
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38433

Applicant: [REDACTED]

NAME OF PLACE/OBJECT: ROYAL BOTANIC GARDENS

HERITAGE REGISTER NUMBER: H1459

LOCATION OF PLACE/OBJECT: BIRDWOOD AVENUE MELBOURNE, MELBOURNE CITY

THE PERMIT ALLOWS: In association with the works approved in P36580, store G gate (S11) securely on site and install new ornamental gates and associated landscaping at the location of the new fence line close to the Temple of the Winds, generally in accordance with the following documents:

- **City gate drawings, prepared by Royal Botanic Gardens Melbourne, dated May 2023**
 - **Site Plan, CITYG23-SP (1 of 6)**
 - **Gate Design, CITYG23-GD (2 of 6)**
 - **Materials Plan, CITYG23-MP (3 of 6)**
 - **Levels Plan, CITYG23-LP (4 of 6)**
 - **Details, CITYG23-D (5 of 6)**
 - **Landscape Specification, CITYG23-S (6 of 6)**

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. The works approved in this permit are to be undertaken together with the works approved in P36580. Works approved in this permit cannot commence until the necessary conditions on P36580 that relate to works to G Gate are satisfied.
5. Prior to the commencement of any of the works approved by this permit, documentation outlining the **methodology for the protection and on site storage of G Gate** (including the double gate and pedestrian gate), gate posts and any associated retained fabric must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the

documents will be endorsed and will then form part of the permit. This storage plan must include an inventory of all items intended for long-term storage, the physical location for storage on site and methods for protecting the item long-term from disassociation, physical impact, theft or vandalism, fire, water, and pests.

6. Prior to the commencement of any of the works approved by this permit, a construction ready (marked as such) set of **landscape 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. These drawings must be consistent with the drawings submitted to satisfy condition 5 on permit P36580.
7. 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.
8. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
9. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
10. 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: Signed as delegate for the Executive Director,
Heritage Victoria pursuant to the Instrument of
23 August 2023 Delegation

A handwritten signature in black ink, appearing to read "Nicola Stairmand". The signature is written in a cursive, flowing style.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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