HERITAGE ACT 2017

PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No.: P27832
Owner/s: City of Port Phillip
Cnr Carlisle Street & Brighton Road
St Kilda
VIC 3182

NAME OF PLACE/OBJECT: SOUTH AFRICAN SOLDIERS MEMORIAL

HERITAGE REGISTER NUMBER: H1374

LOCATION OF PLACE/OBJECT: 29A ALBERT ROAD MELBOURNE

THE PERMIT ALLOWS: Removal of trees; removal of kerbing and guttering; realignment of the road and tram layout and installation of associated infrastructure and street furniture; establishment of a construction site and the erection of associated structures including hoardings and anti-gawk screens and the excavation and construction works required to support construction of the Main Works of the Metro Tunnel project, in general accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:

Early Construction Works (ECW) Drawings
Stage 1A – Civil Works to Occur Pre IF C (Up to 10/3/18)
Stage 1A – Track Works to Occur Pre-IFC (Up to 10/3/18)
Stage 1A – Overhead Works to Occur Pre-IFC (Up to 10/3/18)

Impact Plans
TAS-CYP-DOM-DRG-RCN-DMA-X0001, Domain Station, Impact Plans, Sheet No. 01 of 04
TAS-CYP-DOM-DRG-RCN-DMA-X0002, Domain Station, Impact Plans, Sheet No. 02 of 04
TAS-CYP-DOM-DRG-RCN-DMA-X0003, Domain Station, Impact Plans, Sheet N. 03 of 04
TAS-CYP-DOM-DRG-RCN-DMA-X0004, Domain Station, Impact Plans, Sheet N. 04 of 04

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. A full archival photographic record of all the place impacted by the works, not covered by previous archival photographic recording undertaken as a condition of permit P24393, is to be undertaken to the written satisfaction of the Executive Director. The photography is to be undertaken prior to the commencement of works approved by this permit and the record is to be submitted within one month of these works commencing. Prior to the commencement of any works approved by this permit, a draft copy of the photography is to be provided for the written approval of the Executive Director. The photographic record shall be undertaken in accordance with Heritage Victoria requirements. Please contact Heritage Victoria prior to undertaking this work to discuss these requirements. Two copies of this photographic record shall be produced with one copy submitted to the Executive Director for approval in writing. When approved the permit holder will be notified to lodge the second copy with the La Trobe Picture Collection State Library of Victoria. The permit holder must then notify the Executive Director that it has been lodged and provide a copy of the lodgment receipt.
2. Prior to the commencement of any Stage 1 works beyond those endorsed in the ‘Early Construction Works’ (ECW) drawings referred to above, a full set of approved ‘Issued for Construction’ (IFC) drawings is to be submitted for the endorsement of the Executive Director. The Executive Director acknowledges that these works may be required to be altered during the works in response to construction contingencies. Any changes will require the written approval of the Executive Director.

3. Prior to the commencement of Stage 2 of the works, detailed construction or tender documents describing the proposed works are to be provided for the written endorsement of the Executive Director. This shall include documentation relating to: Stage 2 road and tram realignment and hoarding alignments. The Executive Director acknowledges that these items may be required to be altered during the works in response to construction contingencies. Any changes will require the written approval of the Executive Director.

4. If required to be moved, prior to the commencement of the relevant works, the plaques associated with the Windsor Oak and the Queensland Firewheel Tree are to be documented and stored in a location agreed to in writing by the Executive Director or are to be returned to the owner.

5. Prior to the erection of permanent* hoardings, the acoustic shed and silos a program of artistic, creative and interpretive measures is to be devised to ameliorate the visual impact of the works and the presence of the associated structures. The program and overarching strategy is to be approved in writing by the Executive Director prior to commencement of installation of relevant structures. The program can include, but is not limited to, graphics, interpretive material describing the history of the place and the staging of the works, colour schemes and camouflage strategies. The content may include logos and colours associated with the relevant stakeholders, including but not limited to MMRA, CYP, the relevant contractors and suppliers and the Victorian State Government but these references should be kept to a minimum and should not dominate the program. The approved program is to be installed on all structures visible to the public, for the duration of the works. The content of the program may change over the course of the project. The City of Melbourne and the City of Port Phillip are to be consulted throughout where relevant. Any changes to the program over the course of the project will require the written approval of the Executive Director. (*Permanent pertaining in this instance to hoarding in place for more than 3 months.

6. Prior to the commencement of any works approved by this permit, a tree management and protection plan is to be provided to the written satisfaction of the Executive Director, describing what measures are to be taken to ensure that all trees which are not to be removed as part of this permit, but which are located in its subject area, are not impacted or detrimentally affected by any early works associated with the Metro Tunnel Project.

