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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P35418

Applicant:



**NAME OF PLACE/OBJECT:** AVENUE OF HONOUR

**HERITAGE REGISTER NUMBER:** H2238

**LOCATION OF PLACE/OBJECT:** BACCHUS MARSH ROAD BACCHUS MARSH,  
MOORABOOL SHIRE

**THE PERMIT ALLOWS:** At 420 Bacchus Marsh Road, construction of a new vehicle crossover and removal of the existing crossover and driveway within the property; at 406 Bacchus Marsh Road, widening of the existing vehicle crossover, generally in accordance with the following documents:

- **Landscape Plans prepared by memLa, project no. 2504, 01/12/2021**
  - **Drawing LC01, Landscape Site Concept**
  - **Drawing LC02, Landscape Entry Concept**
- **Plans, prepared by O'Brien Traffic, 406-420 Bacchus Marsh Road**
  - **Sheets 1-5, Drawing 20194105, 28/3/2022**
  - **Drawing 20194104A, B99 Entry/Exit, 09/12/2021**
- **Arboricultural assessment and Report, prepared by Treelogic, ref 011853, 09/12/2021**

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 date of issue of this permit or are not completed within four (4) years of the 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. Prior to the commencement of any of the works approved by this permit, 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 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 and a work site layout plan.
4. Prior to the commencement of any of the works approved by this permit a Tree Management and Protection Plan (TMPP) prepared in accordance with AS4970 *Protection of trees on development sites* is to be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The TMPP must reference the version of plans submitted to satisfy condition 5, and demonstrate the safe and ongoing

retention of all Avenue trees impacted by the works. It must also include recommendations related to the remediation of the landscape in the removal of the crossover at the western corner of 420 Bacchus Marsh Road, including but not limited to remediating the soil compaction resulting from former use as a driveway. The works related to remediation of the crossover/driveway removal are to be completed within the life of this permit.

5. Prior to the commencement of any of the works approved by this permit, the name of an Arborist with minimum qualification of Certificate IV Arboriculture or equivalent to be engaged to fulfil the requirements of the TMPP at 4, is to be provided to the Executive Director, Heritage Victoria for approval.
6. Prior to the commencement of any works approved by this permit, a construction ready set of Landscape Plans documenting the new/modified crossovers, including the crossover removal works within the road reserve and the works within the property of 420 Bacchus Marsh Road must be provided for endorsement by the Executive Director and once endorsed becomes part of this permit. The Landscape Plan must clearly mark the extent of registration for the Place (H2238). The Landscape Plan should be generally based on the memLa plans referenced above, with the removal of any new tree planting within the extent of registration. The avenue of trees planted within the driveway included in the extent of registration for the Avenue of Honour at 406 Bacchus Marsh Road must be proposed for removal as part of these plans. Works documented in the Landscape Plan must be completed within the life of the permit.
7. At the conclusion of the approved works an arborist report prepared by the arborist nominated at condition 5 is to be provided to the satisfaction of the Executive Director, Heritage Victoria on the condition of the trees following the works, including any recommendations for actions to mitigate any damage of the works on the trees. Any approved recommendations must be undertaken within 6 months of being notified of satisfying this condition.
8. 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 for assessment by the Executive Director Heritage Victoria who will advise on the approach to be taken to address these matters.
9. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the 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.
10. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
11. 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 (\$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  
Delegation**

04 June 2022



**Nicola Stairmand**  
Manager, Statutory Approvals  
Heritage Victoria

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