of the place or object.

7.5 Comparisons to similar places recorded in the Victorian Heritage Register.

8. Aboriginal cultural heritage values (where known)

Who are the traditional Aboriginal owners of this place or object?

Does this place or object have Aboriginal cultural heritage values in addition to non-Aboriginal cultural heritage values (shared values)? Please provide details below.

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 1—Form of nomination of a place or object for inclusion in the  
Heritage Register

---

Note: If the place or object is of cultural heritage significance only on the grounds of its association with Aboriginal tradition, Aboriginal traditional use, or Aboriginal archaeology, it may be more appropriate for registration in the Victorian Aboriginal Heritage Register. Please contact the Office of Aboriginal Affairs Victoria.

9. Condition

The condition of the object is generally:

- Excellent
- Good
- Fair
- Poor

Is there any damage to the fabric (the materials from which the place or object is made)? \*Yes/\*No

If yes, please specify which materials and the extent of damage:

10. Intactness and integrity

How much of the original form or appearance remains?

What alterations are present and why was the place altered?

Is it still possible to interpret the heritage values of the place or object if it has changed or been altered?

11. Threat

Is the place under imminent threat of demolition or development? \*Yes/\*No

Has a demolition permit been issued under the **Building Act 1993**? \*Yes/\*No

Has a planning permit been issued by the responsible authority for the redevelopment of the land? \*Yes/\*No

Is there evidence of plant and equipment being mobilised to demolish the place? \*Yes/\*No

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 1—Form of nomination of a place or object for inclusion in the  
Heritage Register

---

Is there evidence of an imminent proposal to destroy, remove or disassemble the object (or group of objects) or elements of the place? \*Yes/\*No

Are there any known proposals to relocate buildings or the object(s) to another location? \*Yes/\*No

Is the deteriorating condition of the place or object posing a threat to its intactness or integrity? \*Yes/\*No

If yes, what form does the threat take?

Please provide any additional details about the threat:

12. Books and other references

Please name books and other sources that may provide historical information about this place.

13. Nomination checklist

I have completed all sections of this application form as follows:

- Local Heritage Overlay information
- Heritage Council criteria
- Statement of cultural heritage significance (including history and comparisons)
- Aboriginal cultural heritage values
- Condition
- Integrity/intactness
- Threat

I have attached:

- A copy of the Certificate of Title dated no more than one month ago (not necessary for places on Crown land)
- Recent photographs of the place or object
- An extent diagram clearly showing the extent (boundaries) of my nomination
- A copy of the Conservation Management Plan(s) for this place (if applicable)

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 1—Form of nomination of a place or object for inclusion in the  
Heritage Register

---

14. Nominator statement

I state that the information I have given on this form  
is correct to the best of my knowledge.

Name:

Signature:

Date:

\*delete if not applicable

## **Schedule 2—Form for submission to the Heritage Council**

Regulation 7

1. Submitter details

Title:

First name:

Surname:

Address:

Email address:

Telephone:

Is this nomination on behalf of a company or organisation?

\*Yes/\*No

What is its name?

What is your position title?

2. Place or object details

Place or object name:

Address or GPS location:

3. Details of Executive Director's recommendation

Date of recommendation:

Recommendation was to: \*Include/\*Not include

4. Purpose of submission

Note: This submission must relate only to whether or not a place or object is of cultural heritage significance or to the recommended extent of registration or permit policy or permit exemptions.

This submission:

Supports the Executive Director's recommendation

Objects to the Executive Director's recommendation

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 2—Form for submission to the Heritage Council

---

- Supports the "Extent of Registration" and "Permit Policy/Permit Exemptions" recommended by the Executive Director
- Objects to the "Extent of Registration" and "Permit Policy/Permit Exemptions" recommended by the Executive Director
- Other (please state):

Reasons for submission:

5. Hearings

Do you wish to cause a Heritage Council hearing in relation to this matter? \*Yes/\*No

Note: If you cause a hearing you may be requested to lodge a detailed submission to support your position.

If a hearing is caused by another party do you wish to be heard? \*Yes/\*No

Note: If a hearing is not requested the Heritage Council may determine the matter on written submissions.

Note: In the event of a hearing, your submission will be provided to other interested parties, and your personal details will not be removed. The Heritage Council is also bound by the **Freedom of Information Act 1982**. You should expect your submission to be freely and wholly available to anyone seeking access to it.

6. Submitter statement

I state that the information I have given on this form is correct to the best of my knowledge.