7. Prior to the completion of the Metro Tunnel Project, all trees that have been removed in accordance with this permit are to be replaced to the satisfaction of the Executive Director. Tree replacement should also be in accordance with the guidelines of the relevant local government authority. The replacement trees are to be sized in accordance with AS2303 Tree Stock for Landscape Use and be of the same genus as those removed. They are to be located as close as practicable to the original locations of the removed trees in order to establish a regular and continuous pattern of tree planting along the registered portion of St Kilda Road and so as to ensure the integrity of the boulevard form and planting arrangement of St Kilda Road. The pattern of replacement tree planting shall be planned in such a way as to create a continuous avenue of trees that will connect with the avenue of
trees to the north (running from Princes Bridge to Dorcas Street) and with the avenue of trees to the south (running from Domain Road to Henry Street).

8. Prior to the planting of the replacement trees required by Condition 7 of this permit, a detailed tree planting methodology and maintenance schedule is to be provided for the written approval of the Executive Director. The document must show the proposed location of each of the replacement trees and must describe the manner in which each tree is to be planted and the measures that are to be taken to ensure the success of the planting and the means by which the trees are to be maintained.

9. Prior to the completion of the Metro Tunnel Project, all parts of the place affected as part of the works approved by this permit are to be rectified and reinstated to become an integral and cohesive part St Kilda Road and its surrounding area to the written satisfaction of the Executive Director. The Executive Director acknowledges that the reinstated form may vary from its current form.

10. Within two (2) weeks of the commencement of works approved by this permit financial security in the form of an unconditional Bank Guarantee or Insurance Bond in favour of the **Heritage Council of Victoria** (ABN 87 967 501 331) to ensure the satisfactory installation and maintenance of the visual amelioration program, the reinstatement and rectification of the parts of the place impacted by the works and the replacement of all removed trees required by Conditions 5, 7 & 9 of this permit, regardless of the financial status of the Principal, is to be lodged with the Executive Director. The period of validity of the financial security is to be unspecified. The financial security is a Completion Bond to ensure completion of the visual amelioration program, the bluestone kerb and guttering reinstatement and tree planting works to the place required by Conditions 5, 7 & 9. The financial security shall be released on written application to the Executive Director, subject to completion of the approved works to his satisfaction. It is recommended that the sum of existing financial securities held by the Executive Director against conditions in Permit P24393 be included in this security. On receipt of the additional financial security matching that against P24393, the Executive Director will return the existing financial securities to the applicant.

The sum of the financial security is as follows:
- Reinstatement and rectification of the parts of the place impacted by the works – Five Hundred Thousand Dollars ($500,000)
- For the replacement of the 11 trees – One Hundred and Ten Thousand Dollars ($110,000) + $20,000 already held financial security
- For the installation and maintenance of the visual impact amelioration program – Two Hundred and Fifty dollars ($250,000).

The financial security (or parts of it) shall be forfeited to the **Heritage Council of Victoria** if the reinstatement of the bluestone kerbing and guttering and tree replacement works are not completed to the satisfaction of the Executive Director by the expiration of this permit or as otherwise agreed in writing by the Executive Director.

11. This permit shall expire if the permitted works have not commenced within two (2) years of the date of issue of this permit, or are not completed within nine (9) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.

12. The Executive Director is to be given five (5) working days notice of the intention to commence the approved works.
13. 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 shall immediately cease. The Executive Director shall 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 this office be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted whilst the site is cleared of all personnel.

15. The Executive Director is to be informed when the approved works have been completed.

16. The development approved by this permit is to be carried out in accordance with the endorsed drawings, 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 UP TO 120 PENALTY UNITS ($19,028), OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS ($95,142).

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.

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<th>Date Issued:</th>
<th>Signed by the Executive Director, Heritage Victoria:</th>
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

<table>
<thead>
<tr>
<th>Date of amendment</th>
<th>Brief description of amendment</th>
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 Permit No.: P27832
IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?
The Executive Director has issued a permit under section 102 of the Heritage Act 2017.

WHEN DOES THE PERMIT BEGIN?
The permit operates from a day specified in the permit.

WHEN DOES A PERMIT EXPIRE?
A permit expires if -

* the development or any stage of it does not start within the time specified in the permit; or

* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEW OF THE DETERMINATION?
The applicant or the owner of a registered place or registered object may ask the Heritage Council of Victoria to review any condition of a permit imposed by the Executive Director on a permit issued under Section 102 of the Heritage Act.

A request must -

* be in writing; and.

* be lodged within 60 days after the permit is issued.

Review request forms can be downloaded at: