
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P39923

Applicant:



NAME OF PLACE/OBJECT: BALLARAT RAILWAY COMPLEX

HERITAGE REGISTER NUMBER: H0902

LOCATION OF PLACE/OBJECT: 75 HUMFFRAY STREET NORTH BAKERY HILL AND 140 LYDIARD STREET NORTH BALLARAT CENTRAL AND SCOTT PARADE AND 60 CORBETT STREET BALLARAT EAST AND 202 LYDIARD STREET NORTH AND NOLAN STREET SOLDIERS HILL, BALLARAT CITY

THE PERMIT ALLOWS: The return from offsite storage of significant heritage fabric (with associated conservation works) which was approved for removal from the Lydiard Street level crossing in accordance with permit P34664 in October 2021, the decommissioning of salvaged but now surplus heritage fabric, and the installation of both the returned heritage fabric and new elements within the setting of the Lydiard Street level crossing, generally in accordance with the following documents:

PUBLIC TRANSPORT VICTORIA V/LINE KINSLEY GROUP LYDIARD STREET, BALLARAT
HERITAGE GATES RENEWAL FINAL DESIGN ISSUE (NFC) 2 JULY 2024

1. 1731_C0001 LOCALITY PLAN AND DRAWING INDEX REVISION C
2. 1731_C0002 GENERAL NOTES AND SPECIFICATIONS REVISION C
3. 1731_C0011 GENERAL ARRANGEMENT PLAN REVISION C
4. 1731_C0012 HERITAGE OVERLAY ARRANGEMENT PLAN REVISION B
5. 1731_C0015 TYPICAL CROSS SECTIONS - SHEET 1 REVISION C
6. 1731_C0016 TYPICAL CROSS SECTIONS - SHEET 2 REVISION C
7. 1731_C0017 TYPICAL CROSS SECTIONS - SHEET 3 REVISION C
8. 1731_C0021 TYPICAL DETAILS - SHEET 1 REVISION C
9. 1731_C0022 TYPICAL DETAILS - SHEET 2 REVISION C

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the commencement of works, the registration of the Ballarat Railway Complex must be reviewed and amended, subject to the review of the Heritage Council of Victoria to allow for the interlocking timber sector gates to be installed on registered land. Once this has been completed, the Executive Director, Heritage Victoria (**Executive Director**) will write to the applicant informing them of the outcome of the amendment of the registration and provide them with the proposed date of gazettal of the amended registration.

2. The permission granted for this permit will expire if one of the following circumstances applies: the permitted works have not commenced within one (1) year of the gazettal of the revised extent of registration referred to in condition 1 or are not completed within five (5) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director Heritage Victoria.
3. The Executive Director is to be given five working days' notice of the intention to commence the approved works.
4. Prior to the commencement of any of the works approved by this permit, an updated set of issued for construction drawings are to be provided to the Executive Director for review and approval. Once these have been endorsed a set will be provided to the permit holder for their records. A further set will form part of the documentation associated with the permit.
5. Prior to the commencement of any of the works approved by the permit, an experienced consulting conservation architect is to be nominated in writing to the Executive Director who shall approve the nomination in writing. The approved conservation architect shall then be appointed by the permit holder to provide advice to assist with the fulfilment of the approved works including the requirements of Condition 6 and Condition 7.
6. Once appointed, the consulting conservation architect approved under Condition 5 shall prepare a methodology/work statement which will demonstrate the appropriate means of achieving minimal detriment to the interlocking timber sector gates, gate braces, rear stays, cast iron gate posts and square rotating shafts during their reinstatement at the broader Lydiard Street level crossing setting by compliance with best conservation practice. The methodology/work statement shall be submitted to the Executive Director for review and endorsement. Once endorsed, a copy of the endorsed methodology/work statement will be provided to the permit holder, allowing the reinstallation works to proceed. Another endorsed copy will then form part of the documentation associated with the permit.
7. Prior to the commencement of any of the works approved by this permit, the consulting conservation architect approved under Condition 5 must prepare a Heritage Maintenance and Management Plan (HMMP) which must be submitted to the Executive Director for approval. Once approved, the HMMP will be endorsed and will then form part of the documentation associated with the permit. The plan must include:
 - o Detail of the maintenance actions and frequency required to achieve the ongoing management of the interlocking timber sector gates, their supporting posts and stays, and registered elements and the interpretation at the level crossing;
 - o Detail of the approach proposed for the management of other works that are of a non-regular nature, eg repair of damage, surface water management, management and removal of graffiti by an approved method, and replacement of materials that have reached end of life;
 - o Nomination of the authority responsible for carrying out different aspects of the maintenance and management works affecting the heritage place.
8. Prior to the commencement of any of the works approved by this permit, a financial security in the form of an unconditional bank guarantee in favour of the Heritage Council of Victoria (ABN 87 967 501 331) regardless of the financial status of the permit holder, is to be lodged with the Executive Director. The sum of the financial security will be \$500,000.00 (Five Hundred Thousand Dollars). The period of validity of the financial security is to be unspecified. The financial security shall be released on written application to the Executive

Director, once the permit expires, subject to the satisfactory completion of the works approved by the permit including any identified actions within the Heritage Maintenance and Management Plan required by Condition 7.

9. Prior to the commencement of any of the works approved by this permit, the applicant must submit a heritage interpretation plan to the Executive Director for approval. Once approved, the plan will be endorsed and will then form part of the documentation associated with the permit. The plan must be prepared by a suitably qualified interpretation specialist and must:
 - o Outline an approach to content, graphics and design for the interpretation including a setout plan showing the location of the proposed interpretation devices on registered land and within the immediate surrounds of the Lydiard Street level crossing;
 - o Communicate the role of the interlocking timber sector gates and incorporate a timeline of their history up to and including the events of May 2020 and enable the relationship between Signal Box B and the operation of the interlocking timber sector gates to be understood;
 - o Provide the full text and images for two (2) formal interpretation devices to be installed on registered land and within the immediate surrounds of the Lydiard Street level crossing;
 - o The interpretation devices are to be fabricated and installed within the period of permit validity.
10. Within six (6) months of the reinstallation of the elements of the heritage place at the Lydiard Street level crossing, an inventory of elements removed from the level crossing in accordance with permit P34664 and surplus to the reinstallation and interpretation of the interlocking timber sector gates is to be prepared and provided to the Executive Director for review and endorsement. Once this has been reviewed and endorsed, a copy will be returned to the permit holder. Another endorsed copy of the inventory will form part of the documentation associated with the permit.
11. At the date of expiration of the permit, the approved heritage conservation architect required under condition 5 must submit to the Executive Director, for their approval, a brief written report of acquittal, confirming that any identified actions required within the Heritage Maintenance and Management Plan and which have arisen during the period of validity of the permit have been completed. The acquittal report may form the basis of the applicant's submission to the Executive Director in regard to requesting the return of the bank guarantee lodged in accordance with Condition 8.
12. 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. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
13. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. 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.

14. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
15. The Executive Director must be informed when the approved works have been completed.
16. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director.

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:

07 February
2025

**Signed by the Executive Director, Heritage
Victoria**



A handwritten signature in black ink, appearing to read "Steven Avery". The signature is fluid and cursive, with a long horizontal stroke at the bottom.

Steven Avery
Executive Director
Heritage Victoria