

Statement of Recommendation from the Executive Director, Heritage Victoria

Dow's Pharmacy and Collection, VHR PROV H2474

42-44 Conness Street, Chiltern, Indigo Shire

Yorta Yorta Country



Executive Director recommendation

Under section 37 of the *Heritage Act 2017* (**the Act**) I recommend to the Heritage Council of Victoria (**Heritage Council**) that Dow's Pharmacy and Collection, located at 42-44 Conness Street, Chiltern is of State-level cultural heritage significance and should be included in the Victorian Heritage Register (**VHR**) in the category of Registered Place and Registered Object Integral to a Registered Place.

In accordance with section 38 of the Act I include in this recommendation categories of works or activities which may be carried out in relation to Dow's Pharmacy and Collection without the need for a permit under Part 5 of the Act.

I suggest that the Heritage Council determine that:

- Dow's Pharmacy and Collection is of State-level cultural heritage significance and is to be included in the VHR in accordance with section 49(1)(a) of the Act
- the proposed categories of works or activities which may be carried out in relation to Dow's Pharmacy and Collection for which a permit under the Act is not required will not harm the cultural heritage significance of the place and objects integral under section 49(3)(a) of the Act.



STEVEN AVERY
Executive Director, Heritage Victoria

Date of recommendation: 13 July 2026

The process from here

1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's recommendation on its [website](#) for a period of 60 days.

2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60-day publication period, any person or body may make a written submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#).

3. Heritage Council determination (sections 46, 46A and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place, object or land in the VHR or amend a place, object or land already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to conduct a hearing in relation to the submission. The Heritage Council must conduct a hearing if a submission requests a hearing, and that submission is made by person or body with a real or substantial interest in the place, object or land.

If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

4. Obligations of owners of places, objects and land (sections 42, 42A, 42B, 42C, 42D and 43)

The owner of a place, object or land which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the Executive Director in writing of any works or activities that are being carried out, proposed or planned for the place, object or land.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place, object or land before entering into a contract.

5. Further information

The relevant sections of the Act are provided at the end of this report.

Description

The following is a description of Dow's Pharmacy and Collection at the time of the site inspection by Heritage Victoria on 11 June 2026.

Dow's Pharmacy and Collection is located on Conness Street, Chiltern. The building (1868) is a single-storey gable-roofed building constructed of red handmade brick with a verandah over the street. A rear extension was added in 1952. The front of the building is a pharmacy and the rear is a residence.

Pharmacy

The front rooms related to use of the building as a pharmacy include two shops, a dispensary, and two storerooms. The two shops were retail spaces and likely split between medicinal and non-medicinal goods. The dispensary was not open to the public and was used to prepare and compound the medicines. As per the floor plan below, these three rooms will be referred to as shop, pharmacy and dispensary.

Shop

The two front doorways feature a splayed entrance with double timber-panelled doors. The floors are timber, as are the shop counter benches. The floorboards are timber and the walls are plastered brick.

Pharmacy & Dispensary

The interior fittings of the main pharmacy space are comprised of timber shelves and timber cabinets with glass windows and doors. The floorboards are timber and the walls are plastered brick. There is some evidence in the hallway under the current paintwork of Art Nouveau-style wallpaper, likely dating from the early twentieth century. There is evidence of wallpaper behind the peeling paintwork in the dispensary, possibly dating from the 1900s or earlier.

Residence

The residential space comprises of four bedrooms, a bathroom, a kitchen, a living space, a porch, a sleepout, and a laundry.

Exterior

The original building exterior is red brick. The exterior walls of the 1952 addition are timber-framed with bull-nosed weatherboards and asbestos cement sheeting. The backyard is grassed with a few trees, and a clothesline.

Interior

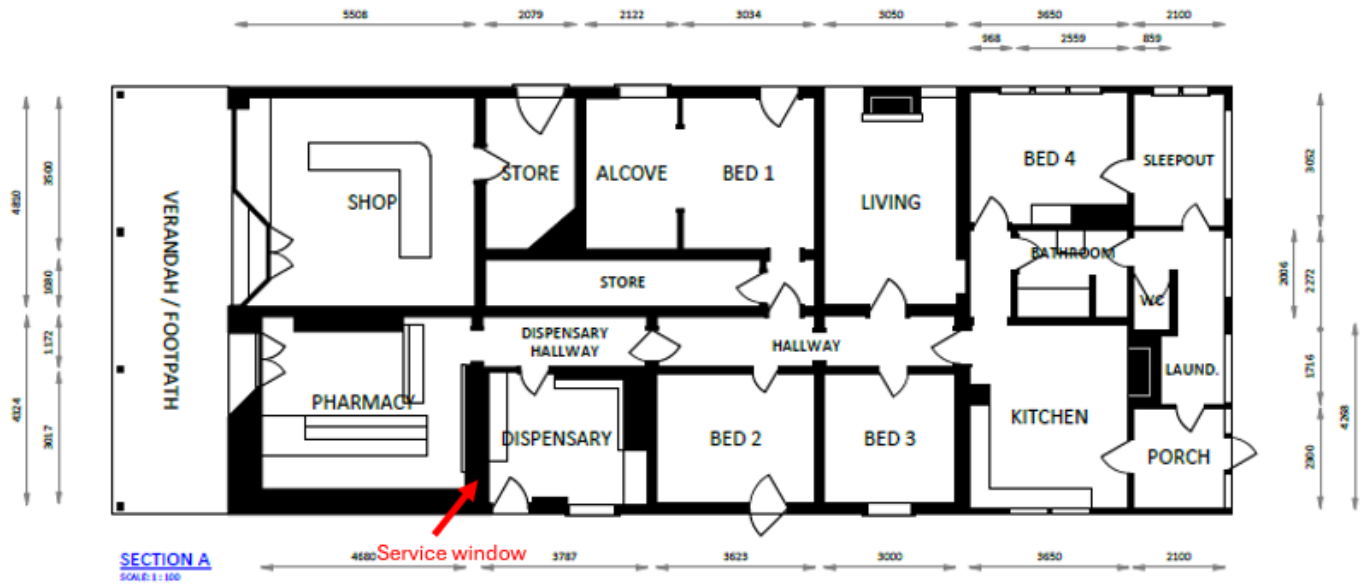
The floorboards for the residential section are timber and the walls are either plastered or painted brick, except for the passage walls to the dispensary which are timber-framed and lined Masonite. The extension consists of a kitchen, bathroom, bedroom, laundry, sleepout room and porch. The flooring of the kitchen, laundry and other extension rooms have a linoleum finish.

Objects integral

The collection contains 3,913 objects dating from the late-1800s to the 1960s. Their provenance is to Dow's Pharmacy, and relate to the composition, storage and distribution of medicines and pharmaceutical products. Examples include raw compounding ingredients, pre-packaged medications, personal hygiene goods, compounding equipment and instruments (such as scales and pill-making machines), glass bottles, prescription ledgers and pharmaceutical texts.

