
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P40517

Applicant:

NAME OF PLACE/OBJECT: AVENUE OF HONOUR AND ARCH OF VICTORY

HERITAGE REGISTER NUMBER: H2089

LOCATION OF PLACE/OBJECT: BALLARAT-BURRUMBEET ROAD ALFREDTON AND
CARDIGAN AND WINDERMERE AND WEATHERBOARD
AND BURRUMBEET AND LUCAS, BALLARAT CITY

THE PERMIT ALLOWS: Alterations to Henderson Road and Avenue Road intersection including removal and replacement of two trees in altered alignment, temporary removal of name plaques, introduction of raised islands, and changes to road shoulders, generally in accordance with the following document:

- Drawings prepared by City of Ballarat dated February 2025

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

GENERAL CONDITIONS

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. 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.

PRE-START CONDITIONS

8. Prior to the commencement of any of the works approved by this permit, a **Heritage Management Plan** must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Heritage Management 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.
9. Prior to the commencement of any of the works approved by this permit a **Tree Protection Plan and a Tree Removal Plan** prepared in accordance with AS4970 *Protection of trees on development sites* that references the same version of the drawings submitted for condition 11, must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the Tree Protection Plan will be endorsed and will then form part of the permit.
10. 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 Tree Protection Plan approved at condition 9 must be provided to the satisfaction of the Executive Director, Heritage Victoria.
11. Prior to the commencement of any of the works approved by this permit, a construction ready (marked as such) **set of drawings for the intersection**, 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.
12. Prior to the commencement of any of the works approved by this permit, a **methodology for the protection of the memorial plaques** must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the document will be endorsed and will then form part of the permit. This must include recording and photographing each plaque to ensure the correct plaques are retained for the correct memorial tree on site throughout the works. The name plaques must be re-installed within 1 year of completing the intersection work.

TREE REPLACEMENT AND PLAQUE MANAGEMENT

13. The Executive Director, Heritage Victoria must be notified within one month of the completion of the approved intersection (works approved in condition 11).
14. Within 2 months of satisfaction of condition 13, 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. The landscape drawings must document the replacement, with super advanced sized nursery stock, of any trees removed in accordance with the Tree Removal Plan at condition 9 (including the replacement species) and any other related landscape reinstatement works required to the Avenue of Honour.
15. The works in the approved landscape drawings at condition 14 must be implemented within the next planting season directly following approval of condition 14.

16. Prior to the commencement of tree planting approved at condition 14, a **Tree Maintenance Plan** for the trees replaced must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the Tree Maintenance Plan will be endorsed and will then form part of the permit. The Tree Maintenance Plan must document watering, formative pruning, mulching and regular professional condition review to ensure success of replanted trees for three (3) years, and specify a contractor that will implement these works.
17. Within 2 months of satisfaction of condition 13, a **post-construction arborist report** 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 approved works on the trees. If any actions are recommended the post-construction arborist report will be approved. Once approved it will be endorsed and it will then form part of the permit and the works must be undertaken within 6 months.

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:

21 May 2025

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



A handwritten signature in black ink, appearing to read "J. Hood".

Jessica Hood
Principal, Heritage Permits
Heritage Victoria