Name:

Signature:

Date:

\*delete if not applicable



## **Schedule 3—Form of application for heritage certificate**

Regulation 8

### 1. Applicant details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

### 2. Place details

Please only complete one of the following sections:

#### 2.1 Street address

Unit/flat number:

Street number:

Street name:

Street type:

Suburb/town or locality:

Postcode:

#### 2.2 Volume/folio number

Volume number:

Folio number:

#### 2.3 Lot on plan

Lot(s):

Plan type:

Plan number:

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 3—Form of application for heritage certificate

---

Section:

Block:

2.4 Council property number

Council property number:

Municipality:

2.5 Standard parcel identifier (SPI):

2.6 Crown allotment

Allotment:

Block:

Section:

Portion:

Subdivision:

Parish or township:

3. Object details

Object name:

Address or GPS location:

Victorian Heritage Register number:

Object description:

4. Fee

Fee to be paid:

Note: If this application relates to a registered place of which you are the owner and which is your principal place of residence, or a registered object which you own, and you hold one of the following cards, or have been declared a class or classes of eligible person by Order published under the **State Concessions Act 2004** in the Government Gazette, you are exempt from paying this fee. Please provide copies of the relevant card and either your driver's licence or a current rates notice for your principal place of residence to confirm your eligibility:

Heritage Regulations 2017

S.R. No. 108/2017

Schedule 3—Form of application for heritage certificate

---

- Health care card issued under section 1061ZS of the Social Security Act 1991 of the Commonwealth other than in respect of a child in foster care, or a child in respect of whom a carer allowance under section 953 of that Act is payable; or
- A Gold Card issued in respect of Part V of the Veterans' Entitlements Act 1986 of the Commonwealth other than a dependant (not including the widow or widower) of a veteran; or
- Pensioner concession card issued under section 1061ZF of the Social Security Act 1991 of the Commonwealth.

5. Payment options

## **Schedule 4—Form of notice of intention to sell registered place or registered object**

Regulation 10

1. Existing owner details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

2. Place or object details

Name of registered place or registered object (if any):

Address or GPS location:

Victorian Heritage Register number:

3. Details of sale

I am intending to sell the above place or object  
(purchaser details below):

Date contract of sale entered into:

Date of settlement of purchase:

4. Purchaser details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 4—Form of notice of intention to  
sell registered place or registered object

---

Email address:

Telephone:

5. Applicant statement

I state that the information I have given on this form is  
correct to the best of my knowledge.

Name:

Signature:

Date:

## **Schedule 5—Form of notice for alterations for the purposes of religious services or rites**

Regulation 11

1. Details of registered place or registered object

Place or object name:

Address or GPS location:

Victorian Heritage Register number:

2. Applicant details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

3. Contact person details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 5—Form of notice for alterations  
for the purposes of religious services or rites

---

4. Owner or building manager details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

5. Description and reason for proposed works

Please provide detailed description of the proposed works:

Please state reason/purpose for which the proposed works  
are required:

Estimated cost of the works:

6. Attachments

Plans showing the extent and nature of the proposed works  
must be submitted with this application.

7. Applicant statement

I state that the information I have given on this form is  
correct to the best of my knowledge. I acknowledge that  
authorised officers appointed by the Executive Director or  
any member of the Heritage Council may carry out any  
inspections of the registered place or registered object to  
examine the works in accordance with the Act.

Name:

Signature:

Date:

## **Schedule 6—Form of permit application**

Regulation 12

1. Details of registered place or registered object

Place or object name:

Address or GPS location:

Victorian Heritage Register number:

2. Applicant details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

3. Contact person details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

4. Owner or building manager details

Title:

First name:

Surname:

Business or organisation name:

---



Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 6—Form of permit application

---

Position title:

Address:

Email address:

Telephone:

5. Type of permit

- To subdivide, consolidate or realign a boundary of a registered place.

For works or activities where the estimated cost is:

- less than \$20 000.
- at least \$20 000 but less than \$100 000.
- at least \$100 000 but less than \$250 000.
- at least \$250 000 but less than \$500 000.
- at least \$500 000 but less than \$1 000 000.
- at least \$1 000 000 but less than \$5 000 000.
- at least \$5 000 000 but less than \$10 000 000.
- at least \$10 000 000 but less than \$30 000 000.
- \$30 000 000 or more.
- To demolish or destroy the whole of a registered place or object.

6. Cultural Heritage Management Plan

A Cultural Heritage Management Plan (CHMP) is a written report, prepared by a Heritage Advisor, containing the results of an assessment of the potential impact of the proposed activity on Aboriginal cultural heritage. Heritage Victoria is not able to issue statutory approvals without first receiving an approved CHMP if one is required.

- 6.1 Is a CHMP required under the **Aboriginal Heritage Act 2006** for the proposed works?

\*Yes (go to question 2)/\*No (go to question 4)

- 6.2 Has a CHMP been approved for proposed works?