Floor plan

This is a contemporary floor plan of Dow's Pharmacy.



Description images – the place



2026, Front entrance, Source: Heritage Victoria.



2026, Shop, Source: Heritage Victoria.



2026, Pharmacy front window, Source: Heritage Victoria.



2026, Drawers in pharmacy, Source: Heritage Victoria.



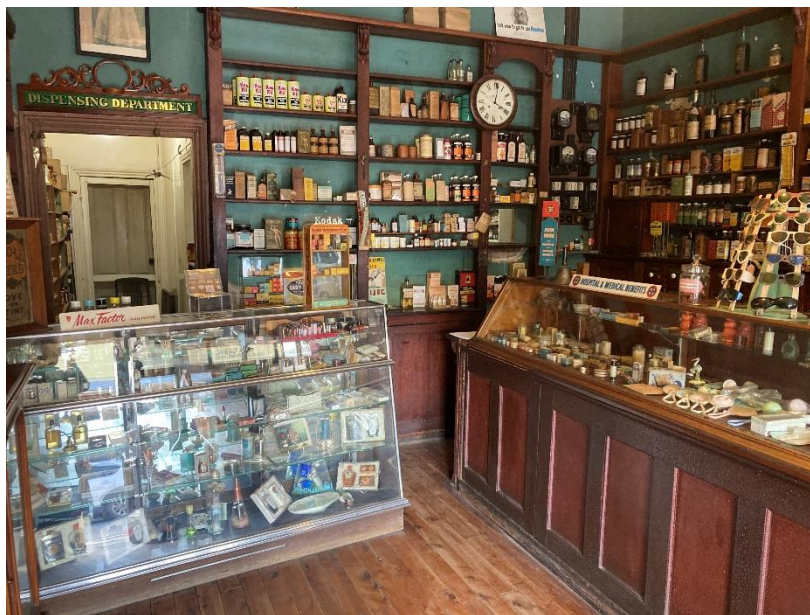
2026, Display cabinet in pharmacy, Source: Heritage Victoria.



2026, Shelves in pharmacy, Source: Heritage Victoria.



2026, Display cabinet in pharmacy, Source: Heritage Victoria.



2026, Pharmacy, Source: Heritage Victoria.



2026, Kodak display cabinet in pharmacy, Source: Heritage Victoria.



2026, Hallway to the dispensary (viewed from pharmacy), Source: Heritage Victoria.



2026, Dispensary service window looking into pharmacy, Source: Heritage Victoria.



2026, Limestone filter in dispensary (note wallpaper behind peeling paintwork), Source: Heritage Victoria.



2026, Dispensary work bench with scales and mortar and pestle, Source: Heritage Victoria.



2026, Dispensary hallway shelves (note wallpaper), Source: Heritage Victoria.



2026, Storeroom, Source: Heritage Victoria.



2026, Alcove attached to Bedroom 1, Source: Heritage Victoria.



2026, Living room, Source: Heritage Victoria.



2026, Laundry, Source: Heritage Victoria.



2026, Divide between original building and rear extension, Source: Heritage Victoria.



2026, Backyard, Source: Heritage Victoria.

Description images – objects



2026, Carboy in pharmacy front window, Source: Heritage Victoria. 2026, Pill-rolling machine in dispensary, Source: Heritage Victoria.



2026, Dispensary shelves (note brass scales on left side), Source: Heritage Victoria.

History

Yorta Yorta Country

The Yorta Yorta have an unbroken connection to the land and waters around Chiltern from time immemorial.

Yorta Yorta Country covers some 20,000 square kilometres on both sides of the Murray River roughly from Cohuna to Albury/Wodonga. It includes towns such as Chiltern, Echuca, Shepparton, Benalla, Corowa and Wangaratta and extends northwards to just south of Deniliquin.

In the 1830s, European pastoralists and squatters dispossessed First Nations Peoples of their Country, including the Yorta Yorta. The Yoorrook Justice Commission (2025) has recorded how colonization caused irreparable damage to First Peoples in Victoria through massacres, the introduction of diseases, confinement on missions and reserves, forced labour, the separation of families, and ongoing policies and practices that have resulted in systemic injustice.¹

The Yorta Yorta continue to live, work, practise culture and manage land and waters around Chiltern.

Chiltern

The gold rush in Victoria began when gold was discovered in the Ballarat region in 1851. During the 1850s Victoria accounted for more than a third of the world's gold production and by 1852 Ballarat was the richest goldfield in the world. The influx of migrants to the gold fields meant that Australia's population quadrupled from 430,000 to 1.7 million between 1851 and 1871.

Whilst Chiltern was first gazetted in the early 1850s, a township was not developed until 1858, when John Conness discovered gold nearby. This led to the establishment of a new commercial centre (Conness Street) where Dow's Pharmacy stands today.

By 1859, with between 12,000 and 15,000 people working the goldfields, Chiltern was at the height of its prosperity. Chiltern was proclaimed a municipal district in 1861, and a council was formed in 1862. The burgeoning town was described by the *Victorian Gazetteer* as agricultural and pastoral, having 'a County and Police Court, a Court of Mines, a reading room, a telegraph station and a post and money order office; a newspaper [the *Federal Standard*] and branches of the Australasia, New South Wales and Oriental Banks.' After the gold rush, Chiltern's fortunes declined until the commencement of deep alluvial mining in 1886. Once quartz mining stopped in 1911 and the Chiltern Valley mine closed in 1920, Chiltern ceased to be a gold mining town.

Development of commercial pharmacies in Victoria

British and European settlers established commercial pharmacies (now known as 'chemist shops') in Victoria from the 1830s. By 1842 there were six shops trading as pharmacies in Melbourne and others trading in Corio, Portland and Geelong.² By 1867 there were 260 pharmacies across Victoria, including on the goldfields.³

Victoria's population quadrupled within a decade of the discovery of gold in the 1850s. Due to the poor living and hygiene standards on the goldfields and the prevalence of illness, injury and disease, there was a high demand for medicines and pharmaceutical treatments. The isolated nature of many gold rush settlements meant that access to qualified doctors was limited, and thus demand for pharmacists was high. These people had usually trained in Britain.

Many pharmacists who arrived in Victoria during the gold rush period would go on to establish the Pharmaceutical Society of Victoria (1857) and Pharmacy Board of Victoria (1877).⁴ The *Pharmacy Act* and *Poisons Act* were both passed in 1876, setting professional standards for pharmacists and prohibiting them from practicing medicine or surgery.⁵ Under this Act

¹ Yoorrook Justice Commission. *Truth be Told*. 2025.

² Michelle M. Knehans, The Archaeology and History of Pharmacy in Victoria, *Australasian Historical Archaeology*, vol. 23, 2005, 42.

