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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P35670

Applicant: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

**HERITAGE REGISTER NUMBER:** H1459

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

**THE PERMIT ALLOWS:** *Installation of temporary infrastructure associated with the running of the Moonlight Cinema, from 2021 through 2028 inclusive, in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:*

- Heritage Impact Statement – Moonlight Cinema, prepared by Andrea Proctor Landscapes, dated September 2021:
  - Appendix 1: Heritage Management Guidelines for Moonlight Cinema 2021-2028, Royal Botanic Gardens Victoria, Melbourne Gardens.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. This permit expires on 31 May 2028 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
2. The Executive Director, Heritage Victoria is to be given one days' notice of the intention to commence the approved works.
3. Should minor changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged in accordance with this permit condition for assessment by the Executive Director, Heritage Victoria. More fulsome or major changes to the permit may require the submission of a permit amendment application to Heritage Victoria.
4. Further details of the proposal to relocate storage off the registered extent must be provided for the endorsement of Executive Director, Heritage Victoria prior to the 2025-2026 event season.
5. At the conclusion of each event season (by 30 May each year or otherwise agreed in writing by the Executive Director, Heritage Victoria), the Executive Director, Heritage Victoria must receive a **Final Event Report** which documents the following:
  - a) Summary of the impacts to the registered place as a result of the event.
  - b) The works to be undertaken to rectify the affected areas of the registered place where needed.
6. 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.

7. 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.
8. 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 (\$21,808.80 FROM 1 JULY 2021) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$109,044 FROM 1 JULY 2021) UNDER s104 THE HERITAGE ACT 2017.**

**WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$872,352 FROM 1 JULY 2021) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,744,704 FROM 1 JULY 2021) 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:**

03 December  
2021

**Signed as delegate for the Executive Director,  
Heritage Victoria pursuant to the Instrument of  
Delegation**

A handwritten signature in black ink, reading "Nicola Stairmand". The signature is written in a cursive style with a large initial 'N' and 'S'.

**Nicola Stairmand**  
Manager, Statutory Approvals  
Heritage Victoria

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