\*Yes (go to question 3)/\*No (Please contact Heritage Victoria)

---

Schedule 6—Form of permit application

---

6.3 Do the proposed works contravene the approved CHMP?

\*Yes (please contact Heritage Victoria)/\*No  
(go to question 4)

6.4 Do the proposed works contravene any previously approved CHMPs?

\*Yes (please contact Heritage Victoria)/\*No

The applicant must disclose whether a CHMP is required under the **Aboriginal Heritage Act 2006**. If a CHMP is required, Heritage Victoria must not grant a permit until a CHMP has been approved (see section 52(1) of the **Aboriginal Heritage Act 2006**). Under section 52(4) of the **Aboriginal Heritage Act 2006**, the time required for Heritage Victoria to make a permit decision is deemed not to have commenced until a copy of an approved CHMP is provided.

Applicants can use the Aboriginal Heritage Planning tool to determine whether a CHMP is required: [*up-to-date internet address*]

Further information on CHMPs and the **Aboriginal Heritage Act 2006** is available at: [*up-to-date internet address*]

7. Description and reason for proposed works

Please provide a detailed description of the proposed works:

Please state the reason and purpose for which the proposed works are required:

Estimated cost of the works:

Do the works involve common property? \*Yes  
(owners corporation consent is required)/\*No

8. Supporting documents

8.1 For all applications:

- A current copy of title.
  - Approved Cultural Heritage Management Plan (if applicable).
  - Full details of the proposed works.
-

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 6—Form of permit application

---

- Consent of the owners corporation (if works are proposed for common property).
- 8.2 For development of new buildings, extensions, alterations or additions to a heritage building(s):
- Existing and proposed site plans.
  - Existing and proposed floor plans.
  - Existing and proposed elevations.
  - Heritage Impact Statement.
  - Materials and colour schedule.
  - Major applications also require photo montages and a site plan showing the extent of heritage registration overlayed.
  - All plans to be in A3 or A4.
- 8.3 For landscape works:
- Existing conditions plan.
  - Proposed landscape plan(s).
  - A statement describing the impact of the proposed works on the heritage values of the place or object (Heritage Impact Statement).
  - Tree reports if tree removal proposed.
  - All plans to be in A3 or A4.
- 8.4 For subdivision/consolidation:
- Existing lot arrangement/site plan.
  - Subdivision plan prepared by a licensed surveyor showing existing heritage buildings and extent of heritage registration overlayed.
  - Heritage Impact Statement.
- 8.5 For painting:
- Sketch or elevation showing component colours (e.g. roof, walls, gutters, downpipes etc.).
  - Colour chips of proposed colours.
-

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 6—Form of permit application

---

- Rationale for proposed colour scheme.
- Job specification setting out details of preparatory work.

8.6 For re-roofing:

- Details of existing roofing materials.
- Schedule of proposed roofing materials.
- Rationale for proposed materials if different from existing.
- Roof plans—existing and proposed.
- Job specification setting out work methods.

8.7 For signage:

- Plans showing any existing signage.
- Plans showing proposed signage including retention of existing signage.
- Specifications of signs including form, dimensions, materials and whether illuminated.
- Details of how signs will be affixed to a heritage building or structure.

9. Permit fee

Fee to be paid:

Note: If these activities are being undertaken by a community group or for conservation, educational research or public safety, it may be possible to apply for a waiver of the permit fee. Please consult Heritage Victoria in relation to your application.

Note: If this application relates to a registered place of which you are the owner and which is your principal place of residence, or a registered object which you own, and you hold one of the following cards, or have been declared a class or classes of eligible person by Order published under the **State Concessions Act 2004** in the Government Gazette, you are exempt from paying this fee. Please provide copies of the relevant card and either your driver's licence or a current rates notice

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 6—Form of permit application

---

for your principal place of residence to confirm your eligibility:

- Health care card issued under section 1061ZS of the Social Security Act 1991 of the Commonwealth other than in respect of a child in foster care, or a child in respect of whom a carer allowance under section 953 of that Act is payable; or
- A Gold Card issued in respect of Part V of the Veterans' Entitlements Act 1986 of the Commonwealth other than a dependant (not including the widow or widower) of a veteran; or
- Pensioner concession card issued under section 1061ZF of the Social Security Act 1991 of the Commonwealth.

10. Payment options

11. Owner or government manager consent

I am the owner or government manager of the registered place or registered object described in the permit application and I hereby consent to the application to carry out the works or activities specified in the application.

Name:

Business or organisation name:

Position title:

Signature:

Date:

12. Owners corporation manager consent (where applicable)

I am the owners corporation manager of the registered place or registered object described in the permit application and I hereby consent to the application to carry out the works or activities specified in the application.