³ Dow's Pharmacy Significance Assessment, National Trust of Australia (Victoria), 2025, 9.

⁴ Knehans, Archaeology and History of Pharmacy in Victoria, 42.

⁵ *The Journal of the Australian Academy of the History of Pharmacy*, vol 4, no 34, Feb 2008, 14.

the Pharmacy Board could examine and register chemists, and deregister or prosecute them for unprofessional conduct. According to the Sands & McDougall trade directory of 1870 (the year Dow's Pharmacy was constructed), there were 111 retail and wholesale pharmacists.⁶ As of June 2025 there are 1,490 registered pharmacy premises in Victoria.⁷

Dow's Pharmacy

The vacant site on Conness Street was first purchased by speculators Charles Shephard and Thomas Reeve for £5/19 in 1861. It was then sold to John Williamson, a stationer, for £80. As of 1862 there were at least three pharmacists working on Conness Street. The Dow's Pharmacy site at this time contained a shop, a dwelling house, outhouses and offices, though there is no evidence that these structures exist in any part of the building today.⁸ In 1868 Williamson sold the allotment to Hiram Crawford, a local coach proprietor and entrepreneur. In 1868, Crawford commissioned the construction of a pair of adjoining brick shops with residences at the rear.⁹ In 1870 the property was leased to pharmacist Charles Lloyd and it would continue to operate as a pharmacy for nearly a century, before closing in 1968. The pharmacy is also known for its association with politician John McEwen, who lived there from 1901 to 1907 when his father was Chiltern's pharmacist. A parliamentarian for 36 years, McEwen would become leader of the Country Party from 1958-1971 and was briefly Prime Minister for 23 days in 1967-68, following the disappearance of Harold Holt at Cheviot Beach.

Hilda Dow (née Grey) was a registered pharmacist who was offered the business in 1929. She married John Dow in 1932. John worked in the shop as her apprentice until he gained his own pharmaceutical accreditation in 1936. Hilda and John Dow ran the pharmacy (now named Dow's Pharmacy) until it was closed in 1968, and they continued to live in the rear residence until John's death in 1976. Hilda remained living in the residence until 1988 when she donated the property and its contents to the National Trust of Australia (Victoria). After building maintenance and conservation works, the pharmacy was reopened as a museum in 1991.¹⁰

Selected bibliography

John and Thurley O'Connor Architects, *Dow's Pharmacy, Chiltern: Building Conservation Analysis*, 1989.

Sue Hodges Productions, *Dow's Pharmacy Significance Assessment*, 2025.

Acknowledgements

The Executive Director thanks the following people for sharing their knowledge of Dow's Pharmacy and Collection.

- Samantha Westbrooke, National Trust of Australia (Victoria)
- Michelle Price, National Trust of Australia (Victoria) (Chiltern Properties Coordinator)

⁶ Knehans, *Archaeology and History of Pharmacy in Victoria*, 42.

⁷ Victorian Pharmacy Authority, *Annual Report 2024-25*, 17.

⁸ John and Thurley O'Connor Architects, *Dow's Pharmacy, Chiltern: Building Conservation Analysis*, 5.

⁹ Dow's Pharmacy Significance Assessment, NTAV, 2025, 11.

¹⁰ *Ibid.*, 12.

Historical images

MEDICAL HALL,
Conness-street, Chiltern.
CHARLES J. LLOYD
Family and Dispensing Chemist,
C. J. L. begs to notify to the public and
his friends generally, that he has
succeeded to the business formerly carried
on by Mr Witt, and at the same time as-
sures them that strict personal attention
to business, combined with moderate
charges, will form the leading charac-
teristic of his establishment.
C. J. L. pledges himself to supply
genuine Drugs and Chemicals of the best
quality, and to prepare medicines precisely
according to the directions given in the Phar-
macopoeia of the Royal College of Physicians.
A good assortment of Patent and Propri-
etary Articles, Perfumery and Toilet Requi-
sites, domestic sundries, &c &c, constantly
on hand.
Horse and Cattle Medicines, &c.
Teeth extracted, scaled, and stopped.
Local Agent for Connell's East Indian
Remedies. 8 8 1827

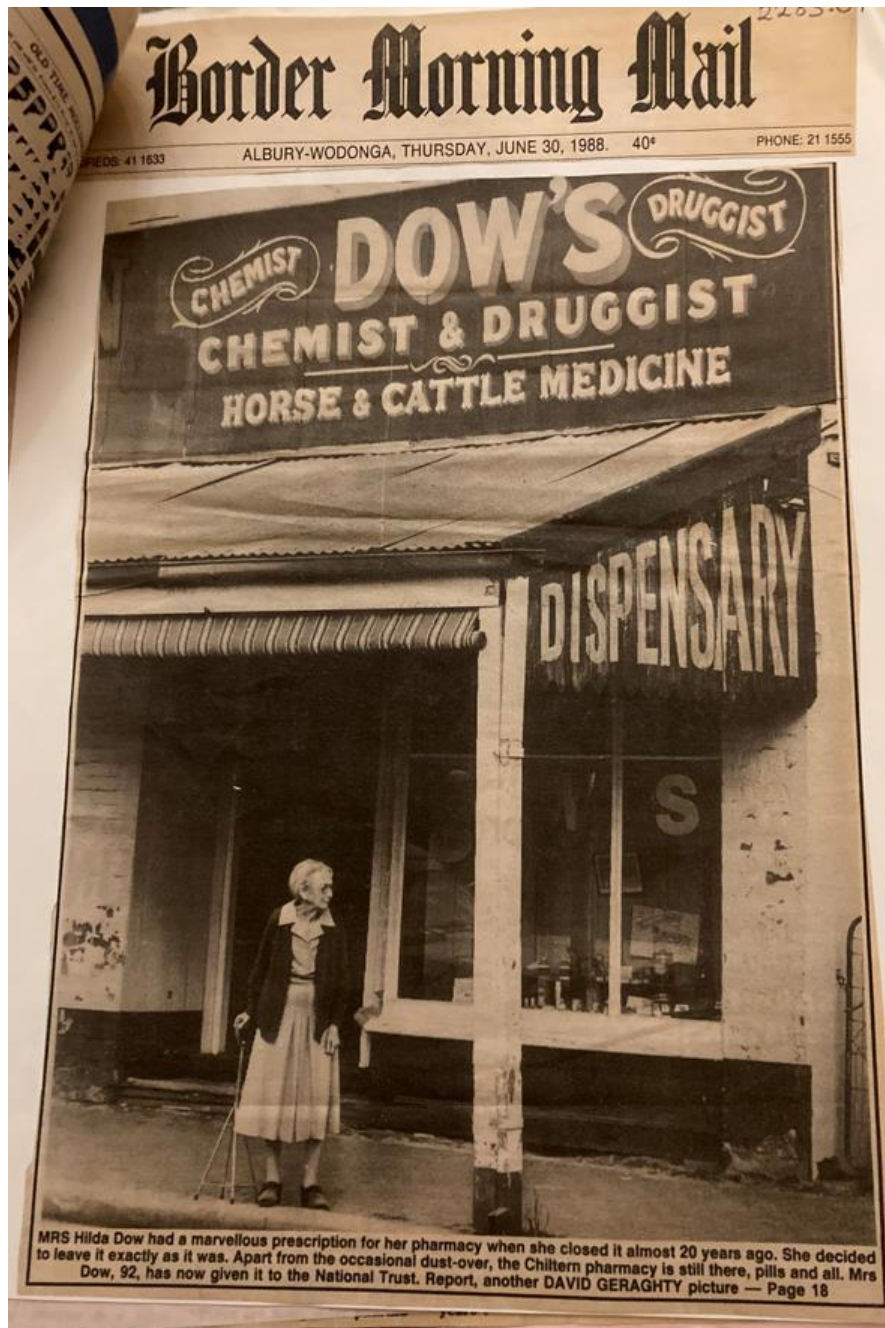
1870, Newspaper article, Source: Federal Standard, 26 September 1870.



