
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P35737

Applicant:



NAME OF PLACE/OBJECT: YARRA BEND PARK

HERITAGE REGISTER NUMBER: H2398

LOCATION OF PLACE/OBJECT: YARRA BEND ROAD FAIRFIELD, YARRA CITY

THE PERMIT ALLOWS: *Construction of a temporary car parking area on Fairlea East Oval for a period of not more than (3) three years from the date of issue of this approval, in association with the Thomas Embling Hospital expansion project, including the installation of a new pedestrian pathway and lighting, tree removal and subsurface works and then the subsequent removal of the car parking area and the reinstatement of the oval and undertaking of improvements, generally in accordance with the following documents:*

- **Architectural drawings, Thomas Embling Hospital Expansion Stage 1 Building C & F, VMP Early works Carpark, prepared by Guymer Bailey Architects, dated 22 July 2022:**
 - Stage 1 Early works Carpark Schedule, Drawing no. GBL-DRW-LA-EW-101, Rev D.
 - Stage 1 Early works Carpark Sheet 01, Drawing no. GBL-DRW-LA-EW-102, Rev D.
 - Stage 1 Early works Carpark Sheet 02, Drawing no. GBL-DRW-LA-EW-103, Rev D.
 - Stage 1 Early works Carpark Sheet 03, Drawing no. GBL-DRW-LA-EW-104, Rev C.
 - Early works carpark – Sheet 01, Drawing no. GBL-DRW-LA-EW-121, Rev B.
 - Early works carpark – Sheet 02, Drawing no. GBL-DRW-LA-EW-122, Rev B.
 - Early works carpark – Sheet 03, Drawing no. GBL-DRW-LA-EW-123, Rev B.
 - Temp Carpark Legacy Works, Drawing no. GBL-DRW-LA-EW-124, Rev B.
 - Details & Sections, Drawing no. GBL-DRW-LA-EW-900, Rev B.
- **Notice of advice from AECOM addressing the civil requirements to build up the temporary carpark, power and CCTV requirements (including marked up plans), 4 pages, dated 29 April 2022.**

The following document is approved and endorsed and forms part of this permit:

- **Archaeological Management Plan, prepared by Andrew Long and Associates in association with Lovell Chen, dated August 2022.**

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 two weeks' notice in advance of the intention to commence the approved works.
3. The works approved by this permit are to be undertaken in a **staged manner**, these stages are: Stage 1 Demolition/subsurface works and tree removal works, Stage 2 Temporary works, Stage 3 Permanent works and Stage 4 Reinstatement works. If a variation of these stages is required, a written explanation is to be provided to the Executive Director, Heritage Victoria for consideration. The stages outlined may run concurrently.
4. It is a condition of this permit that **Stage 4 (reinstatement works)** must commence within three (3) years of the original date of issue of this permit, and must be 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.
5. Prior to the commencement of any of the works associated with each stage of the approved works (as outlined in Condition 3), a **Heritage Protection Plan (the Plan)** must be submitted for approval and endorsement by the Executive Director, Heritage Victoria. The Heritage Protection Plan must outline details for the protection of the heritage place throughout the works program, including a sequencing program for the approved works, details of any temporary infrastructure and services required, layout and set down arrangements, and details of how the project workforce will be informed of the sensitivity of working at a heritage place during the site induction process. The same Plan can be provided and updated in association with the relevant stages.
6. Prior to commencement of any of the works approved by this permit, a **Tree Management and Protection Plan** must be prepared in accordance with AS4970 Protection of trees on development sites, and provided to the Executive Director, Heritage Victoria, for approval. Throughout the construction works, efforts are to be made by the contractor to further minimise tree impacts and removals. The Executive Director, Heritage Victoria is to be notified if any further trees are adversely impacted during the construction works.
7. Prior to the commencement of any of the works associated with each stage of the approved works (as outlined in Condition 3), a **construction-ready set of drawings** must be submitted for approval and endorsement by the Executive Director and once endorsed become part of the permit. Drawings for each stage of works must be submitted for endorsement prior to commencement of that stage.
8. 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, including archaeological features, deposits and/or artefacts (if and where uncovered), any works that may affect such items must immediately cease in accordance with the **Unexpected Finds Protocol** and managed/investigated in accordance with the approved and endorsed **Archaeological Management Plan** (Andrew Long and Associates, 2022). If remains are uncovered that may be of moderate to high archaeological significance, consultation with, and further approval from Heritage Victoria will be required to authorise the continuation of site works.
9. Should **minor changes** in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be submitted to the Executive Director, Heritage Victoria who will advise on the approach to be taken to address these matters. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.

10. 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 (\$22,190.40 FROM 1 JULY 2022) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$110,952 FROM 1 JULY 2022) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$887,616 FROM 1 JULY 2022) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,775,232 FROM 1 JULY 2022) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE HERITAGE ACT 2017.

THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.

Date Issued:

10 October
2022

**Signed as delegate for the Executive Director,
Heritage Victoria pursuant to the Instrument of
Delegation**



Erin Williams
Manager Strategic Projects and Operations
Heritage Victoria

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