Name:

Business or organisation name:

Position title:

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 6—Form of permit application

---

Signature:

Date:

13. Applicant statement

I state that I am authorised to make this application in relation to the above property or object, and that the information supplied in this application is accurate and correct. I acknowledge that authorised officers appointed by the Executive Director or any member of the Heritage Council may inspect the heritage place or heritage object to assess this application in accordance with the Act.

Name:

Signature:

Date:

\*delete if not applicable

## **Schedule 7—Form of permit amendment application**

Regulation 17

1. Details of registered place or registered object

Place or object name:  
Address or GPS location:  
Victorian Heritage Register number:  
Permit number for which amendment is sought:

2. Applicant details

Title:  
First name:  
Surname:  
Business or organisation name:  
Position title:  
Address:  
Email address:  
Telephone:

3. Contact person details

Title:  
First name:  
Surname:  
Business or organisation name:  
Position title:  
Address:  
Email address:  
Telephone:

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 7—Form of permit amendment application

---

4. Type of original permit

- To subdivide, consolidate or realign a boundary of a registered place.

For works or activities where the estimated cost is:

- less than \$20 000.
- at least \$20 000 but less than \$100 000.
- at least \$100 000 but less than \$250 000.
- at least \$250 000 but less than \$500 000.
- at least \$500 000 but less than \$1 000 000.
- at least \$1 000 000 but less than \$5 000 000.
- at least \$5 000 000 but less than \$10 000 000.
- at least \$10 000 000 but less than \$30 000 000.
- \$30 000 000 or more.
- To demolish or destroy the whole of a registered place or object.

5. Description and reason for proposed new works

Please provide a detailed description of the proposed new works and how they vary from the issued permit (including details of any new materials, finishes or paint schemes):

Please state the reason and purpose for which the proposed works are required:

Do the works involve common property? \*Yes  
(owners corporation consent is required)/\*No

6. Supporting documents

The following supporting documents must be submitted with this application:

- Amended plans showing the amendment in relation to the proposed works (in A3 or A4 format). This includes existing and proposed elevations, photographs and photomontages, and tree reports if tree removal proposed. Subdivision applications require the plan be prepared by a licensed surveyor showing existing heritage buildings and extent of heritage registration overlaid.
-



Schedule 7—Form of permit amendment application

---

- Amended materials and colour schedule (detailing existing materials/colours and what is proposed).

7. Cultural Heritage Management Plan

A Cultural Heritage Management Plan (CHMP) is a written report, prepared by a Heritage Advisor, containing the results of an assessment of the potential impact of the proposed activity on Aboriginal cultural heritage. Heritage Victoria is not able to issue statutory approvals without first receiving an approved CHMP if one is required.

7.1 Is a CHMP required under the **Aboriginal Heritage Act 2006** for the proposed works?

\*Yes (go to question 2)/\*No (go to question 4)

7.2 Has a CHMP been approved for proposed works?

\*Yes (go to question 3)/\*No (Please contact Heritage Victoria)

7.3 Do the proposed works contravene the approved CHMP?

\*Yes (please contact Heritage Victoria)/\*No (go to question 4)

7.4 Do the proposed works contravene any previously approved CHMPs?

\*Yes (please contact Heritage Victoria)/\*No

The applicant must disclose whether a CHMP is required under the **Aboriginal Heritage Act 2006**. If a CHMP is required, Heritage Victoria must not grant a permit until a CHMP has been approved (see section 52(1) of the **Aboriginal Heritage Act 2006**). Under section 52(4) of the **Aboriginal Heritage Act 2006**, the time required for Heritage Victoria to make a permit decision is deemed not to have commenced until a copy of an approved CHMP is provided.

Applicants can use the Aboriginal Heritage Planning tool to determine whether a CHMP is required: [*up-to-date internet address*]

Further information on CHMPs and the **Aboriginal Heritage Act 2006** is available at: [*up-to-date internet address*]

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 7—Form of permit amendment application

---

8. Permit fee

Fee to be paid:

Note: If these activities are being undertaken by a community group or for conservation, educational research or public safety, it may be possible to apply for a waiver of the permit fee. Please consult Heritage Victoria in relation to your application.

Note: If this application relates to a registered place of which you are the owner and which is your principal place of residence, or a registered object which you own, and you hold one of the following cards, or have been declared a class or classes of eligible person by Order published under the **State Concessions Act 2004** in the Government Gazette, you are exempt from paying this fee. Please provide copies of the relevant card and either your driver's licence or a current rates notice for your principal place of residence to confirm your eligibility:

- Health care card issued under section 1061ZS of the Social Security Act 1991 of the Commonwealth other than in respect of a child in foster care, or a child in respect of whom a carer allowance under section 953 of that Act is payable; or
- A Gold Card issued in respect of Part V of the Veterans' Entitlements Act 1986 of the Commonwealth other than a dependant (not including the widow or widower) of a veteran; or
- Pensioner concession card issued under section 1061ZF of the Social Security Act 1991 of the Commonwealth.

