
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P36962

Applicant:



NAME OF PLACE/OBJECT: DOMAIN PARKLANDS

HERITAGE REGISTER NUMBER: H2304

LOCATION OF PLACE/OBJECT: ST KILDA ROAD and DOMAIN ROAD MELBOURNE,
MELBOURNE CITY

THE PERMIT ALLOWS: Installation of temporary art installations 'MPavilion 2022' and 'MPavilion 2023', followed by make-good works including the removal of all pavilion footings to return the area to pre-MPavilion conditions, generally in accordance with the following documents:

- *Survey plan prepared by City Design dated September 2012*
- *Drawings prepared by AAM dated 27 November 2017*
- *Heritage Impact Statement prepared by Lovell Chen dated June 2022*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permission granted for this permit will 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.
2. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
3. 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 in accordance with the permit condition for endorsement by the Executive Director Heritage Victoria. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
4. Prior to the commencement of MPavilion 2022, a **Heritage Protection Plan** must be submitted to the Executive Director Heritage Victoria for approval. This Plan must cover the installation of MPavilion 2022 and its removal. Once approved, the Heritage Protection Plan will be endorsed and will then form part of the permit. The Heritage Protection 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.
5. Prior to the installation of MPavilion 2022 a **Construction Ready (marked as such) set of drawings**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit. The design of

the structure must be within the 16 metre radius licenced area and up to 10 metres in height.

6. Prior to the commencement of MPavilion 2023, a **Heritage Protection Plan** must be submitted to the Executive Director Heritage Victoria for approval. This Plan must cover the installation of MPavilion 2023 and the removal of the MPavilion and all associated infrastructure. Once approved, the Heritage Protection Plan will be endorsed and will then form part of the permit. The Heritage Protection 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.
7. Prior to the installation of MPavilion 2023 a **Construction Ready (marked as such) set of drawings**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit. The design of the structure must be within the 16 metre radius licenced area and up to 10 metres in height.
8. Prior to the installation of MPavilion 2023, a **detailed rectification methodology** for removal of all footings and infrastructure and for returning the landscape back to pre-MPavilion conditions must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the document will be endorsed and will then form part of the permit. This document must show the surveys of pre-MPavilion conditions, the current topography of the area, and a methodology for returning the land to its original form.
9. The works outlined in Condition 8 must be completed within the life of the Permit. A **report prepared by a suitable qualified landscape architect** detailing the final completed condition of the landscape must be provided to the Executive Director Heritage Victoria within the life of the Permit.
10. 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.
11. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
12. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
13. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

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: Signed as delegate for the Executive Director,
Heritage Victoria pursuant to the Instrument of
26 August 2022 Delegation



Jessica Hood
Principal Heritage Permits
Heritage Victoria

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