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**HERITAGE  
PERMIT  
GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017**

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Permit No.: P31861

Applicant/s:



**NAME OF PLACE/OBJECT:** ROYAL BOTANIC GARDENS

**HERITAGE REGISTER NUMBER:** H1459

**LOCATION OF PLACE/OBJECT:** BIRDWOOD AVENUE MELBOURNE

**THE PERMIT ALLOWS:** *Relocation of the Lake View Pavilion (B5) from behind the Tea Rooms to the Northern Border, in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:*

- LAKE VIEW PAVILION RELOCATION, PROPOSED METHODOLOGY, PREPARED BY QUADRATUM ARCHITECTURE, DATED NOVEMBER 2019.
- ARCHITECTURAL PLANS, LAKE VIEW PAVILION RELOCATION PROJECT, PREPARED BY QUADRATUM ARCHITECTURE, DATED MAY 2019
  - DRAWING NO. A01, EXISTING CONDITIONS SITE PLAN, ELEVATIONS & PLANS
  - DRAWING NO. A02 REV A PROPOSED WORKS, PLAN, ELEVATION, SECTION
- LAKEVIEW PAVILION PROJECT, RBGV MELB GARDENS, LANDSCAPE PLAN, PREPARED BY ANDREW LAIDLAW, DATED JUNE 2019
- GARDEN REINSTATEMENT LAKEVIEW PAVILION PROJECT, RBG MELB GARDENS, PREPARED BY ANDREW LAIDLAW DATED OCTOBER 2019.

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. The permission granted for this permit shall expire if one of the following circumstances applies: the permitted works have not commenced within two (2) years of the original date of issue of this permit, or are not completed within four (4) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
2. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
3. Prior to the commencement of any of the works approved by this permit, a Construction Management Plan (the Plan) must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection methods for the heritage place during the undertaking of the works, a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
4. Prior to the commencement of landscaping works associated with the relocation of the Lake View Pavilion, a Landscape Plan must be submitted for the endorsement of the Executive Director, Heritage Victoria and when endorsed becomes part of this permit.
5. An Interpretation Plan related to the relocation of the Pavilion is to be submitted to the Executive Director, Heritage Victoria for endorsement within 12 months of activation of this permit, unless

otherwise agreed in writing by the Executive Director. The Plan must include at the minimum on-site signage associated with the relocated Pavilion. When endorsed the Interpretation Plan becomes part of the permit and is to be implemented on site prior to the expiration of the permit.

6. Should further minor changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged for assessment by the Executive Director, Heritage Victoria who will advise on the approach to be taken to address these matters.
7. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place/object. However, if other previously hidden original or inaccessible details of the object or place are uncovered, any works that may affect such items must immediately cease. The Executive Director, Heritage Victoria must be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
8. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
9. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

**NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.**

**TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF 120 PENALTY UNITS (\$19,826 AS AT JULY 2019) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$99,132 AS AT JULY 2019) UNDER s104 THE HERITAGE ACT 2017.**

**WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$793,056 AS AT JULY 2019) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,586,122 AS AT JULY 2019) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE HERITAGE ACT 2017.**

**THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.**

<p>Date Issued:</p> <p>4 August 2020</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>Janet Sullivan Principal Heritage Permits</p>	
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Date of amendment

Brief description of amendment

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## **IMPORTANT INFORMATION ABOUT THIS PERMIT**

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### **WHAT HAS BEEN DECIDED?**

The Executive Director, Heritage Victoria has issued a permit under s102 of the *Heritage Act 2017*.

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### **WHEN DOES THE PERMIT BEGIN?**

The permit operates from the day the permit is signed by the Executive Director, Heritage Victoria or their delegate.

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### **WHEN DOES A PERMIT EXPIRE?**

A permit expires if -

- \* the development or any stage of it does not start within the time specified in the permit; or
- \* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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### **WHAT ABOUT REVIEW OF THE DETERMINATION?**

The applicant or the owner of a registered place or registered object may ask the Heritage Council of Victoria to review any condition of a permit imposed by the Executive Director, Heritage Victoria on a permit issued under s102 of the *Heritage Act 2017*.

A request must -

- \* be in writing; and.
- \* be lodged within 60 days after the permit is issued.

Review request forms can be downloaded at:

[www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/](http://www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/)

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