
HERITAGE
PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No.: P27681 (AS AMENDED)

Owner:



Applicant:



NAME OF PLACE/OBJECT: FORMER EASTERN HILL HOTEL

HERITAGE REGISTER NUMBER: H0816

LOCATION OF PLACE/OBJECT: 77 VICTORIA PARADE FITZROY

THE PERMIT ALLOWS: *Partial demolition and construction of part of a new building of 11 levels plus basements on the registered land generally in accordance with the following documents:*

- *Revised plans prepared by Billard Leece Partnerships Pty Ltd Architects & Urban Planners 18/12/2018:*
 - AA00-0001;
 - AA03-0001, 0011, 0051, 0054 and 0057;
 - AA05-0000, AA05-0001, AA05-0101 to 1001 and AA05-B101;
 - AA06-0000;
 - AA07-0000 to 0002, AA07-0101 to 1101, AA07-B101 and AA07-B201;
 - AA08-0001 to 0004 and AA08-2001;
 - AA96-1001 to 1004; and,
 - AA97-0000 to 0003, AA97-0008 to 0011.
- *Letter 'Re: Former Eastern Hill Hotel, H0816, Permit number P27681 and Dodgshun House, H1706, Permit number P27682' prepared by Lovell Chen, (14 pages) dated 21 January 2021*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Archaeology

1. Prior to the commencement of any sub-surface works an **Historical Archaeological Assessment** report that identifies whether the works may impact any potentially significant historical archaeological remains. If the report identifies potential impact on significant historical archaeological remains, a historical archaeological program must be approved in writing by, and completed to the satisfaction of, the Executive Director, Heritage Victoria, prior to the commencement of any works approved by this permit.

Financial Security

2. Prior to the commencement of any works approved by this permit the following must be approved in writing by the Executive Director, Heritage Victoria:
 - 2.1. An unconditional **Bank Guarantee** made out to the Heritage Council (ABN 87 967 501 331) for the estimated cost of the conservation works included in the conservation schedule approved under condition ~~2.8~~ **2.4**. The period of validity of the Bank Guarantee is to be

unspecified. The Bank Guarantee will forfeit to the **Heritage Council of Victoria** if the approved works are not completed (including works required by permit conditions) to the satisfaction of the Executive Director, Heritage Victoria, within the permit validity period.

- 2.2. The name of the heritage consultant engaged to fulfil the requirements of condition ~~2.3~~ **2.4**.

Conservation

- 2.3. An **archival quality photographic survey** of the former Eastern Hill Hotel. The survey must be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note 'Photographic Recording for Heritage Places and Objects'. The approved survey must be lodged with the La Trobe Picture Collection, State Library of Victoria and a copy of the lodgement receipt must be submitted to the Executive Director, Heritage Victoria.
- 2.4. A costed **Conservation Schedule** of internal and external conservation and repair works to the former Eastern Hill Hotel prepared by the consultant approved under condition 2.2. The schedule must also include remediation works to the southern wing associated with the proposed demolition of the western wing.
- 2.5. When approved by the Executive Director, Heritage Victoria, the schedule will be endorsed as part of this permit and must be implemented within the permit validity period.
- 2.6. A **Heritage Interpretation Plan** prepared by a suitability qualified interpretation specialist that includes permanent and fixed interpretation of the history and heritage significance of the former Eastern Hill Hotel. When approved by the Executive Director, Heritage Victoria, the plan will be endorsed as part of this permit and must be implemented within the permit validity period.
3. Final details of the proposed interpretation including content, design, materials and locations must be approved and implemented within ~~four (4)~~ **six (6)** years of the date of this permit.
4. At the completion of all works approved by this permit (including works required by permit conditions) a final dilapidation report must be approved in writing by the Executive Director Heritage Victoria. The report must compare the condition of the former Eastern Hill Hotel pre-work and post-work and include recommendations for any repair works required to rectify any damage that might have occurred because of the adjacent development. When approved by the Executive Director, Heritage Victoria, the report will be endorsed as part of this permit and all recommendations must be implemented within the permit validity period.

New Development

5. **Prior to the commencement of the relevant stage of works ('Early Works' and 'Main Works Stage 1') as defined in the letter of 21 January 2021 prepared by Lovell Chen, referred to above, the following must be approved in writing by the Executive Director, Heritage Victoria:**
- 5.1. Construction Management Plan (the Plan) **for the subject stage of works**. The Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection and monitoring methods for the former Eastern Hill Hotel 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*. **Where relevant**, the plan must also include the process for recording the demolition of the west wing to ensure that any extant early fabric is identified and recorded. **Where relevant**, the Plan must also include a dilapidation report (including images) for the former Eastern Hill Hotel to record its condition prior to the commencement of the subject stage of works approved by this permit. Once endorsed the plans becomes part of the permit.
- 5.2. Final details of all connections to the heritage building, including the glazed roof, new lift and tower.

- 5.3. Final construction drawings **for the subject stage of works.**
- 5.4. Final external material and finishes schedule for the new tower and podium.
Should minor changes to the defined stages of works become necessary, correspondence and supporting documentation must be prepared and lodged in accordance with this permit condition for assessment by the Executive Director who will advise on the approach to be taken to address these matters.

Signage and Lighting

6. A **Signage Plan** for all new signage, including but not limited to way-finding and identification signage must be approved by the Executive Director, Heritage Victoria, prior to installation.
7. An **External Lighting Plan** for all new lighting to the new tower and the former Eastern Hill Hotel must be approved by the Executive Director, Heritage Victoria, prior to installation

Standard Conditions



8. This permit shall expire if the permitted works have not commenced within ~~two (2)~~ **three (3)** years of the date of issue of this permit, and are not completed within ~~four (4)~~ **six (6)** years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
9. The Executive Director is to be given five working days' notice of the intention to commence the approved works.
10. 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.
11. 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.
12. 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 (\$19,028 AS AT NOVEMBER 2017) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$95,142 AS AT NOVEMBER 2017) UNDER SECTION 104 THE HERITAGE ACT 2017 (THE ACT).

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$761,136 AS AT NOVEMBER 2017) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,522,272 AS AT NOVEMBER 2017) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE ACT.

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: 29 March 2019</p> <p>Date Amended: 19 February 2021</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p> 	
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Date of amendment	Brief description of amendment
19 February 2021	<ul style="list-style-type: none">• Amend permit conditions which are required to be fulfilled prior to the commencement of any work on site to allow for them to be addressed and discharged in stages (Permit conditions reordered and renumbered)• Amend condition 8 to extend the validity of the permit.

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 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:

<http://heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/>