
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38766

Applicant:



NAME OF PLACE/OBJECT: FOOTSCRAY PARK

HERITAGE REGISTER NUMBER: H1220

LOCATION OF PLACE/OBJECT: 4-68 BALLARAT ROAD FOOTSCRAY, MARIBYRNONG CITY

THE PERMIT ALLOWS: Landscaping works to the Thomson Water Gardens, including infill planting and expansion of existing pond edge garden beds, installation of reo hoop garden edge, timber batten fencing, maintenance access gate and hazard, instructional and depth marker signage, rock benching and installation of water aeration devices and conservation works to the Platypus Fountain, generally in accordance with the following documents:

- Thomson Water Gardens, Footscray Park, Landscape Rectification Works, Rev A, August 2023
 - LD00 Cover Sheet & Drawing index; DM01 Demolition Plan; LD01 General Setout Plan 1; LD02 General Setout Plan 2; LD03 General Setout Plan 3; PL00 Planting Schedule; PL01 Landscape Planting Plan 1; PL02 Landscape Planting Plan 2; PL03 Landscape Planting Plan 3; DD01 Landscape Details Sheet 1; DD02 Landscape Details Sheet 2; DD03 Landscape Details Sheet 3
- Landscape Masterplan - DRAFT Thomson Water Gardens, Footscray Park, 19/04/2023 (3 pages)

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 **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 during the undertaking of the works, a work site layout plan and as necessary a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.

5. Prior to the commencement of landscape 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. The Landscape Drawings must show details of all proposed new works such as structures, fencing, landscape features, ground treatments and plantings.
6. Prior to the commencement of signage works approved by this permit, a construction ready (marked as such) set of **signage 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.
7. Prior to the commencement of the **conservation/repair works for the Platypus fountain (B20)**, a suitably experienced conservator, approved in writing by the Executive Director Heritage Victoria, must be engaged to advise and assist as necessary with the preparation of the documentation conservation/repair works for the Platypus fountain (B20) required at condition 8, and to supervise as necessary those works.
8. Prior to the commencement of the conservation/repair works for the Platypus fountain (B20), the conservator appointed at condition 7 is to prepare a **schedule and construction-ready (marked as such) drawings of conservation works** 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 conservation works must be completed within the period of validity of the permit.
9. Should any **dismantling and/or removal works for the Platypus fountain (B20)** be required to facilitate works approved at condition 8, documentation outlining the methodology for the protection and offsite storage of retained fabric while undertaking the works must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the drawings/documents will be endorsed and will then form part of the permit. The Executive Director, Heritage Victoria must be notified in writing when the dismantling and temporary relocation of the Platypus fountain (B20) has been completed.
10. 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.
11. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
12. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
13. 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:

19 April 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 "Nicola Stairmand". The signature is fluid and cursive.

Nicola Stairmand
Acting Executive Director
Heritage Victoria