c. 1900, Dow's Pharmacy viewed from the north-west, Source: State Library of Victoria.



Date unknown, Dow's Pharmacy, Chiltern, Source: Victorian Heritage Database.



1988, Hilda Dow in front of Dow's Pharmacy at time of donation to the National Trust. Source: Border Morning Mail, 30 June 1988 (from National Trust archives).

Further information

Registered Aboriginal Party information

Dow's Pharmacy and Collection is located on Yorta Yorta Country.

Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Yorta Yorta Nation Aboriginal Corporation.

Native Title

There is no native title or Traditional Owner settlement agreement for this location. In June 2004, the Victorian Government entered into a co-operative management agreement with Yorta Yorta over certain public lands that formed part of their native title claim area. Dow's Pharmacy and Collection is not on this land.

Victorian Aboriginal Heritage Register

Dow's Pharmacy and Collection is not in an area of Aboriginal cultural heritage sensitivity and is not included in the Victorian Aboriginal Heritage Register.

Integrity

The integrity of Dow's Pharmacy and Collection is excellent. The cultural heritage values of Dow's Pharmacy and Collection can be easily read in the extant fabric.

(11 June 2026)

Intactness

The intactness of Dow's Pharmacy and Collection is excellent.

Despite an extension to the residence in the rear of the building, the main heritage elements related to the development of the pharmacy remains highly intact and can be read in the shopfront, pharmacy and dispensary rooms, as well as in the collection, which has remained in situ since the pharmacy ceased operations in 1968.

(11 June 2026)

Condition

The condition of Dow's Pharmacy and Collection is variable.

The 'museum' section of the building which is open to the public is generally in very good to excellent condition. The site has been well-maintained and restored by the National Trust since their acquisition in 1988. The residential section at the rear of the building is generally in poor condition.

(11 June 2026)

Note: The condition of a place or object does not influence the assessment of its cultural heritage significance. A place or object may be in very poor condition and still be of very high cultural heritage significance. Alternatively, a place or object may be in excellent condition but be of low cultural heritage significance.

Other information

Heritage Overlay

Dow's Pharmacy and Collection is included in the Heritage Overlay of the Indigo Planning Scheme HO93.

Other relevant planning scheme overlays

Dow's Pharmacy and Collection is in the vicinity of the following planning scheme overlays:

Floodway Overlay (FO)

Land Subject to Inundation Overlay (LSIO)

Other Listings

National Trust Register (B2283)

Other Names

Dows Pharmacy

Dow's Pharmacy

Former Dow's Pharmacy

Chiltern Pharmacy

Date of construction/creation

1868

Architect/Builder/Designer/Maker

There is no known architect for Dow's Pharmacy and Collection.

Architectural style

Victorian Period (1851-1901) Vernacular

Statutory requirements under section 40

Terms of the recommendation (section 40(3)(a))

The Executive Director recommends that Dow's Pharmacy and Collection is included in the VHR.

Information to identify the place or object or land (section 40(3)(b))

Number: PROV 2474

Category: Registered place and registered object integral to a registered place

Name: Dow's Pharmacy and Collection

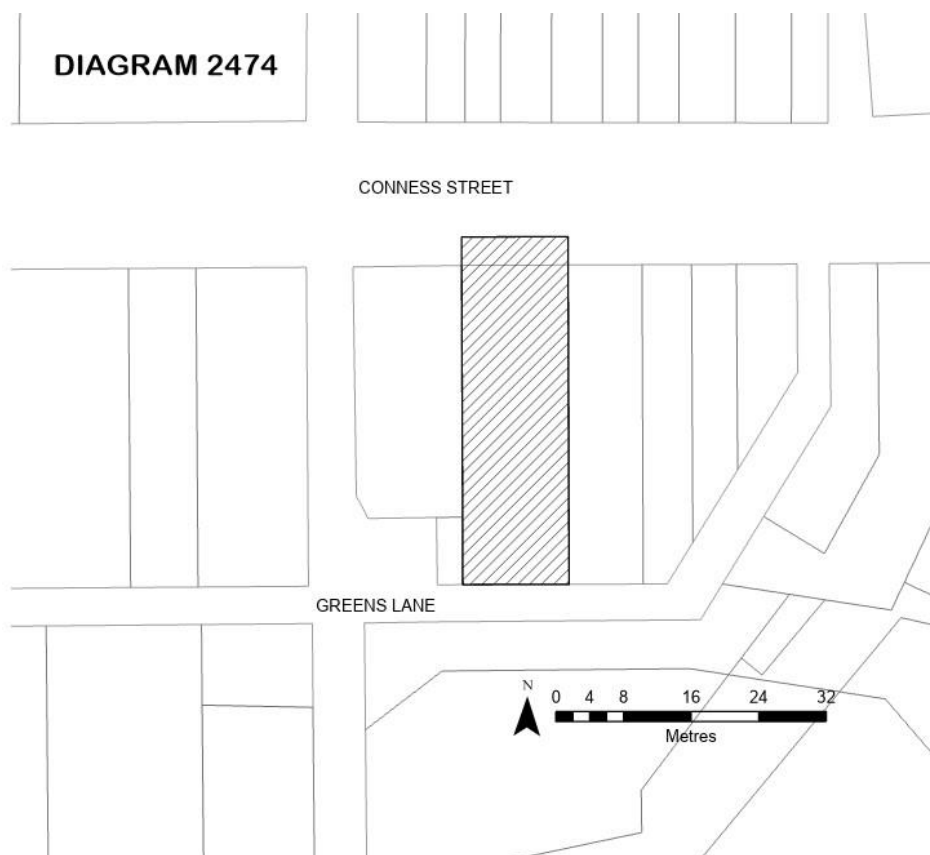
Location: 42-44 Conness Street, Chiltern

Municipality: Indigo Shire

Proposed extent of registration

The Executive Director recommends that the extent of registration for Dow's Pharmacy and Collection be gazetted as:

All of the place shown hatched on Diagram 2474 encompassing all of Crown Allotment 9 Section S Township of Chiltern; and part of the road reserve of Conness Street to the extent of the land forming the footprint of the permanent verandah; and all of the objects integral to the place which are listed in the inventory held by the Executive Director.



