
HERITAGE
PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No.: P33146

Applicant/s:



NAME OF PLACE/OBJECT: RIPPON LEA

HERITAGE REGISTER NUMBER: H0614

LOCATION OF PLACE/OBJECT: 192 HOTHAM STREET ELSTERNWICK

THE PERMIT ALLOWS: *Conservation of the portal frames of conservatory provenanced to Rippon Lea; adaptive reuse of these for the construction of a new conservatory building for event and education uses and as an interpretive structure; removal of two orchard trees, generally in accordance with the following documents:*

- RIPPONLEA CONSERVATORY, 192 HOTHAM STREET, ELSTERNWICK, ARCHITECTURAL DRAWINGS, PREPARED BY TANDEM
 - TP00 COVER SHEET, REVISION NO. 05, 12/01/2021
 - TP01 CONTEXT PLAN, REVISION NO. 04, 12/01/2021
 - TP02 SURVEY & DEMOLITION, REVISION NO. 03, 12/01/2021
 - TP03 PROPOSED LOCATION PLAN, REVISION NO. 06, 12/01/2021
 - TP05 PROPOSED SITE PLAN, REVISION NO. 06, 12/01/2021
 - TP10 GROUND PLAN, REVISION NO. 07, 12/01/2021
 - TP11 ROOF PLAN, REVISION NO. 05, 12/01/2021
 - TP15 PROPOSED ELEVATIONS, REVISION NO. 06, 12/01/2021
 - TP16 PROPOSED SECTIONS, REVISION NO. 04, 12/01/2021
 - TP20 VISUALISATION, REVISION NO. 06, 12/01/2021

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 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*.

4. Prior to the commencement of any of the works approved by this permit a tender ready set of **Architectural Plans** revised to show the following must be submitted for the endorsement of the Executive Director Heritage Victoria and when endorsed becomes part of the permit:
 - a) Removal of references in the plans to any 'future extension'.
5. Prior to the commencement of any of the works approved by this permit, a tender ready set of **Landscape Plans** for the project must be submitted for the endorsement of the Executive Director, Heritage Victoria and when endorsed becomes part of the permit. The Landscape Drawings must include but not be limited to the following:
 - a) Tree removal plan
 - b) Details of the mesh planter wall
 - c) Use of historically appropriate species (including climbers) for the mesh planter wall
6. The works in the endorsed **Landscape Plans** at condition 5 must be implemented within the period of validity of the permit.
7. An **Interpretation Plan** for installation of interpretive devices associated with the new conservatory must be prepared by a suitably qualified and experienced practitioner. The Interpretation Plan is to be submitted to the Executive Director, Heritage Victoria for endorsement within 12 months of the activation of this permit unless otherwise agreed in writing by the Executive Director. The Interpretation Plan must include proposals for the appropriate interpretation of:
 - a) the history of conservatories as part of the historic Rippon Lea garden
 - b) the inclusion of a horticultural display to be permanently installed and interpreted inside the conservatory (information about how this is managed to facilitate large events in the space should be addressed, such as temporary relocation and reinstatement)
 - c) information regarding the provenance of the conservatory to Rippon Lea, and its relocation to Caulfield Park
 - d) interpretation of the historic and new materials used in the construction of the conservatory
8. The **Interpretation Plan** endorsed at condition 7 is to be implemented on site prior to the expiration of the permit.
9. Should **minor changes to the interior** of the conservatory to control ventilation and heat be required within the life of this permit (such as blinds or fans), Plans to document that work can be prepared and lodged in accordance with this permit condition for assessment by the Executive Director, Heritage Victoria. If approved, the Plans will be endorsed by the Executive Director, Heritage Victoria and when endorsed becomes part of the permit.
10. Should further 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 who will advise on the approach to be taken to address these matters.
11. 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.
12. 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.
13. 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: 28 March 2021	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/
