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

Permit No.: P33971

Applicant/s: 

NAME OF PLACE/OBJECT: RUPERTSWOOD

HERITAGE REGISTER NUMBER: H0275

LOCATION OF PLACE/OBJECT: 3-5 MACEDON STREET, SUNBURY VIC 3429

THE PERMIT ALLOWS: *Construction of a Food Technology building, generally in accordance with the following documents:*

- **Architectural drawings prepared by McIldowie Partners Architects & Interior designers, issued for Heritage Victoria RFI**
 - TP005 – Location Plan, Rev E – 11.2020
 - TP010 – Site Plan, Rev E – 11.2020
 - TP015 – Existing Condition and Demo Plan, Rev E – 11.2020
 - TP016 – Site Image Plan, Rev E – 11.2020
 - TP017 – Site Image 01, Rev E – 11.2020
 - TP018 – Site Image 02, Rev E – 11.2020
 - TP019 – Site Image 03, Rev E – 11.2020
 - TP025 – Perspective View 01, Rev E – 11.2020
 - TP026 – Perspective View 02, Rev E – 11.2020
 - TP101 – Ground Floor Plan, Rev E – 11.2020
 - TP102 – Roof Plan, Rev D - Rev E – 11.2020
 - TP201 – North & West Elevation, Rev E – 11.2020
 - TP202 – South & East Elevation, Rev E – 11.2020
 - TP205 – North & West Elevation, Rev E – 11.2020
 - TP206 – South & East Elevation, Rev E – 11.2020
 - TP301 – Section, Rev E – 11.2020
 - TP400 – Materials, Rev E – 11.2020
- **Landscape plans prepared by Orchard Design - Issued for Heritage Victoria RFI**
 - Drawing No. L001 – Existing Conditions Plan, Rev 02 – 2.12.20
 - Drawing No. L100 – Landscape Plan, Rev 02 – 2.12.20
- **Arboricultural Assessment prepared by Arborcraft Tree Services dated 31 July 2020**

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 set of amended architectural drawings, either as included in the tender documents or as endorsed by the appointed building surveyor must be submitted for endorsement by the Executive Director, Heritage Victoria. On endorsement the drawing set will form part of this permit. These drawings are to show the height of the roof lantern reduced as much as is reasonably practicable to continue to conceal the roof structure and roofing material but so that it is no higher than is necessary, and to show the overall height of the bin enclosure reduced to 2700mm to match the height of the openings to the entry door areas at the south end. The drawings are also to be co-ordinated with the amended landscape plans and the required civil works plans. 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 who will advise on the approach to be taken to address these matters.
4. Prior to the commencement of any works approved by this permit, an amended detailed landscaping plan including a planting plan, must be provided for endorsement by the Executive Director and once endorsed becomes part of this permit. The proposed plantings are to be selected from the list of species at the end of the Rupertswood Garden Conservation Plan (2004) and the replacement tree is to be a eucalyptus species indigenous to the region as recommend by the Plan. The hard landscaping around the Peppercorn tree is also to be modified to suit the requirements of the Tree Management and Protection Plan to mitigate impact on the tree's roots.
5. Prior to the commencement of any works approved by this permit, a civil works plan must be provided for endorsement by the Executive Director and once endorsed becomes part of this permit. The plan is to be designed in conjunction with the Landscape Plan to ensure the protection from damage, and the ongoing health and viability of existing, particularly the Peppercorn tree, and proposed trees, plantings and lawns.
6. Prior to any of the works commencing, a Tree Management and Protection Plan prepared by a suitably qualified professional must be provided for endorsement by the Executive Director, Heritage Victoria, and once endorsed becomes part of the permit. The Tree Management and Protection Plan must be prepared in accordance with AS4970 *Protection of trees on development sites* and AS4373 *Pruning of Amenity Trees* and is to be based on the recommendations of the arboricultural report by Arborcraft Tree Services dated 31 July 2020 - and augmented as necessary by further requirements - to ensure the protection, and health and viability of the retained mature trees during construction and associated works, and into the future. The Plan is to include the recommended tree maintenance and conservation measures for the Peppercorn Tree, the Cypress hedge and the eucalyptus tree near the cemetery including the installation of new landscaping around the Peppercorn tree to ensure there is no damage to its roots.
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.

Date Issued: 13 January 2021	Signed on behalf of the Executive Director, Heritage Victoria:  JANET SULLIVAN Principal Heritage Permits	
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Date of amendment

Brief description of amendment

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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

WHEN DOES THE PERMIT BEGIN?

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

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.

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/