9. Payment options

10. Owner or government manager consent

I am the owner or government manager of the registered place or registered object described in the permit application and I hereby consent to the application to carry out the works or activities specified in the application.

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 7—Form of permit amendment application

---

Name:

Business or organisation name:

Position title:

Signature:

Date:

11. Owners corporation manager consent (where applicable)

I am the owners corporation manager of the registered place or registered object described in the permit application and I hereby consent to the application to carry out the works or activities specified in the application.

Name:

Business or organisation name:

Position title:

Signature:

Date:

12. Applicant statement

I state that I am authorised to make this application in relation to the above property or object, and that the information supplied in this application is accurate and correct. I acknowledge that authorised officers appointed by the Executive Director or any member of the Heritage Council may inspect the heritage place or heritage object to assess this application in accordance with the Act.

Name:

Signature:

Date:

\*delete if not applicable

## **Schedule 8—Form of application for consent**

Regulation 22

1. Site details

Address:

Municipal Council:

Heritage Inventory site name (if recorded in Inventory):

Heritage Inventory number (if recorded in Inventory):

2. Applicant details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

3. Recording archaeologist details (if required)

Title:

First name:

Surname:

Business or organisation name:

Position title:

Business or organisation address:

Email address:

Telephone:

4. Owner or land manager details

Title:

First name:

Surname:

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 8—Form of application for consent

---

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

5. Type of consent

- To uncover and expose a site to assess the condition and potential of the archaeology:
  - To construct or extend one domestic residential dwelling.
  - For all other purposes.
- To excavate a site:
  - To construct or extend one domestic residential dwelling.
  - For all other purposes.
- To damage and disturb a site:
  - To construct or extend one domestic residential dwelling.
  - For all other purposes, where damage is less than 50 per cent.
  - For all other purposes, where damage is 50 per cent or more.
- To possess, dispose of, or trade archaeological artefacts, or for all other purposes for which a consent is required.

6. Cultural Heritage Management Plan

A Cultural Heritage Management Plan (CHMP) is a written report, prepared by a Heritage Advisor, containing the results of an assessment of the potential impact of the proposed activity on Aboriginal cultural heritage. Heritage Victoria is not able to issue statutory approvals if a CHMP is required under the **Aboriginal Heritage Act 2006**.

- 6.1 Is a CHMP required under the **Aboriginal Heritage Act 2006** for the proposed works? \*Yes/\*No
  - 6.2 Is a voluntary CHMP underway? \*Yes/\*No
  - 6.3 Has a CHMP been approved? \*Yes/\*No
-

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 8—Form of application for consent

---

6.4 Do the proposed works contravene a CHMP?  
\*Yes/\*No

6.5 Is a Cultural Heritage Permit required under the  
**Aboriginal Heritage Act 2006**? \*Yes/\*No

Applicants can use the Aboriginal Heritage Planning tool to determine whether a CHMP is required: [*up-to-date internet address*]

Further information on CHMPs and the **Aboriginal Heritage Act 2006** is available at: [*up-to-date internet address*]

7. Description of proposed activity

Please provide a description of the proposed works or activity to be undertaken (e.g. construction of a dwelling):

8. Supporting documents

The following supporting documents must be submitted with this application:

- Outline of proposed development works, identifying the area of heritage impact.
- Description and background history for the site.
- Statement of significance for the Heritage Inventory site.
- Research design.
- Excavation methodology.
- Artefact retention policy.
- Artefact management proposal.
- Curriculum vitae of the project archaeologist and conservator.
- Letter detailing engagement of project conservator.

9. Consent fee

Fee to be paid:

Note: If these activities are being undertaken by a community group or for conservation, educational research or public safety, it may be possible to

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 8—Form of application for consent

---

apply for a waiver of the consent fee. Please consult Heritage Victoria in relation to your application.

Note: If this application relates to a registered place of which you are the owner and which is your principal place of residence, or a registered object which you own, and you hold one of the following cards, or have been declared a class or classes of eligible person by Order published under the **State Concessions Act 2004** in the Government Gazette, you are exempt from paying this fee. Please provide copies of the relevant card and either your driver's licence or a current rates notice for your principal place of residence to confirm your eligibility:

- Health care card issued under section 1061ZS of the Social Security Act 1991 of the Commonwealth other than in respect of a child in foster care, or a child in respect of whom a carer allowance under section 953 of that Act is payable; or
- A Gold Card issued in respect of Part V of the Veterans' Entitlements Act 1986 of the Commonwealth other than a dependant (not including the widow or widower) of a veteran; or
- Pensioner concession card issued under section 1061ZF of the Social Security Act 1991 of the Commonwealth.

