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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P37129

Applicant:



**NAME OF PLACE/OBJECT:**

DAYLESFORD BOTANIC GARDENS

**HERITAGE REGISTER NUMBER:**

H2202

**LOCATION OF PLACE/OBJECT:**

CENTRAL SPRINGS ROAD AND FRASER STREET AND  
HILL STREET AND DALY STREET DAYLESFORD,  
HEPBURN SHIRE

**THE PERMIT ALLOWS:** Construction of a covered seating pavilion and associated path, located to the south-eastern side of the Daylesford (Wombat Hill) Botanical Gardens, overlooking the corner of Central Springs Road and Frazer Street, generally in accordance with the following documents:

- *Design Drawing Set, Steven Davis Architect (February 2023)*

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 construction ready (marked as such) set of architectural 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 rustic nature of the pavilion design and its relationship with the original Trehwella Pavilion and the fallen *Sequoiadendron giganteum* must be clearly articulated in the drawing set.
5. Within 12 months of commencement of works (in accordance with condition 2), **a heritage interpretation proposal** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the heritage interpretation proposal will be endorsed and will then form part of the permit. The heritage interpretation proposal must include the appropriate interpretation of the original Trehwella Pavilion, the fallen *Sequoiadendron giganteum* and the area of the gardens where the new pavilion is located, as well as a methodology for installation. After its approval, the interpretation proposal must be implemented on site prior

to the expiration of the permit.

6. 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.
7. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
8. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
9. 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:**

23 September  
2024

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



A handwritten signature in black ink, appearing to read "Jessica Hood". The signature is fluid and cursive, with a large initial "J" and "H".

**Jessica Hood**  
Principal, Heritage Permits  
Heritage Victoria