Non-statutory information about the proposed extent of registration

Aerial photo of the place showing proposed extent of registration



Note: This aerial view provides a visual representation of the place. It is not a precise representation of the recommended extent of registration. Due to distortions associated with aerial photography some elements of the place may appear as though they are outside the extent of registration.

Rationale for the proposed extent of registration

The recommended extent of registration comprises all of the land at the property known as 42-44 Conness Street, Chiltern, the location of Dow's Pharmacy and Collection. Also recommended is the portion of land where the verandah extends over the footpath, which is part of Conness Street, an arterial road.

The recommended extent of the registration is the same as the nominated extent of registration.

It should be noted that everything included in the proposed extent of registration including all of the land, all soft and hard landscape features, plantings, all buildings (exteriors, interiors and fixtures), and any objects integral to the understanding of the cultural heritage significance of the place is proposed for inclusion in the VHR. A permit or permit exemption from Heritage Victoria is required for any works within the proposed extent of registration, apart from those identified in the categories of works or activities in this recommendation.

Reasons for the recommendation, including an assessment of the State-level cultural heritage significance of the place and objects integral (section 40(3)(c))

Following is the Executive Director's assessment of Dow's Pharmacy and Collection against the tests set out in [The Victorian Heritage Register Criteria and Thresholds Guidelines \(2022\)](#). A place or object must be found by the Heritage Council to meet Step 2 of at least one criterion to meet the State level threshold for inclusion in the VHR.

CRITERION A: Importance to the course, or pattern, of Victoria's cultural history.

Step 1 Test for Criterion A

No.	Test	Yes/No	Reason
A1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	The place and objects integral have a clear association with the development of commercial pharmacies in Victoria (now known as chemist shops).
A2)	Is the event, phase, period, process, function, movement, custom or way of life of historical importance, having made a strong or influential contribution to Victoria?	Yes	This phase is of historical importance, having made a strong and influential contribution to Victoria. Dow's Pharmacy and Collection was established at a time when commercial pharmacies in Victoria were still a fledging industry. As of June 2025, there are 1,490 registered commercial pharmacies in Victoria.
A3)	Is there evidence of the association to the event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	There is evidence of the association between the place and objects integral and the historical phase. Dow's Pharmacy and Collection was constructed during the early establishment of commercial pharmacies in Victoria. The evidence exists in the physical fabric of the place, and in the collection of pharmaceutical related objects which have remained in situ since the pharmacy's closure.

If A1, A2 and A3 are all satisfied, then Criterion A is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion A is likely to be relevant.
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Step 2 State-level test for Criterion A

No.	Test	Yes/No	Reason
SA1)	Does the place/object allow the clear association with the event, phase, period, process, function, movement, custom or way of life of historical importance to be understood better than most other places or objects in Victoria with substantially the same association?	Yes	The place and objects integral allow the association with the development of commercial pharmacies in Victoria to be better understood than most other places or objects in Victoria with substantially the same association. This is demonstrated in the intactness and legibility of the collection of objects which enable the historical association to be well understood. Other historic pharmacy buildings do not possess the same level of

interpretable material as Dow's Pharmacy and Collection or maintain the same level of intactness.

If SA1 is satisfied, then Criterion A is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion A is likely to be relevant at the State level.
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CRITERION B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Step 1 Test for Criterion B

No.	Test	Yes/No	Reason
B1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history?	Yes	The place and objects integral has a clear association with the development of commercial pharmacies, as described above at A1.
B2)	Is there evidence of the association to the historical phases etc identified at B1)?	Yes	There is evidence of the association between the place and objects integral and the historical phase, as described above at A3.
B3)	Is there evidence that place/object is rare or uncommon, <u>or</u> has rare or uncommon features?	Yes	B3(i) There is evidence that the place and objects integral is rare or uncommon. - In Victoria, there is no other known example of a historic pharmacy that has retained its substantial collection of industry-related objects in situ. B3(ii) There is no evidence that the place and objects integral has rare or uncommon features. - NA

If B1, B2 AND B3 are satisfied, then Criterion B is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion B is likely to be relevant.
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Step 2 State-level test for Criterion B

No.	Test	Yes/No	Reason
SB1)	Is the place/object rare or uncommon, being one of a small number of places/objects remaining that demonstrates the event, phase, etc identified at B1)?	Yes	Dow's Pharmacy and Collection is rare being one of a small number of places/objects remaining that demonstrates the development of commercial pharmacies.
SB2)	Is the place/object rare or uncommon, containing unusual	No	Dow's Pharmacy and Collection is not rare or uncommon for:

	features, and these features are of note and these features were not widely replicated in Victoria?		i. containing unusual features; and ii. these features are of note; and iii. these features were not widely replicated in Victoria.
SB3)	Is the existence of the class place/object that demonstrates the historical phases at B1) endangered to the point of rarity due to threats and pressures on such places/objects in Victoria?	No	Dow's Pharmacy and Collection is of the class of commercial pharmacy The class does demonstrate the historical phases set out at B1. This class is not endangered to the point of rarity due to threats and pressures on such places in Victoria.

If **any one** of SB1, SB2 OR SB3 is satisfied, then Criterion B is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion B is likely to be relevant at the State level.
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CRITERION C: Potential to yield information that will contribute to an understanding of Victoria's cultural history.

Step 1 Test for Criterion C

No.	Test	Yes/No	Reason
C1)	Does physical fabric and/or documentary evidence and/or associated oral history or cultural narratives relating to the place/object indicate a likelihood that the place/object contains evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources?	No	The: 1) physical fabric and 2) documentary evidence and 3) associated oral history or cultural narratives relating to Dow's Pharmacy and Collection do not indicate a likelihood that the place and objects integral contain evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources. The collection at Dow's Pharmacy is unlikely to yield any information that is not already understood from other documented collections, such as pharmaceutical collections in universities. The formulas and compounding recipes utilised to produce the medicines held in Dow's Pharmacy exist elsewhere in other collections. There is no evidence that scientific experiments were conducted at this place.
C2)	And, from what we know of the place/object, is the physical evidence likely to be of an integrity and/or condition that it could yield information through detailed investigation?	N/A	The integrity and condition of the place and objects integral may be good, but it is unlikely to yield information through investigation that is not currently visible and/or well understood or available from other sources (see C1).