10. Payment options

11. Owner or government manager consent

I am the owner or government manager of the site recorded in the Heritage Inventory or the archaeological site which is not recorded in the Heritage Inventory or the archaeological artefact described in the consent application and I hereby consent to the application to carry out the works or activities specified in the application.

Name:

Business or organisation name:

Position title:

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 8—Form of application for consent

---

Signature:

Date:

12. Applicant statement

I state that the information supplied in this application is accurate and correct. I acknowledge that authorised officers appointed by the Executive Director may inspect the Heritage Inventory site to assess this application in accordance with the Act.

Name:

Signature:

Date:

\*delete if not applicable



## Schedule 9—Form of site card

Regulation 27

1. Place details

Place name:

Heritage Inventory number (if any):

Other or former names:

Municipal Council:

Address:

Geographical coordinates (GDA94 or WGS84) expressed  
in degrees and decimals of a degree:

Mapsheet name and number (1:100 000 only):

2. Cadastral location

County:

Parish:

Township:

Section:

Allotment:

Standard Parcel Identifier (SPI):

3. Details of site owner or land manager (where known)

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

Heritage Regulations 2017  
S.R. No. 108/2017  
Schedule 9—Form of site card

---

4. Details of site occupier (where known)

Title:

First name:

Surname:

Business or organisation name:

Position title:

Address:

Email address:

Telephone:

5. Aboriginal cultural heritage

Site has known Aboriginal cultural heritage: \*Yes/\*No

Site is recorded on the Victorian Aboriginal Heritage Register: \*Yes/\*No

6. Current description of site

Please provide description:

Date recorded:

On Victorian Heritage Register: \*Yes (please advise VHR number)/\*No

On Heritage Overlay: \*Yes (please advise HO number)/\*No

Associated sites:

7. Place history

Please provide a brief history of the place (at least 1 to 2 paragraphs):

8. Analysis of site (interpretation)

Include phases in the development of the site, functions and activities represented, as well as current place use:

9. Statement of significance

Please provide a brief description of why the site is significant (at least 1 to 2 paragraphs):

Heritage Regulations 2017  
S.R. No. 108/2017  
Schedule 9—Form of site card

---

10. Suggested protection

- Heritage Inventory
- Victorian Heritage Register
- Heritage Overlay

11. Threat

Is the place under any threat? If so, what is the threat?

12. References or informants

Please list books or other sources that may provide historical information about this place.

13. Attachments

Please attach the following to this form:

- A map showing the location of the site. Map must clearly identify recorded area and include any street addresses (e.g. excerpt from Melway and its reference numbers).
- A plan showing all archaeological features, and any built cultural heritage. (The plan must be labelled and scale noted—e.g. 1:100 000).
- Photographs of the site (you may include historical photographs, historical plans, and historical maps).
- Any other documents or notes produced as a result of the survey.

14. Recording archaeologist's details

Title:

First name:

Surname:

Business or organisation name:

Position title:

Business or organisation address:

Email address:

Telephone:

Heritage Regulations 2017  
S.R. No. 108/2017  
Schedule 9—Form of site card

---

15. Statement

I state that the information I have given on this form is correct to the best of my knowledge.

Name:

Signature:

Date:

\*delete if not applicable

## Schedule 10—Form of interim protection order

Regulation 28

Name:

Title:

Business/organisation name:

Address:

SUBURB STATE POSTCODE

Dear [*Name*]

### VICTORIAN HERITAGE REGISTER INTERIM PROTECTION ORDER

You are the [*owner/occupier/person apparently in charge*] of the [*place/object*] located at [*address*] which is categorised as a [*Heritage Act category*] under section 25 of the **Heritage Act 2017**.

In the opinion of the [*Heritage Council/Executive Director*] it is [*necessary/desirable*] to make an interim protection order under section 143 of the **Heritage Act 2017** for the purposes of that Act.

