
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38666

Applicant:



NAME OF PLACE/OBJECT: CEMENT CREEK PLANTATION

HERITAGE REGISTER NUMBER: H2439

LOCATION OF PLACE/OBJECT: CEMENT CREEK ROAD EAST WARBURTON, YARRA RANGES SHIRE

THE PERMIT ALLOWS: Visitor infrastructure upgrades, in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:

- Landscape and works drawings, Rev 6, prepared by Tract, dated 6 March 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 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. 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.
4. Prior to the commencement of any of the works approved by this permit, 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 prepared in accordance with AS4970 *Protection of trees on development sites* and the Arborist report for the site, prepared by Stephen Fitzgerald dated 14 March 2024.
5. Within twelve months of commencement of works in accordance with condition 2, a **Heritage Interpretation Plan** must be submitted to the Executive Director Heritage Victoria for approval. The Plan must be prepared by a suitably qualified and experienced practitioner. Once approved, the Heritage Interpretation Plan will be endorsed and will then form part of the permit. The purpose of the Heritage Interpretation Plan is to document an appropriate interpretation of the history of the site and the installation of interpretive devices within the registered land.

6. Prior to the implementation of the on-site interpretation, a **construction ready (marked as such) set of interpretation works drawings** documenting works generally in accordance with the Heritage Interpretation Plan approved at condition 5, 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. After its approval the interpretation works are to be implemented on site prior to the expiration of the permit.
7. Replacement planting of trees removed must be with a like for like species or similar species of tree. The planting should occur within the next planting season after tree removal. Prior to replanting a **Tree Planting Plan**, including species, planting location and stock size must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the plan and details will be endorsed and will then form part of the permit
8. 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.
9. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
10. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
11. 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 (\$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:

22 May 2024

**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.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria