
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P37536

Applicant:



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 and works to facilitate four presentations of the 'Lightscape' event, from 2023-2026, generally in accordance with the following documents:

- *Heritage Management Specifications: Lightscape 2023-26 Royal Botanic Gardens H1459, prepared on behalf of Royal Botanic Gardens Victoria prepared by Andrea Proctor Landscapes dated February 2022.*
- *Heritage Impact Statement: Lightscape 2023-2026 Royal Botanic Gardens H1459, prepared on behalf of Royal Botanic Gardens Victoria, prepared by Andrea Proctor Landscapes, dated 6 March 2023, Version 3.*
- *Lightscape @ Melbourne Botanic Gardens 2023 Pre-production look book, prepared on behalf of Sony/RGL - Melbourne Botanic, prepared by Culture Creative dated 2023.*

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 unless otherwise agreed in writing by the Executive Director Heritage Victoria.
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. 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.

5. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
6. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
7. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

Lightscape 2023

8. Prior to the commencement of 'Lightscape' 2023, a **Heritage Protection 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) A sequencing program for the approved works, including final dates for the set up and pack down, and the presentation of the event;
 - b) Details of any temporary infrastructure and services required;
 - c) Protection methods for the heritage place during the undertaking of the works;
 - d) A work site layout plan;
 - e) A tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
9. Prior to the commencement of 'Lightscape' 2023, a **Final Layout Plan** for the event must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Final Layout Plan must be generally in accordance with the 'Heritage Management Specifications' prepared by Andrea Proctor Landscapes, dated December 2022. The Final Layout Plan must include but not be limited to the following:
 - a) Site Plan of the main installations, generally in accordance with section 3 of the 'Heritage Management Specifications', December 2022;
 - b) Commission pieces not documented in the permit application;
 - c) Any additional lighting displays;
 - d) Signage associated with the presentation of the event;
 - e) Locations of any temporary buildings and structures such as ticketing boxes, food trucks and generators.
10. At the conclusion of 'Lightscape' 2023, the Executive Director, Heritage Victoria must receive a **Final Event Report** which documents the following:
 - a) High level summary of the impacts to the place as a result of the event
 - b) The works to be undertaken to rectify the affected areas of the place where needed.

Lightscape 2024

11. Prior to the commencement of 'Lightscape' 2024, a **Heritage Protection 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) A sequencing program for the approved works, including final dates for the set up and pack down, and the presentation of the event;

- b) Details of any temporary infrastructure and services required;
 - c) Protection methods for the heritage place during the undertaking of the works;
 - d) A work site layout plan;
 - e) A tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
12. Prior to the commencement of 'Lightscape' 2024, a **Final Layout Plan** for the event must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Final Layout Plan must be generally in accordance with the 'Heritage Management Specifications' prepared by Andrea Proctor Landscapes, dated December 2022. The Final Layout Plan must include but not be limited to the following:
- a) Site Plan of the main installations, generally in accordance with section 3 of the 'Heritage Management Specifications', December 2022;
 - b) Commission pieces not documented in the permit application;
 - c) Any additional lighting displays;
 - d) Signage associated with the presentation of the event;
 - e) Locations of any temporary buildings and structures such as ticketing boxes, food trucks and generators.
13. At the conclusion of 'Lightscape' 2024, the Executive Director, Heritage Victoria must receive a **Final Event Report** which documents the following:
- a) High level summary of the impacts to the place as a result of the event
 - b) The works to be undertaken to rectify the affected areas of the place where needed.

Lightscape 2025

14. Prior to the commencement of 'Lightscape' 2025, a **Heritage Protection 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) A sequencing program for the approved works, including final dates for the set up and pack down, and the presentation of the event;
 - b) Details of any temporary infrastructure and services required;
 - c) Protection methods for the heritage place during the undertaking of the works;
 - d) A work site layout plan;
 - e) A tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
15. Prior to the commencement of 'Lightscape' 2025, a **Final Layout Plan** for the event must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Final Layout Plan must be generally in accordance with the 'Heritage Management Specifications' prepared by Andrea Proctor Landscapes, dated December 2022. The Final Layout Plan must include but not be limited to the following:
- a) Site Plan of the main installations, generally in accordance with section 3 of the 'Heritage Management Specifications', December 2022;

- b) Commission pieces not documented in the permit application;
 - c) Any additional lighting displays;
 - d) Signage associated with the presentation of the event;
 - e) Locations of any temporary buildings and structures such as ticketing boxes, food trucks and generators.
16. At the conclusion of 'Lightscape' 2025, the Executive Director, Heritage Victoria must receive a **Final Event Report** which documents the following:
- a) High level summary of the impacts to the place as a result of the event
 - b) The works to be undertaken to rectify the affected areas of the place where needed.

Lightscape 2026

17. Prior to the commencement of 'Lightscape' 2026, a **Heritage Protection 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) A sequencing program for the approved works, including final dates for the set up and pack down, and the presentation of the event;
 - b) Details of any temporary infrastructure and services required;
 - c) Protection methods for the heritage place during the undertaking of the works;
 - d) A work site layout plan;
 - e) A tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
18. Prior to the commencement of 'Lightscape' 2026, a **Final Layout Plan** for the event must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Final Layout Plan must be generally in accordance with the 'Heritage Management Specifications' prepared by Andrea Proctor Landscapes, dated December 2022. The Final Layout Plan must include but not be limited to the following:
- a) Site Plan of the main installations, generally in accordance with section 3 of the 'Heritage Management Specifications', December 2022;
 - b) Commission pieces not documented in the permit application;
 - c) Any additional lighting displays;
 - d) Signage associated with the presentation of the event;
 - e) Locations of any temporary buildings and structures such as ticketing boxes, food trucks and generators.
19. At the conclusion of 'Lightscape' 2026, the Executive Director, Heritage Victoria must receive a **Final Event Report** which documents the following:
- a) High level summary of the impacts to the place as a result of the event
 - b) The works to be undertaken to rectify the affected areas of the place where needed.

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:

23 May 2023

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



Janet Sullivan
Principal Heritage Permits
Heritage Victoria

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