
HERITAGE
PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No.: P33911

Applicant/s:



NAME OF PLACE/OBJECT: ALL SAINTS WINERY

HERITAGE REGISTER NUMBER: H0333

LOCATION OF PLACE/OBJECT: 315 ALL SAINTS ROAD, WAHGUNYAH 3687

THE PERMIT ALLOWS: *Demolition of existing restaurant tent structure, construction of new restaurant building, alterations to the existing cellar door including new openings and alterations to Indigo Food Store building with associated works, generally in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:*

- ALL SAINTS ESTATE TOWN PLANNING & HERITAGE PACKAGE DRAWINGS, PREPARED BY TECHNE ARCHITECTURE, REV A 10.11.2020
- DRAWING TP010B – EXISTING SITE PLAN AND DEMOLITION, PREPARED BY TECHNE ARCHITECTURE, REV B 15.2.21
- DRAWING TP500B – PROPOSED SECTIONS, PREPARED BY TECHNE ARCHITECTURE, REV B 15.2.21

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. 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.
3. Prior to the commencement of landscape works, a **Landscape Plan** prepared to a professional standard must be submitted for endorsement by the Executive Director and once endorsed becomes part of the permit. The Landscape Plan must show details of all proposed new works such as structures, landscape features, ground treatments and plantings. Interpretation of the earth berms within the landscape to the north of the restaurant building should be a feature.
4. The repair/replacement of any corrugated roofing materials must be carried out using sheets that are the same length as the original roof to maintain the historical appearance of the place.
5. The installation of new mechanical or electrical services must minimise the creation of cut outs or holes in the existing structural system.
6. The skylights must be installed as flush as possible with the existing roofline.

7. All fixings must be confined to mortar joints, not masonry.
8. Any existing hooks or bolts and their penetrations in the masonry or mortar of the private tasting room must be removed, repaired and made good.
9. All redundant services in the rooms subject to works under this permit must be removed and affected fabric made good.
10. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
11. 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.
12. 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.
13. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

NOTE ON LANDSCAPING

All additions/alterations to a registered place such as landscaping, planting, fencing, gates, lamps, paving, materials, ground surfaces, ground levels, garden furniture and outbuildings make a contribution to the heritage significance of a place and should be carefully considered.

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: 28 May 2021</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>Nicola Stairmand Manager, Statutory Approvals</p>	
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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/
