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

Permit No.: P26555

Applicant/s:



NAME OF PLACE/OBJECT: ST KILDA BOTANICAL GARDENS

HERITAGE REGISTER NUMBER: H1804

LOCATION OF PLACE/OBJECT: 55 BLESSINGTON STREET ST KILDA

THE PERMIT ALLOWS: *Demolition of the 1968 Curator's Cottage (EcoCentre) and shed; removal of fences and two portable buildings; tree removal; development of a two-storey EcoCentre building and associated landscaping generally in accordance with the following documents:*

- **ARCHITECTURAL PLANS, ECOCENTRE REDEVELOPMENT, JOB NO. COP06, PREPARED BY BOURKE + BOUTELOUP ARCHITECTS**
 - DRAWING NO. A000H, REV. H2, 12/08/2020
 - DRAWING NO. A001H, REV. H2, 12/08/2020
 - DRAWING NO. A002H, REV. H2, 03/08/2020
 - DRAWING NO. A005H, REV. H2, 12/08/2020
 - DRAWING NO. A006H, REV. H2, 12/08/2020
 - DRAWING NO. A010H, REV. H2, 03/08/2020
 - DRAWING NO. A015H, REV. H2, 12/08/2020
 - DRAWING NO. A100H, REV. H2, 03/08/2020
 - DRAWING NO. A102H, REV. H2, 03/08/2020
 - DRAWING NO. A110H, REV. H2, 03/08/2020
 - DRAWING NO. A141H, REV. H2, 12/08/2020
 - DRAWING NO. A142H, REV. H2, 12/08/2020
 - DRAWING NO. A150H, REV. H2, 03/08/2020
 - DRAWING NO. A151H, REV. H2, 03/08/2020
 - DRAWING NO. A153H, REV. H2, 03/08/2020
 - DRAWING NO. A160H, REV. H2, 03/08/2020
 - DRAWING NO. A800H, REV. H1, 03/08/2020
 - DRAWING NO. A1812H, REV. H2, 03/08/2020
 - DRAWING NO. A1813H, REV. H2, 03/08/2020
 - DRAWING NO. A1814H, REV. H2, 03/08/2020
 - DRAWING NO. A1815H, REV. H2, 03/08/2020
 - DRAWING NO. A1900H, REV. H2, 03/08/2020

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 each of the three stages of the approved works, which are demolition, building construction and landscaping.
3. Prior to the commencement of each of the three stages of the works approved by this permit, which are demolition, building construction and landscaping, 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, and a work site layout plan.
4. Prior to the commencement of any of the works approved by this permit a Tree/vegetation Management and Protection Plan (TMPP) prepared in accordance with AS4970 *Protection of trees on development sites* must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The TMPP must include but not be limited to:
 - a) Relocation of the Queen Palm from the subject site to the Palm Collection;
 - b) Protection measures for the Willow Myrtle tree, including additional tree care treatments to improve the existing conditions prior to works commencing, during works, and at the conclusion of works;
5. Prior to demolition works commencing, a tender ready demolition plan and tree removal plan must be submitted for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. This should include the removal of the 4 Magenta Lilly Pilly (*Syzygium paniculatum*) (G2 in the Arborist report provided in the application).
6. Within six months (based on notification at condition 2) of works commencing on the demolition stage of works in accordance with condition 5, a tender ready set of Architectural drawings must be submitted for the endorsement of the Executive Director, Heritage Victoria and when endorsed becomes part of the permit. This must also include a Materials and Finishes schedule.
7. Within one year (based on notification at condition 2) of commencement of the new building works in accordance with condition 6, a tender ready set of Landscape Plans prepared to a professional standard must be submitted for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The approved Landscape Plan is to be implemented on site prior to the expiration of the permit. The Landscape Plans must show details of all proposed new soft and hard landscape works such as structures, landscape features, ground treatments and plantings including but not limited to:
 - a) Plans that show climbers to the 'Flexmesh' on the exterior finishes of the building
 - b) Plans that show planting to the front garden beds on the corner of Blessington and Herbert Streets
 - c) Plans that show replacement canopy tree planting on the east boundary with the botanic garden to provide screening of the new development from within the gardens.
 - d) Fencing plans
 - e) Tree Management and Protection Plan related to the impacts of any new landscape feature on trees (for instance the rainwater pond near the Willow Myrtle).
8. Arborist reports are to be provided to the Executive Director, Heritage Victoria at the completion of approved works, and 12 months following the completion of the approved works documenting the condition of the Willow Myrtle following the works, including any recommendations related to actions to mitigate any damage and/or improve the health of the tree and/or replacement planting. Any approved recommendations must be undertaken within 6 months of this condition being satisfied.
9. An Interpretation Plan for the installation of interpretive devices associated the development must be prepared by a suitably qualified and experienced practitioner. The Interpretation Plan must include a proposal for the interpretation of the history of the site for a Curator's Cottage including the original 1873/1886 cottage; a level of botanic labelling consistent with the broader botanic garden for the landscape works subject to condition 7; and specify a location in the EcoCentre to display information

leaflets or similar related to the St Kilda Botanic Garden. The Interpretation Plan is to be submitted to the Executive Director, Heritage Victoria for endorsement within 24 months of the activation of this permit unless otherwise agreed in writing by the Executive Director. After its approval the Interpretation Plan is to be implemented on site prior to the expiration of the permit.

10. 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.
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.

<p>Date Issued:</p> <p>6 November 2020</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>Emily McLean Manager Statutory Approvals</p>	
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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/
