

The Heritage Protection System

By identifying, recording, and protecting our heritage, we ensure that future generations can enjoy and learn from it for years to come.



Local heritage

A **place** that is of local cultural heritage significance to a suburb, locality, or municipality. Most heritage protection happens at a local level.

Planning and Environment Act 1987

The Victorian planning system protects heritage places at a local level via the Heritage Overlay. The **Heritage Overlay** cannot be used to protect places with primarily Aboriginal heritage values; these are protected by the *Aboriginal Heritage Act 2006*.

Local Council

Generally responsible for proposing what to include in the Heritage Overlay and making decisions about changes to places in the Heritage Overlay. This includes:

- preparation, community consultation and adoption of heritage studies to identify and assess places and precincts of local significance
- preparation and progress of planning scheme amendments to add them to the Heritage Overlay
- assessing and determining permit applications triggered by the Heritage Overlay
- enforcing compliance with planning permits and stopping and reversing unauthorised works.

Minister for Planning

- Authorises preparation and approves amendments to planning schemes.
- May take responsibility for a planning application being assessed by local council and refer it to VCAT.

State heritage

A **place or object** that is of state-level cultural heritage significance to Victoria.

Heritage Act 2017

Protects and manage cultural heritage places and objects at the state level. It does not include heritage places/objects associated solely with Aboriginal tradition; these are protected by the *Aboriginal Heritage Act 2006*.

The **Victorian Heritage Register (VHR)** provides legal protection for heritage significant to the history and development of Victoria. The **Victorian Heritage Inventory (VHI)** provides legal protection for all historical archaeological sites in Victoria.

Heritage Victoria

Victorian Government agency, responsibilities include:

- recommending places/objects to be included in the VHR
- managing state heritage, historical archaeological sites in the VHI and shipwrecks
- assessing and determining permit and consent applications.

Heritage Council of Victoria

Independent statutory authority established under the *Heritage Act 2017*; responsibilities include:

- determining the places/objects of state-level significance to be included in the VHR
- promoting a public understanding of Victoria's cultural heritage and the importance of its protection
- reviewing permit and consent decisions made by Heritage Victoria.

Minister for Planning

- May take responsibility for a registration decision or permit/consent applications being assessed by the Heritage Council and refer to VCAT.



Aboriginal cultural heritage

The **knowledge and lore, practices and people, objects and places** that are valued, culturally meaningful and connected to identity and Country.

Aboriginal Heritage Act 2006

Protects and manages Aboriginal cultural heritage.

The **Victorian Aboriginal Heritage Register (VAHR)** is a repository for Traditional Owners to store information about their cultural heritage. The Register is not publicly accessible as it contains culturally sensitive information.

Registered Aboriginal Parties (RAPs)

Traditional Owner groups, responsibilities include:

- managing and protecting Aboriginal cultural heritage on Country
- acting as the primary source of advice and knowledge on matters relating to Aboriginal places/objects in their region
- the evaluation and decision making regarding cultural heritage management, permits and agreements.

Victorian Aboriginal Heritage Council

Council of Traditional Owners established under the *Aboriginal Heritage Act 2006*, responsibilities include:

- appointing Registered Aboriginal Parties to manage and protect cultural heritage on their Country
- helping the community respect and understand Aboriginal cultural heritage and Traditional Owner responsibilities.

First Peoples – State Relations

Victorian Government body, responsibilities include:

- community strengthening and engagement
- supporting self-determination and treaty processes
- cultural heritage management and protection
- supporting strong Traditional Owner corporations
- administering the VAHR.

National heritage

Natural, historic, and Aboriginal places with outstanding value to the nation are included in the National Heritage List. The *Environment Protection and Biodiversity Conservation Act 1999* protects places of national heritage significance. Administered by the Australian Government with advice from the Australian Heritage Council.

Global heritage

A **place** that is of outstanding universal value has the potential to be recognised as being of world heritage significance and inscribed on the World Heritage List.

There are international non-governmental organizations which protect global cultural heritage. UNESCO curates the World Heritage list under the *World Heritage Convention (1972)*.



Heritage belongs to all of us. We need to protect it, because if we don't, it's lost forever.



For more information about Victorian heritage and how it is protected, see all the resources from the Heritage Information Pack, at heritagecouncil.vic.gov.au/heritage-protection/heritage_info_pack/

