



Department of Environment,  
Land, Water & Planning

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Mr Brian Walsh  
President  
Kew Cottages Coalition  
[admin@kew.org.au](mailto:admin@kew.org.au)

Ref: MIN019946  
“\*MIN019946\*”

Brian

Dear Mr Walsh

### KEW COTTAGES DEVELOPMENT

Thank you for your email of 20 August 2016 to the Hon Richard Wynne MP, Minister for Planning, in which you express concern over the subdivision of land in the heritage core at Kew Cottages. The Minister has asked me to respond on his behalf.

As you will be aware, permit application P24938 to subdivide the heritage core has been lodged under the *Heritage Act 1995* and is about to be determined. Once the permit has been determined, you and the other submitters will be notified of the outcome.

However, I should point out that the Executive Director has no jurisdiction under the Act with regard to the use to which a place listed in the Victorian Heritage Register is put or the activities that occur within that place. Assessment of permit applications under the Act focuses primarily on the physical impacts that a proposal will have on significant built fabric and on the setting or context of that fabric.

The Executive Director must assess every permit application within the terms set by those applications and the Act makes no provision for the promotion by the Executive Director of an alternative scope of works or land use to that proposed in a permit application.

Please contact Geoff Austin, Manager – Heritage Register and Permits, on (03) 9938 6868 or email us at [heritage.permits@delwp.vic.gov.au](mailto:heritage.permits@delwp.vic.gov.au) if you have further queries.

Yours sincerely

**Tim Smith**  
Executive Director, Heritage Victoria

7/9/16