If **both** C1 AND C2 are satisfied, then Criterion C is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion C is not likely to be relevant.
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CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural places and objects

Extant commercial pharmacies are rare in Victoria, and there are few comparators in this class. In light of this, the Executive Director is of the view that Dow's Pharmacy and Collection is better assessed under **Criterion B (Rarity)** than Criterion D.

CRITERION E: Importance in exhibiting particular aesthetic characteristics.

Step 1 Test for Criterion E

No.	Test	Yes/No	Reason
E1)	Does the physical fabric of the place/object clearly exhibit particular aesthetic characteristics?	No	The physical fabric of the place and objects integral does not clearly exhibit aesthetic characteristics particular to its phase.

If E1 is satisfied, then Criterion E is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion E is not likely to be relevant.
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CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Step 1 Test for Criterion F

No.	Test	Yes/No	Reason
F1)	Does the place/object contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created?	No	Dow's Pharmacy and Collection does not contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created. As a commercial pharmacy selling widely available preparations and compounds, it does not demonstrate scientific achievement or breakthroughs This contrasts with the CSL (Commonwealth Serum Laboratories) Collection (VHR H2422) which is registered under Criterion F for 'key innovations in Victoria's medical history, including the development of antivenoms against Australian fauna and the development of Rh(D) immunoglobulin.'
F2)	Does the physical evidence demonstrate a high degree of integrity?	NA	The physical evidence at the place and objects integral demonstrates a high degree of integrity. Not applicable, see above.

If **both** F1 and F2 are satisfied, then Criterion F is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion F is not likely to be relevant.
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CRITERION G: Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons

Step 1 Test for Criterion G

No.	Test	Yes/No	Reason
G1)	Does the place/object demonstrate social value to a community or cultural group in the present day in the context of its cultural heritage significance? Evidence must be provided for all three facets of social value listed here:		
i)	Existence of a community or cultural group; <u>and</u>	Yes	There is evidence that Dow's Pharmacy and Collection has social value in the present day to the community of Chiltern and the Indigo Shire more broadly.
ii)	Existence of a strong attachment of a community or cultural group to the place or object; <u>and</u>	Yes	There is evidence of a strong attachment of the Chiltern community to Dow's Pharmacy and Collection in the present day. Even though the place no longer operates as a pharmacy, it has functioned as a museum and a popular National Trust tourist attraction since 1991.
iii)	Existence of a time depth to that attachment.	Yes	There is evidence of the attachment dating to 1870. The pharmacy was established in 1870 and operated for nearly 100 years before closing in 1968. It has operated as a museum and tourist attraction since 1991.

If all facets of G1 are satisfied, then Criterion G is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion G is likely to be relevant.
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Step 2 State-level test for Criterion G

No.	Test	Yes/No	Reason
SG1)	Is there evidence that the social value resonates across the broader Victorian community as part of a story that contributes to Victoria's identity?	Yes	SG1(i) The social value of Dow's Pharmacy and Collection is part of a story in Victoria that contributes to Victoria's identity. The development of pharmacies is a story that contributes to Victoria's identity as part of the lives of everyday people.
		No	SG1(ii) There is no evidence that the social value of Dow's Pharmacy and Collection to the Chiltern community resonates across the broader Victorian community.

If all facets of SG1 are satisfied, then Criterion G is likely to be relevant at the State level

Executive Director's Response:	No	Criterion G is not likely to be relevant at the State level.
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CRITERION H: Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

Step 1 Test for Criterion H

No.	Test	Yes/No	Reason
H1)	Does the place/object have a direct association with a person, or group of persons who has made a strong or influential contribution in their field of endeavour?	Yes	H1(i) There is a direct association between Dow's Pharmacy and Collection and politician and former Prime Minister John McEwen. John McEwen lived in the residence attached to the rear of the pharmacy between 1901 and 1907 when his father, David McEwen, was the proprietor. H1(ii) The person has made a strong or influential contribution in their field. John McEwen was a member of the Australian parliament for nearly 37 years. He was the Leader of the Country Party for 13 years and he was Prime Minister of Australia for 23 days, following the disappearance of Harold Holt.
H2)	Is there evidence of the association between the place/object and the person(s)?	Yes	There is documentary evidence in the form of recorded history of the association between Dow's Pharmacy and Collection and John McEwen. There is no evidence in the fabric of the place of the association between Dow's Pharmacy and Collection and John McEwen.
H3)	Does the association relate: • directly to achievements of the person(s); <u>and</u> • to an enduring and/or close interaction between the person(s) and the place/object?	No	H3(i) The association between Dow's Pharmacy and Collection and John McEwen does not relate directly to the achievements of the person. H3(ii) The association does not relate to a close and enduring interaction between John McEwen and Dow's Pharmacy and Collection.

If all facets of H1, H2 AND H3 are satisfied, then Criterion H is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion H is not likely to be relevant.
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Objects integral

Definition

In the context of a registered place, an 'object integral' is

- a key part of the place; and
- contributes to our understanding of the place's State-level cultural heritage significance.

An object integral does not have to be of State-level significance in its own right. A more detailed definition can be found in the Heritage Council's [Policy: objects integral to a registered place](#).

It should be noted that fixtures (such as window frames or decorative masonry) automatically form part of the registered place and are therefore protected under the Act.

Background

Dow's Pharmacy has 3,913 objects that are original to the building and have remained in situ since the pharmacy ceased operations in 1968. Some of the items date back to the early days of the pharmacy's operations in the nineteenth century. Their survival reflects the intactness of the pharmacy's interior and its legitimacy as an example of a nineteenth century pharmaceutical shop and dispensary.

Inventory of objects integral

The objects integral to this place are listed in the Objects Integral Inventory VHR H2474. They consist of a collection which includes 3,913 items.

Assessment of whether the objects are integral to understanding the cultural heritage significance of a registered place (40(3A)(b))

The Heritage Council's [Policy: objects integral to a registered place](#) notes that for the purposes of the Act, an object will be considered integral to a place if it satisfied the following tests:

Test	Yes/No	Reason
1. Does the object/s form a key part of that place, being a component in its design, operation or use that contributes importantly to a richer and more complete understanding of its historical, cultural, technical, aesthetic and/or social meaning at a State level?	Yes	Dow's Pharmacy's collection of objects contributes to the understanding of the historical significance of the place. The collection is comprised of pharmaceutical preparations medicines, products, instruments and storage utilities dating from the mid-nineteenth century to the 1960s. This collection demonstrates the establishment and development of the pharmaceutical industry in Victoria, and enriches our understanding the place and its single historical use
2. Can the contribution be substantiated through physical, documentary or oral evidence?	Yes	The contribution of the collection of objects to the significance of the place can be substantiated through physical, documentary and oral evidence.
Executive Director's Response	The objects can be considered integral to the place	

Summary of how the object is integral to understanding the cultural heritage significance of the place (40(4)(b))

The collection of 3,913 objects is integral to the understanding of the cultural heritage significance of the place because it is a rare collection that demonstrates the history and development of pharmaceuticals in Victoria. It is perhaps the only such collection in Victoria, and one of very few in Australia (only other comparable example is the Old Pharmacy Museum in Childers, Queensland). The collection contains pharmaceutical objects that date as far back as the mid to late nineteenth century, and up until the late 1960s, when the pharmacy ceased operations. Since its closure, the collection has remained in situ for almost the entire time, only temporarily being removed for cleaning and restoration when the site was acquired by the National Trust in the late 1980s.