#### TAKE NOTICE THAT:

1. The [*Heritage Council/Executive Director*] causes this interim protection order to be served on you.
2. On service of this order on you and while this order remains in force the [*place/object*] at [*address*] is taken to be included in the Victorian Heritage Register in the category specified.
3. If a place is taken to be a registered place, the **Heritage Act 2017** provides that—

---

<b>A person must not:</b>	<b>The maximum penalty:</b>
<ul style="list-style-type: none"><li>• remove, relocate or demolish; or</li><li>• damage or despoil; or</li><li>• develop or alter; or</li><li>• excavate—</li></ul> all or any part of that place.	Under section 87(1) of the <b>Heritage Act 2017</b> , for a person knowingly or recklessly performing the act— <ul style="list-style-type: none"><li>• 4800 penalty units, or imprisonment for 5 years, or both for a natural person;</li><li>• 9600 penalty units for a body corporate.</li></ul>

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 10—Form of interim protection order

---

<b>A person must not:</b>	<b>The maximum penalty:</b>
	<p>Under section 88(1) of the <b>Heritage Act 2017</b>, for a person negligently performing the act—</p> <ul style="list-style-type: none"><li>• 2400 penalty units, or imprisonment for 2 years, or both for a natural person;</li><li>• 4800 penalty units for a body corporate.</li></ul>
	<p>Under section 89(1) of the <b>Heritage Act 2017</b>, for a person performing the act—</p> <ul style="list-style-type: none"><li>• 48 penalty units for a natural person;</li><li>• 240 penalty units for a body corporate.</li></ul>
<ul style="list-style-type: none"><li>• remove, relocate or demolish; or</li><li>• damage or despoil; or</li><li>• alter—</li></ul> a registered object.	<p>Under section 87(2) of the <b>Heritage Act 2017</b>, for a person knowingly or recklessly performing the act—</p> <ul style="list-style-type: none"><li>• 4800 penalty units, or imprisonment for 5 years or both for a natural person;</li><li>• 9600 penalty units for a body corporate.</li></ul>
	<p>Under section 88(2) of the <b>Heritage Act 2017</b>, for a person negligently performing the act—</p> <ul style="list-style-type: none"><li>• 2400 penalty units, or imprisonment for 2 years or both for a natural person;</li><li>• 4800 penalty units for a body corporate.</li></ul>
	<p>Under section 89(2) of the <b>Heritage Act 2017</b>, for a person performing the act—</p> <ul style="list-style-type: none"><li>• 48 penalty units for a natural person;</li><li>• 240 penalty units for a body corporate.</li></ul>

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 10—Form of interim protection order

---

<b>A person must not:</b>	<b>The maximum penalty:</b>
<ul style="list-style-type: none"><li>disturb the position of an object that is a fixed registered object.</li></ul>	<p>Under section 87(3) of the <b>Heritage Act 2017</b>, for a person knowingly or recklessly performing the act—</p> <ul style="list-style-type: none"><li>4800 penalty units, or imprisonment for 5 years or both for a natural person;</li><li>9600 penalty units for a body corporate.</li></ul> <p>Under section 88(3) of the <b>Heritage Act 2017</b>, for a person negligently performing the act—</p> <ul style="list-style-type: none"><li>2400 penalty units, or imprisonment for 2 years or both for a natural person;</li><li>4800 penalty units for a body corporate.</li></ul> <p>Under section 89(3) of the <b>Heritage Act 2017</b>, for a person performing the act—</p> <ul style="list-style-type: none"><li>48 penalty units for a natural person;</li><li>240 penalty units for a body corporate.</li></ul>
4.	Under section 144 of the <b>Heritage Act 2017</b> , this order comes into force on service on you.
5.	This order— <ul style="list-style-type: none"><li>(a) continues in force for a period of 4 months or for any further period specified by the Minister; or</li><li>(b) until—<ul style="list-style-type: none"><li>(i) the place or object is included in the Victorian Heritage Register; or</li><li>(ii) the Heritage Council determines that the place or object does not warrant inclusion in the Victorian Heritage Register; or</li><li>(iii) the Heritage Council removes the order—</li></ul></li></ul> whichever occurs first.

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 10—Form of interim protection order

---

6. Under section 147 of the **Heritage Act 2017**, on service of this order on you, you must display a notice in the prescribed form of the existence of this order in a conspicuous position on the place to which this order relates while the order is in force.

The maximum penalty for a contravention of section 147 is 120 penalty units for a natural person, or 240 penalty units for a body corporate.

Dated:

EXECUTIVE DIRECTOR HERITAGE VICTORIA/EXECUTIVE  
OFFICER HERITAGE COUNCIL/CHAIR HERITAGE COUNCIL



## Schedule 11—Form of notice of existence of an interim protection order

Regulation 29

An interim protection order made by the Executive Director/Heritage Council has been served for the following place/object:

NAME OF PLACE/OBJECT:

ADDRESS:

SPECIFIED CATEGORY (under section 25 of the **Heritage Act 2017**):

TAKE NOTICE THAT:

1. While the Interim Protection Order remains in force the above place/object is taken to be included in the Victorian Heritage Register in the category specified.
2. If a place is taken to be a registered place, the **Heritage Act 2017** provides that—

