
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P39660

Applicant:



NAME OF PLACE/OBJECT: YAN YEAN WATER SUPPLY SYSTEM

HERITAGE REGISTER NUMBER: H2333

LOCATION OF PLACE/OBJECT: BUNDOORA AND CLONBINANE AND DOREEN AND FITZROY NORTH AND HUMEVALE AND MERNDA AND MILL PARK AND NORTHCOTE AND PRESTON AND RESERVOIR AND SOUTH MORANG AND THOMASTOWN AND THORNBURY AND WHITTLESEA, DAREBIN CITY, MITCHELL SHIRE, WHITTLESEA CITY, YARRA CITY

THE PERMIT ALLOWS: (Stage 3 to 6) Construction of a shared walking and cycling path within the Yan Yeon Pipe Track reserve between Childs Road and McDonalds Road. Works also include the installation of hold rails and bollards at road crossings, landscaping, construction of seating and rest areas, and upgrade of existing parks and playgrounds, generally in accordance with the following documents:

- *Heritage Impact Statement Report and Archaeological Assessment prepared by GML Heritage (18 March 2024)*
- *Drawings prepared by Design Table, Sheets 1 to 7 inclusive (Stage 4 Landscape Works) (rev P, 13/03/2021)*
- *Drawings prepared by Design Table, Sheets 1 to 8 inclusive (Stage 5 Landscape Works) (rev P, 13/03/2021)*
- *Drawings prepared by Design Table, Sheets 1 to 5 inclusive (Stage 6 Landscape Works) (rev P, 24/09/2024)*
- *Drawings prepared by Design Table, Sheets 1 to 6 inclusive (Flow Tower Landscape Works) (rev P, 04/09/2024)*
- *Drawings prepared by Civil Road Solutions P/L, Stage 3 drawing number A13295 Sheets 1 to 15 inclusive (15/11/2019)*
- *Drawings prepared by Civil Road Solutions P/L, Stage 4 drawing number A13296 Sheets 1 to 21 inclusive (29/11/2019)*
- *Drawings prepared by Civil Road Solutions P/L, Stage 5 drawing number A13297 Sheets 1 to 25 inclusive (25/03/2020)*
- *Drawings prepared by Civil Road Solutions P/L, Stage 6 drawing number A1411P3 Sheets 1 to 19 inclusive (26/09/2024)*

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 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 days' notice in advance of the intention to commence the approved works.
3. Should further changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be submitted to the Executive Director, Heritage Victoria who will advise on the approach to be taken to address these matters. 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, the Unexpected Finds Protocol (as per Section 9.3 in the Heritage Impact Statement prepared by GML Heritage) must be revised and submitted for written approval to the Executive Director Heritage Victoria. The revision must include reference to the relevant permit process and increase the buffer area from 1 metre to a minimum of 5 metres. Once approved, the Unexpected Finds Protocol will be endorsed and will then form part of the permit.
5. The endorsed Unexpected Finds Protocol must be enacted in the event any historical archaeological features, deposits and/or artefacts are encountered during the project works.
6. Prior to the commencement of any works approved by this permit, issued for construction plans for Stages 3, 4, 5 and 6 must be submitted for endorsement by the Executive Director Heritage Victoria and once endorsed become part of the permit. The following elements must be provided:
 - a. Final construction materials, colours and finishes schedule for the shared path, hold rails, bollards, interpretation signage and seating
 - b. Final construction materials, colours and finishes schedule for the fencing, lighting, paving and interpretation signage around the Valve House.
7. 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 – especially the Valve House - during the undertaking of the works and a work site layout plan
8. Prior to the commencement of any excavation or subsurface works approved by this permit, a contractor induction must be delivered which includes the following: overview of site history and cultural heritage significance of the place, archaeological potential of the project area and types of potential artefacts, the project Unexpected Finds Protocol (as per Condition 3), and obligations under the *Heritage Act 2017* and this permit.
9. Where heavy machinery is required to be used during construction works in locations of sub-surface features associated with the Yan Yean Water Supply System, geofabric or equivalent must be laid. Similarly, any areas where the construction of the shared user path and associated infrastructure intersects with the locations of the sub-surface features associated with the Yan Yean

Water Supply System, impacted areas must be artificially raised to protect the historic features. This methodology should be undertaken in accordance with Section 8 of the document prepared by GML Heritage titled 'Yan Yean Pipe Track Childs Road to McDonalds Road Mill Park – Heritage Impact Statement Report and Archaeological Assessment (dated 18 March 2024).

10. A Heritage Interpretation Plan (the Plan) prepared by a suitably qualified and experienced practitioner must be submitted for approval to the Executive Director, Heritage Victoria within one year of the issue date of this permit, unless otherwise agreed in writing by the Executive Director. Once approved, the Plan will be endorsed and will then form part of the permit. The Plan must be implemented on site within the period of validity of this permit. The following elements must be specified in the Plan:

- a. The history and significance of the Yan Yean Water Supply System and how the system has been altered overtime to meet supply demand and development pressures;
- b. Specific reference to the various elements associated with the system, including numbers 1, 3 and 5 water mains present in the works area and the potential for the pipe reserve from South Morang to Preston Reservoir to contain further archaeological evidence relating to the construction and maintenance of the Yan Yean System between 1857 and 1887;
- c. An interpretation of any archaeological deposits uncovered during the approved works.
- d. History and use of the Valve House.

11. 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.

12. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.

13. The Executive Director Heritage Victoria must be informed when the approved works have been completed.

14. 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:

06 January
2025

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



A handwritten signature in blue ink that reads "J Sullivan". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Janet Sullivan
Manager Strategic Projects and Operations
Heritage Victoria