
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P37364

Applicant:



NAME OF PLACE/OBJECT: YAN YEAN WATER SUPPLY SYSTEM

HERITAGE REGISTER NUMBER: H2333

LOCATION OF PLACE/OBJECT: BUNDOORA AND CLONBINANE AND DOREEN AND FITZROY NORTH AND HUMEVALE AND MERNDA AND MILL PARK AND NORTHCOTE AND PRESTON AND RESERVOIR AND SOUTH MORANG AND THOMASTOWN AND THORNBURY AND WHITTLESEA, DAREBIN CITY, MITCHELL SHIRE, WHITTLESEA CITY, YARRA CITY

THE PERMIT ALLOWS: *Finalise construction of a section of a shared user path within the alignment of the Yan Yean Pipe Track between the Darebin Creek Trail and Childs Road, Mill Park (Stages 1 and 2), including installation of new signage, pedestrian crossings and traffic signals, landscaping, seating, a playground at Roycroft Avenue and rest area between Roycroft Avenue and Appletree Drive, generally in accordance with the following documents:*

- Civil drawing set (19 sheets), Stage 1 – Darebin Creek Trail to Appletree Drive, Yan Yean Pipe Track, Mill Park, Shared Path, prepared by Civil Road Solutions P/L, Drawing nos. A13293, dated 7 November 2019.
- Civil drawing set (23 sheets), Stage 2 – Appletree Drive to Childs Road, Yan Yean Pipe Track, Mill Park, Shared Path, prepared by Civil Road Solutions P/L, Drawing nos. A13294, dated 6 December 2019.
- Concept Plans for Playgrounds, City of Whittlesea Yan Yean Pipe Track, prepared by Design Table, dated 22 June 2021.
- Landscape Package (15 sheets), Stage 1 – Darebin Creek Trail to Appletree Drive, Yan Yean Pipe Track, Mill Park – Shared Path, prepared by Design Table, dated 21 May 2021.
- Heritage Impact Statement Report and Archaeological Assessment Addendum, Yan Yean Pipe Track – Darebin Creek Trail to McDonalds Road, Mill Park, prepared by GML Heritage, dated 2 February 2023.

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 days' notice in advance of the intention to commence the approved works.

3. The Unexpected Finds Protocol, as per the document prepared by GML Heritage titled 'Yan Yean Pipe Track shared path - Stage 1 and 2 additional information' submitted to Heritage Victoria on 2 February 2023, must be enacted in the event any historical archaeological features, deposits and/or artefacts are encountered during the project works.
4. Prior to the commencement of any excavation or subsurface works approved by this permit, a contractor induction must be delivered which includes the following: overview of site history and cultural heritage significance of the place, archaeological potential of the project area and types of potential artefacts, the project Unexpected Finds Protocol (as per Condition 3), and obligations under the Heritage Act 2017 and this permit.
5. Where heavy machinery is required to be used during construction works in locations of sub-surface features associated with the Yan Yean Water Supply System, geofabric or equivalent must be laid. Similarly, any areas where the construction of the shared user path and associated infrastructure intersects with the locations of the sub-surface features associated with the Yan Yean Water Supply System, impacted areas must be artificially raised to protect the historic features. This methodology should be undertaken in accordance with Section 2 of the document prepared by GML Heritage titled 'Yan Yean Pipe Track shared path – Stage 1 and 2 additional information' submitted to Heritage Victoria on 2 February 2023.
6. Prior to the installation of the new playground at Roycroft Avenue and triangular rest area between Appletree Drive and Roycroft Avenue, construction-ready drawings must be submitted for approval by the Executive Director, Heritage Victoria. Once approved, the drawings will be endorsed and will then form part of the permit. The drawings must include the final materials and colours schedule and planting plan for these areas and confirmation that an appropriate buffer is to be established to avoid harm to the underground pipeline and associated archaeological deposits.
7. Prior to the installation of any landscaping approved by this permit, final specifications in regard to proposed rock beaching (e.g. in terms of relative boulder sizes and locations) must be provided to the Executive Director, Heritage Victoria for approval and endorsement.
8. A heritage interpretation plan (the Plan) prepared by a suitably qualified and experienced practitioner must be submitted for approval to the Executive Director, Heritage Victoria within one year of the issue date of this permit, unless otherwise agreed in writing by the Executive Director. Once approved, the Plan will be endorsed and will then form part of the permit. The Plan must be implemented on site within the period of validity of this permit. The following elements must be specified in the Plan:
 - o a) The history and significance of the Yan Yean Water Supply System and how the system has been altered overtime to meet supply demand and development pressures;
 - o b) Specific reference to the various elements associated with the system, including numbers 1, 3 and 5 water mains present in the works area and the potential for the pipe reserve from South Morang to Preston Reservoir to contain further archaeological evidence relating to the construction and maintenance of the Yan Yean System between 1857 and 1887;
 - o c) An interpretation of any archaeological deposits uncovered during the approved works.
9. Should further changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be submitted to the Executive Director, Heritage Victoria who will advise on the approach to be

taken to address these matters. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.

10. 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 (\$22,190.40 FROM 1 JULY 2022) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$110,952 FROM 1 JULY 2022) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$887,616 FROM 1 JULY 2022) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,775,232 FROM 1 JULY 2022) 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:

08 February
2023

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



Erin Williams
Manager Strategic Projects and Operations
Heritage Victoria

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