
HERITAGE PERMIT

Permit No: P37967

Applicant: [REDACTED]

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

NAME OF PLACE/OBJECT: ROYAL EXHIBITION BUILDING AND CARLTON GARDENS (WORLD HERITAGE PLACE)

HERITAGE REGISTER NUMBER: H1501

LOCATION OF PLACE/OBJECT: NICHOLSON STREET CARLTON AND VICTORIA STREET AND RATHDOWNE STREET AND CARLTON STREET CARLTON, MELBOURNE CITY

THE PERMIT ALLOWS: Implementation of the *Carlton Gardens Tree Replacement and Garden Bed Plan 2024-2034*, generally in accordance with the following documents:

- Proposed conditions plan - Carlton Gardens Tree Replacement Strategy, Andrea Proctor Landscapes, May 2024.

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 three (3) years of the original date of issue of this permit, or are not completed within thirteen (13) years of the original date of issue of this permit. Commencement of the permit begins with onsite physical works.
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.

STAGED WORKS

4. Prior to the commencement of any of the works approved by this permit, a **Staging Plan** which provides an overview of the order in which approved works will be commenced must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Staging Plan will be endorsed and will then form part of the permit. Minor amendments to the Staging Plan if required will be facilitated via condition 3.
5. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, a **Heritage Protection Plan** must be submitted to the Executive Director Heritage Victoria for approval. 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 (TMPP) prepared in accordance with AS4970 *Protection of trees on development sites*. The TMPP

must address soil preparation and planting for garden beds and trees.

6. Prior to the submission of construction ready drawings referred to in Condition 7, and at a point sufficient to allow for discussion and potential changes, **detailed design plans** documenting the works must be submitted to the Executive Director for approval. The plans must be generally in accordance with the *Carlton Gardens Tree Replacement and Garden Bed Plan 2024-2034* and plans referenced above in the permit preamble. The detailed design plans must address but not limited be to the following items which can be provided at the relevant stage:
 - Layout and location
 - Planting plans with full plant lists
 - Planting specifications
 - All works within the TPZ of an existing tree (as per AS4970) to include arborist approved tree protection requirements.
7. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, **final construction ready (marked as such) Tree Removal and Replacement Plan, Tree Establishment Plan and Garden Bed Planting Plans** for the subject stage of works are to be submitted to the Executive Director Heritage Victoria for approval and endorsement and once endorsed become part of the permit. The submitted Plans shall be generally in accordance with the plans referenced above in the permit preamble.

The Tree Removal and Replacement Plan must ensure new planting locations are in accordance with the detailed design plans at condition 6.

The Tree Establishment Plan must:

 - identify who is responsible for undertaking the actions outlined
 - provide for regular 6 monthly reports to the satisfaction of the Executive Director, Heritage

for 3 years following the planting of each stage

 - include an action plan for replanting any trees which fail
8. The replacement tree planting of the final stage of tree removal must be completed within the life of the permit.
9. Emergency tree works to maintain public safety as a result of failure of an individual tree can be undertaken in accordance with this condition, provided the Executive Director, Heritage Victoria is notified within seven days of the removal or works occurring.

GENERAL CONDITIONS

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 (\$23,710.80 FROM 1 JULY 2024) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$118,554 FROM 1 JULY 2024) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$948,432 FROM 1 JULY 2024) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,896,864 FROM 1 JULY 2024) 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:

23 May 2025

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



A handwritten signature in black ink, which appears to read "Nicola Stairmand". The signature is fluid and cursive, written in a professional style.

Nicola Stairmand

Manager, Statutory Assessments
Heritage Victoria