---

<b>A person must not:</b>	<b>The maximum penalty:</b>
<ul style="list-style-type: none"><li>• remove, relocate or demolish; or</li><li>• damage or despoil; or</li><li>• develop or alter; or</li><li>• excavate—</li></ul> all or any part of that place.	<p>Under section 87(1) of the <b>Heritage Act 2017</b>, for a person knowingly or recklessly performing the act—</p> <ul style="list-style-type: none"><li>• 4800 penalty units, or imprisonment for 5 years, or both for a natural person;</li><li>• 9600 penalty units for a body corporate.</li></ul> <p>Under section 88(1) of the <b>Heritage Act 2017</b>, for a person negligently performing the act—</p> <ul style="list-style-type: none"><li>• 2400 penalty units, or imprisonment for 2 years, or both for a natural person;</li><li>• 4800 penalty units for a body corporate.</li></ul>

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 11—Form of notice of existence of an interim protection order

---

<b>A person must not:</b>	<b>The maximum penalty:</b>
	<p>Under section 89(1) of the <b>Heritage Act 2017</b>, for a person performing the act—</p> <ul style="list-style-type: none"><li>• 48 penalty units for a natural person;</li><li>• 240 penalty units for a body corporate.</li></ul>
<ul style="list-style-type: none"><li>• remove, relocate or demolish; or</li><li>• damage or despoil; or</li><li>• alter—</li></ul> a registered object.	<p>Under section 87(2) of the <b>Heritage Act 2017</b>, for a person knowingly or recklessly performing the act—</p> <ul style="list-style-type: none"><li>• 4800 penalty units, or imprisonment for 5 years or both for a natural person;</li><li>• 9600 penalty units for a body corporate.</li></ul>
	<p>Under section 88(2) of the <b>Heritage Act 2017</b>, for a person negligently performing the act—</p> <ul style="list-style-type: none"><li>• 2400 penalty units, or imprisonment for 2 years or both for a natural person;</li><li>• 4800 penalty units for a body corporate.</li></ul>
	<p>Under section 89(2) of the <b>Heritage Act 2017</b>, for a person performing the act—</p> <ul style="list-style-type: none"><li>• 48 penalty units for a natural person;</li><li>• 240 penalty units for a body corporate.</li></ul>
<ul style="list-style-type: none"><li>• disturb the position of an object that is a fixed registered object.</li></ul>	<p>Under section 87(3) of the <b>Heritage Act 2017</b>, for a person knowingly or recklessly performing the act—</p> <ul style="list-style-type: none"><li>• 4800 penalty units, or imprisonment for 5 years or both for a natural person;</li><li>• 9600 penalty units for a body corporate.</li></ul>

---

Heritage Regulations 2017  
S.R. No. 108/2017

Schedule 11—Form of notice of existence of an interim protection order

---

<b>A person must not:</b>	<b>The maximum penalty:</b>
	<p>Under section 88(3) of the <b>Heritage Act 2017</b>, for a person negligently performing the act—</p> <ul style="list-style-type: none"><li>• 2400 penalty units, or imprisonment for 2 years or both for a natural person;</li><li>• 4800 penalty units for a body corporate.</li></ul> <p>Under section 89(3) of the <b>Heritage Act 2017</b>, for a person performing the act—</p> <ul style="list-style-type: none"><li>• 48 penalty units for a natural person;</li><li>• 240 penalty units for a body corporate.</li></ul>

---

3. Under section 144 of the **Heritage Act 2017**, this order comes into force on service on you.
4. This order—
  - (a) continues in force for a period of 4 months or for any further period specified by the Minister; or
  - (b) until—
    - (i) the place or object is included in the Victorian Heritage Register; or
    - (ii) the Heritage Council determines that the place or object does not warrant inclusion in the Victorian Heritage Register; or
    - (iii) the Heritage Council removes the order—whichever occurs first.
5. Under section 147 of the **Heritage Act 2017**, on service of this order on you, you must display a notice in the prescribed form of the existence of this order in a conspicuous position on the place to which this order relates while the order is in force.

The maximum penalty for a contravention of section 147 is 120 penalty units for a natural person, or 240 penalty units for a body corporate.

**Schedule 12—Form of identity card  
for inspectors**

Regulation 30

**Heritage Act 2017**

Heritage Regulations 2017

**IDENTITY CARD FOR INSPECTORS**

I certify that the bearer, *[name]*, has been appointed an inspector under section 194 of the **Heritage Act 2017**.

Signed: Executive Director/Delegate

Date:

Inspector number:

*[include photograph of inspector]*

---

---

## Endnotes

### Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2017 is \$14.22. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

### Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2017 is \$158.57.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.