
**HERITAGE
PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017**

Permit No.: P34071

Applicant/s: 

NAME OF PLACE/OBJECT: COLLINS SETTLEMENT SITE

HERITAGE REGISTER NUMBER: H1050

LOCATION OF PLACE/OBJECT: 3080 POINT NEPEAN ROAD, SORRENTO

THE PERMIT ALLOWS: *Construction of a boat shed, generally in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:*

- Heritage Impact Statement, prepared by Lovell Chen, dated October 2020.
- Correspondence from Michelle Knehans, Lovell Chen dated 25 February 2021.
- Drawings prepared Hayball, numbered SK00.01 – SK00.06 and dated 14 April 2020.
- Landscape drawings prepared Tract, numbered 0313-0258-10 CD-800 – CD-900 and dated 27 May 2020.
- Geotechnical investigation, prepared by GeoAust Geotechnical Engineers Pty Ltd, dated 26 June 2020.
- Methodology Statement – Archaeological Investigations at Lot 5, 3080 Point Nepean Road, Sorrento, prepared by Andrew Long & Associates

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permission granted for this permit shall 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 unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
2. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
3. All subsurface works required as part of the building, landscaping and other works must be conducted or closely supervised by a qualified historical archaeologist at all times. The details (qualifications and expertise) of the project archaeologist must be submitted to, and endorsed by, the Executive Director, Heritage Victoria prior to the commencement of on-site works.
4. All works must cease, and Heritage Victoria must be contacted if historical archaeological features, artefacts and/or deposits are discovered during any phase of the site works. In this case (and if the archaeological remains relate to the historic settlement), the Executive Director may determine that the archaeological remains may need to be retained, and site development plans amended. All on-site workers and contractors must be made aware of the notification/reporting requirement.
5. If any historical archaeological features, artefacts and/or deposits are discovered under condition 4, all historical archaeological investigations, recording, reporting and artefact management (cataloguing, analysis and conservation) must be conducted in accordance with Heritage Victoria's Guidelines for Investigating Historical Archaeological Artefacts and Sites, and to the satisfaction of the Executive Director, Heritage Victoria. The applicant is liable for all costs arising from the

conservation of any historical archaeological artefacts that are recovered, to the satisfaction of the Executive Director, Heritage Victoria.



6. Prior to the commencement of any of the works approved by this permit, a **Construction Management Plan** (the Plan) must be provided for endorsement by the Executive Director Heritage Victoria and once endorsed becomes part of the permit. The 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
 - a tree/vegetation management and protection plan prepared in accordance with *AS4970 Protection of trees on development sites*.
7. 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.
8. Should any munitions or other potentially explosive artefacts be discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
9. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

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 (\$19,826 AS AT JULY 2019) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$99,132 AS AT JULY 2019) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$793,056 AS AT JULY 2019) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,586,122 AS AT JULY 2019) 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.

<p>Date Issued:</p> <p>26 March 2021</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>Janet Sullivan Principal Heritage Permits</p>	
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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director, Heritage Victoria has issued a permit under s102 of the *Heritage Act 2017*.

WHEN DOES THE PERMIT BEGIN?

The permit operates from the day the permit is signed by the Executive Director, Heritage Victoria or their delegate.

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, Heritage Victoria on a permit issued under s102 of the *Heritage Act 2017*.

A request must -

- * be in writing; and.
- * be lodged within 60 days after the permit is issued.

Review request forms can be downloaded at:

www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/