Comparisons

The following were selected as comparators to Dow's Pharmacy and Collection because they belong to the same class or have related historical associations.

Retail Places

BRINSMEADS PHARMACY

71-73 GLEN EIRA ROAD, RIPPONLEA, PORT PHILLIP CITY

VHR H0725

Brinsmead's Pharmacy (c. 1913) is significant as one of Victoria's finest chemist shops on account of its shopfront and fittings. These fittings which were manufactured by Thomas Duff comprise extensive leadlight work, including impressive round and elliptical domes. Leadlight was a common feature of commercial retail buildings built early this century rarely was it deployed so extensively and with such skill as in this instance. Shopfront pier cases with incised lettering advertising dental services also remain.



SG DEANS GROCERY AND HARDWARE STORE

26-28 HIGH STREET, YACKANDANDAH, INDIGO SHIRE

VHR H0368

SG Dean's Grocery and Hardware Store (c. 1864-66) is of historical significance for its association with the gold rush period of Victorian history and the importance of the provision of food and stores to the mining community.

W Roper constructed the two-storey shop and attached residence of local red bricks in about 1864-66 and probably ran the store.



Retail places

FORMER SHOP & RESIDENCE

175 STOKES STREET, PORT MELBOURNE, PORT PHILLIP CITY

VHR H1789

The Former Shop and Residence (1863-64) is architecturally and historically significant as a rare survivor of the once many timber-framed 19th century combined shops and residences built in Victoria. It is now one of only a few double-storey, timber-framed shops known to survive from this period in Victoria compared to the many extant 19th century brick shops. The exterior is remarkably intact and retains early fabric and 19th century window shutters with prices painted on the windows. The large shop interior retains some of its early details and shop fittings including counters and shelving.



Pharmaceutical collections

CSL (COMMONWEALTH SERUM LABORATORIES) COLLECTION

MUSEUMS VICTORIA

VHR H2422

The CSL collection is of historical and scientific significance for its association with the improvement of public health in Victoria and its ability to demonstrate the adaptation of existing biotechnology for specifically Australian purposes. The collection contains over 400 artefacts from 1916-1984. Objects include laboratory equipment, instruments, product samples, glassware, and Spanish influenza vaccine produced in 1919.



Summary of Comparisons

Although there have been hundreds of commercial pharmacies in Victoria since the 1840s, extant examples with high levels of intactness and integrity are uncommon. In this respect, Dow's Pharmacy is rare and moreover has retained a collection of historical objects in situ.

Brinsmead's Pharmacy dates to the early twentieth century and though it has retained some of its original fittings, it does not contain pharmaceutical products from the period.

The CSL Collection held by Museums Victoria, is a significant collection of pharmaceutical objects that relates to scientific discovery and development, unlike Dow's Pharmacy, whose significance relates to the establishment of commercial pharmacies. Dow's Pharmacy and Collection pre-dates the CSL collection by some 45 years.

After examining comparable sites and collections, the historical significance and rarity of Dow's Pharmacy and Collection can be demonstrated. Its intactness and integrity are excellent, and the place and objects integral remain relatively unaltered. Dow's Pharmacy and Collection has the capacity to demonstrate the history of the development of pharmaceuticals in Victoria better than other places with the same association.

Summary of cultural heritage significance (section 40(4))

Statement of significance

Dow's Pharmacy and Collection is located on Yorta Yorta Country.

What is significant?

Dow's Pharmacy and Collection is a red brick building constructed in 1868 with post-supported verandah, located on Conness Street, Chiltern. The building consists of two retail spaces complete with timber cabinetry and glass display cases, a dispensary, an office space, a residence in the rear, and the objects integral to the place consisting of an extensive collection of pharmaceutical preparations, medicines, products, instruments and storage utilities dating from the mid-nineteenth century to the 1960s.

How is it significant?

Dow's Pharmacy and Collection is of historical significance to the State of Victoria. It satisfies the following criteria for inclusion in the Victorian Heritage Register:

Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

Criterion B

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Why is it significant?

Dow's Pharmacy and Collection is historically significant for its association with the growth of commercial pharmacies in Victoria and the development of the pharmaceutical industry over 100 years. It holds a collection of over 3,900 pharmaceutical related objects in the form of pharmaceutical preparations medicines, products, instruments and storage utilities which demonstrate the development of pharmacies from the opening of the premises in 1870 to the cessation of the business in 1968. [Criterion A]

Dow's Pharmacy and Collection is a rare example of a highly intact nineteenth-century pharmacy with a substantial collection of objects, including a wooden pill-rolling machine, brass scales, bottles and carboys which have remained largely undisturbed since the pharmacy's closure in 1968. It is the only known historic pharmacy in Victoria which retains its collection, and only one of two in Australia. [Criterion B]

Recommended permit exemptions under section 38

Introduction

A [heritage permit](#) is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are [exempt from a heritage permit](#), if the proposed works will not harm the cultural heritage significance of the heritage place or object.

Permit Policy

It is recommended that a Conservation Management Plan is utilised to manage Dow's Pharmacy and Collection in a manner which respects its cultural heritage significance.

Permit Exemptions

General Permit Exemptions

General exemptions apply to all places and objects included in the VHR. General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Act.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Permit Exemptions

The works and activities listed below under the heading 'Exempt works and activities' are not considered to cause harm to the cultural heritage significance of Dow's Pharmacy and Collection. These are subject to the following guidelines and conditions:

Guidelines for specific permit exemptions

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.

7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

General conditions for specific permit exemptions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately

notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human

remains must be provided to the Aboriginal Heritage Council (as defined in the *Aboriginal Heritage Act 2006*).

Exempt works and activities

Building

Interiors

1. Repair, replacement and installation of smoke detectors and security sensors in the same locations.
2. Works to electrical wiring, switches and power outlets provided existing locations are used.

Exteriors

3. Repairs to gutters, downpipes and drainage to direct water away from the building.

External land

4. All subsurface works including installation of underground services and drainage.
5. All gardening, new planting and landscaping works and activities, provided that garden beds and plantings are not located in areas that may contribute to building dampness or cause mechanical damage to the building.
6. Pruning, lopping and removal of trees and vegetation.

