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

Permit No.: P32123

Applicant/s: 

NAME OF PLACE/OBJECT: ROYAL PARK

HERITAGE REGISTER NUMBER: H2337

LOCATION OF PLACE/OBJECT: FLEMINGTON ROAD and ROYAL PARADE and GATEHOUSE STREET and THE AVENUE and ELLIOTT AVENUE and PARK STREET and POPLAR ROAD and MACARTHUR ROAD and OAK STREET and BRENS DRIVE PARKVILLE

THE PERMIT ALLOWS: *Demolition of the Western Pavilion, tree removal, construction a new sporting pavilion, reduction in the extent of the existing gravel carpark, associated landscape and tree planting works, generally in accordance with the following documents:*

- **PLANS, PREPARED BY CITY OF MELBOURNE, PROJECT NUMBER 904029, DATED 18/08/2020**
 - DRAWING NO. HV-00 LOCALITY PLAN
 - DRAWING NO. HV-01.1, SITE PLAN – EXISTING CONDITIONS
 - DRAWING NO. HV-01.2, SITE PLAN – PROPOSED ROOF PLAN OF NEW PAVILION
 - DRAWING NO. HV-01.3, PROPOSED SITE PLAN – AREAS ANALYSIS
 - DRAWING NO. HV-02, GROUND FLOOR PLAN
 - DRAWING NO. HV-03, ELEVATIONS
 - DRAWING NO. HV-03.1, PERSPECTIVE VIEW
 - DRAWING NO. HV-04, CONTEXT PHOTOS
 - DRAWING NO. HV-05, CONTEXT PHOTOS
- **WESTERN PAVILION, ROYAL PARK, LANDSCAPE SCHEMATIC DESIGN, PROJECT NUMBER 904029, PREPARED BY CITY OF MELBOURNE, DATED AUGUST 2020**
 - DRAWING NO. L-SD-01, 17/08/2020
 - DRAWING NO. L-SD-02, 17/08/2020
 - DRAWING NO. L-SD-03, 17/08/2020
- **CONSTRUCTION IMPACT ASSESSMENT, PREPARED BY RYDER ARBORICULTURE & ENVIRONMENT, DATED 15 JUNE 2020**

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. 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) A sequencing program for the approved works;
 - b) Details of any temporary infrastructure and services required;
 - c) Protection methods for the heritage place during the undertaking of the works;
 - d) A work site layout plan. The builder's compound should be generally located in the existing carpark as documented in page 10 the Ryder Construction Impact Assessment, dated 15 June 2020;
 - e) A tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
4. Prior to the commencement of any of the works approved by this permit a tender ready set of **Architectural Plans** must be submitted for the endorsement of the Executive Director Heritage Victoria and when endorsed becomes part of the permit.
5. The Executive Director, Heritage Victoria, is to be provided with the date that the **new Western Pavilion** (as documented in the Architectural Plans at condition 4) was completed.
6. Prior to the commencement of any of the works approved by this permit a tender ready **Tree Removal Plan** must be submitted for the endorsement of the Executive Director Heritage Victoria and when endorsed becomes part of the permit.
7. Prior to the commencement of any of the works approved by this permit a tender ready **Demolition Plan** must be submitted for the endorsement of the Executive Director Heritage Victoria and when endorsed becomes part of the permit. It should be generally in accordance with Drawing HV-01.2 and HV01.3 in the Plans, prepared by City of Melbourne, Project Number 904029, dated 18/08/2020. It must also include the removal of the bluestone edging at the removed path leading to the former Western Pavilion.
8. The **demolition of the 1960s Western Pavilion**, as documented in the endorsed Demolition Plan at condition 7, is to be undertaken within 6 months of completion of the new Western Pavilion, as per the date provided to satisfy condition 5.
9. Prior to the commencement of landscape works approved by this permit a tender ready set of revised **Landscape Plans** must be submitted for the endorsement of the Executive Director Heritage Victoria and when endorsed becomes part of the permit. These must be revised to show the following:
 - a) Maximum height of the landscape mounds to the north of the Western Pavilion reduced to 500mm;
 - b) Reinstatement of the bluestone edging to match that adjacent to the footpath on Park Street at the location of the removed path to the former Western Pavilion;
 - c) Remediation of compacted soil in the tree protection zone of trees lining Western Oval impacted by carpark use prior to the reinstatement of grass at the base of trees;
 - d) Ground materials finishes;
 - e) Planting palettes.
10. The works documented in the **endorsed Landscape Plans** at condition 9 must be completed within the life of this permit.
11. Should **minor changes** in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged in accordance with this permit condition for assessment by the Executive Director, Heritage Victoria. More fulsome or major changes to the permit may require the submission of a permit amendment application to Heritage Victoria.
12. 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.

13. All works must cease, and Heritage Victoria must 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 and the site is to be immediately cleared of all personnel.
14. 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.

Date Issued: 21/12/2020	Signed on behalf of the Executive Director, Heritage Victoria:  NICOLA STAIRMAND Manager, Statutory Approvals	
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Date of amendment	Brief description of amendment

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/