Fences and gates

7. Repairs, maintenance and replacement of fences and gates provided that existing fence and gate heights are generally maintained.

Objects integral

8. Management of objects integral including temporary removal, transportation and relocation, conservation, cataloguing, digitisation and temporary loans of eighteen months or less. These activities must be undertaken in accordance with the National Standards for Australian Museums and Galleries and/or in accordance with the accepted collection management standards, policies and procedures of the National Trust. These activities may be undertaken by conservators in the employ of or contracted to the National Trust or authorised people directly supervised by them.

Footpath on Conness Street

9. Repairs, maintenance and replacement of the Conness Street footpath provided that existing levels are maintained.

Appendix 1: Important information for owners and interested parties

Heritage Council determination (section 49)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its [website](#) under section 41.

Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the [Heritage Council's website](#). The owner can also make a submission about proposed permit exemptions (Section 40(4)(d)).

Consideration of submissions to the Heritage Council (section 46)

(1) The Heritage Council must consider—

- (a) any written submission made to it under section 44; and
- (b) any further information provided to the Heritage Council in response to a request under section 45.

Conduct of hearings by Heritage Council in relation to a recommendation (section 46A)

(1) The Heritage Council may conduct a hearing in relation to a recommendation under section 37, 38 or 39 in any circumstances that the Heritage Council considers appropriate.

(2) The Heritage Council must conduct a hearing if—

- (a) a submission made to it under section 44 includes a request for a hearing before the Heritage Council; and
- (b) the submission is made by a person or body with a real or substantial interest in the place, object or land that is the subject of the submission.

Determinations of the Heritage Council (section 49)

(1) After considering a recommendation that a place, object or land should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing, the Heritage Council may—

- (a) determine that the place or object is of State-level cultural heritage significance and is to be included in the Heritage Register; or
- (ab) in the case of a place, determine that—
 - (i) part of the place is of State-level cultural heritage significance and is to be included in the Heritage Register; and
 - (ii) part of the place is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (ac) in the case of an object, determine that—
 - (i) part of the object is of State-level cultural heritage significance and is to be included in the Heritage Register; and
 - (ii) part of the object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (b) determine that the place or object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

- (c) in the case of a recommendation in respect of a place, determine that the place or part of the place is not to be included in the Heritage Register but—
 - (i) refer the recommendation and any submissions to the relevant planning authority or the Minister administering the Planning and Environment Act 1987 to consider the inclusion of the place or part of the place in a planning scheme in accordance with the objectives set out in section 4(1)(d) of that Act; or
 - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place or part of the place; or
 - (ca) in the case of a recommendation in respect of an object nominated under section 27A, determine that the object, or part of the object, is to be included in the Heritage Register if it is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register; or
 - (d) in the case of a recommendation in respect of additional land nominated under section 27B, determine that the additional land, or any part of the additional land, is to be included in the Heritage Register if—
 - (i) the State-level cultural heritage significance of the place, or part of the place, would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the place were developed; or
 - (ii) the additional land or any part of the additional land surrounding the place, or part of the place, is important to the protection or conservation of the place or contributes to the understanding of the place.
- (2) The Heritage Council must make a determination under subsection (1)—
- (a) within 40 days after the date on which written submissions may be made under section 44; or
 - (b) if any hearing is conducted, within 90 days after the completion of the hearing.
- (3) A determination made under subsection (1)(a), (ab), (ac), (ca) or (d)—
- (a) may include categories of works or activities which may be carried out in relation to a place, object or land, or part of a place, object or land, for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place, object or land; and
 - (b) must include a statement of the reasons for the making of the determination.
- (4) If the Heritage Council determines to include a place, or part of a place, in the Heritage Register, the Heritage Council may also determine to include land that is not the subject of a nomination under section 27B in the Heritage Register as part of the place if—
- (a) the land is ancillary to the place; and
 - (b) the person who owns the place, or part of the place—
 - (i) is the owner of the land; and
 - (ii) consents to its inclusion.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

Obligations of owners (section 42, 42A, 42B, 42C, 42D)

42 Obligations of owners—to advise of works, permits etc. on foot when statement of recommendation given

- (1) The owner of a place, object or land to whom a statement of recommendation has been given must advise the Executive Director in writing of—

- (a) any works or activities that are being carried out in relation to the place, object or land at the time the statement is given; and
- (b) if the place, object or land is a place or additional land, any application for a planning permit or a building permit, or any application for an amendment to a planning permit or a building permit, that has been made in relation to the place or additional land but not determined at the time the statement is given; and
- (c) any works or activities that are proposed to be carried out in relation to the place, object or land at the time the statement is given.

(2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.

42A Obligations of owners before determination or inclusion in the Heritage Register—to advise of permits

(1) This section applies if—

- (a) an owner of any of the following is given a statement of recommendation—
 - (i) a place or object nominated under section 27;
 - (ii) an object nominated under section 27A;
 - (iii) land nominated under section 27B; and
- (b) any of the following occurs within the statement of recommendation period in relation to the place, object or land—
 - (i) the making of an application for a planning permit or a building permit;
 - (ii) the making of an application for an amendment to a planning permit or a building permit;
 - (iii) the grant of a planning permit or building permit;
 - (iv) the grant of an amendment to a planning permit or building permit.

(2) The owner must advise the Executive Director in writing of—

- (a) the making of an application referred to in subsection (1)(b)(i) or (ii), within 10 days of the making of the application; or
- (b) a grant referred to in subsection (1)(b)(iii) or (iv), within 10 days of the owner becoming aware of the grant.

42B Obligations of owners before determination or inclusion in the Heritage Register—to advise of activities

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period it is proposed that activities that could harm the place, object or land be carried out.

(2) The owner, not less than 10 days before carrying out the activities, must advise the Executive Director in writing of the proposal to do so.

42C Obligations of owners before determination or inclusion in the Heritage Register—to advise of proposal to dispose

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period a proposal is made to dispose of the whole or any part of the place, object or land.

(2) The owner, within 10 days after entering into an agreement, arrangement or understanding for the disposal of the whole or any part of the place, object or land, must advise the Executive Director in writing of the proposal to do so.

42D Obligations of owners before determination or inclusion in the Heritage Register—requirement to give statement to purchaser

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) the owner proposes to dispose of the whole or any part of the place, object or land within the statement of recommendation period.

(2) Before entering into an agreement, arrangement or understanding to dispose of the whole or any part of the place, object or land during the statement of recommendation period, the owner must give a copy of the statement of recommendation to the person who, under the proposed agreement, arrangement or understanding, is to acquire the place, object or land or part of the place, object or land.

Owners of places and objects must comply with obligations (section 43)

An owner of a place, object or land who is subject to an obligation under section 42, 42A, 42B, 42C or 42D must comply with that obligation.

Penalty: In the case of a natural person, 120 penalty units;
 In the case of a body corporate, 240 penalty units.