
HERITAGE
PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No.: P31439

Applicant/s:



NAME OF PLACE/OBJECT: ST ANDREWS CHURCH PRECINCT
HERITAGE REGISTER NUMBER: H0124
LOCATION OF PLACE/OBJECT: 15 ST ANDREWS STREET BRIGHTON

THE PERMIT ALLOWS: *Demolition of existing tennis court pavilion and three (3) tennis courts and associated fences and lights and removal of eleven (11) trees and construction of a two-story building with rooftop tennis courts (including fencing and lighting) and a three-level basement and associated landscaping, generally in accordance with the following documents:*

- *Drawings prepared by Architectus numbered TP000 – TP0004, TP0010 – TP0014, TP0501 – TP0503, TP1001 – TP1009, TP2001 and TP2002, TP2502 and TP2503, TP9001 – TP9003 and TP9500 (all dated 19 September 2019)*
- *Drawings prepared by Oculus numbered L000, L001, L101, L102 and L201 – L206*
- *St Andrews Exchange Landscape Report, prepared by Oculus (5 September 2019)*
- *Contextual Analysis & Design Response (TP004) prepared by Architectus (19 September 2019)*
- *Arboricultural Construction Impact Assessment prepared by Greenwood Consulting P/L (2 September 2019)*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the commencement of any of the works approved by this permit, detailed design drawings must be submitted to the Executive Director, Heritage Victoria (**the Executive Director**) for written approval and once endorsed becomes part of the permit. The drawings must:
 - a. Include details of the method of attachment of the undercover link between the Parish Hall (B3) and Church (B2); and
 - b. Include a final materials and colour schedule for the new development.Any changes to the endorsed plans must be approved in writing by the Executive Director.
2. Prior to the commencement of any works approved by this permit, a Construction Management Plan (the Plan) must be submitted to the Executive Director, Heritage Victoria, for written approval and once endorsed becomes part of the permit. The Plan must:
 - a. Include a sequencing program for the approved works;
 - b. detail any temporary infrastructure and services required;
 - c. detail the advice of a suitably qualified and experienced structural engineer on appropriate protection methods for the Place, including the Church, graveyard and Parish Hall, before and during the undertaking of the works;
 - d. detail the advice of a suitably qualified and experienced heritage consultant as to the current condition of the Church and Parish Hall including any existing damage and the state of any particular aspects of those buildings that are likely to be affected by the permitted works, and appropriate protection measures to protect those buildings;



- e. Include a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 Protection of Trees on Development Sites.
3. Prior to the commencement of any works approved by this permit, the name of the heritage consultant, with demonstrated built heritage conservation experience, engaged to fulfil the requirements of conditions 2, 8 and 9 of this permit, must be submitted for approval in writing by the Executive Director.
 4. Prior to the commencement of any works approved by this permit, a Tree Protection Management Plan for all trees located near or otherwise potentially affected by the approved works, including landscape works (such as hard paving and fencing), must be submitted for approval in writing by the Executive Director.
 5. This permit shall expire if the permitted works have not commenced within two years of the date of issue of this permit, or are not completed within four years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director.
 6. The Executive Director is to be given five working days' notice of the intention to commence the approved works. Details of the head contractor, registered building surveyor and project manager must be provided.
 7. 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.
 8. At the completion of all works approved by this permit (including works required by the conditions of the permit) and before the expiration of the permit, the following must be approved in writing by the Executive Director:
 - a. a final dilapidation report for the Parish Hall and Church that compares the condition of the buildings pre-work and post-work and includes recommendations for any repair works required to rectify any damage that might have occurred because of the adjacent development;
 - b. when approved by the Executive Director the report will be endorsed as part of this permit and all recommendations must be implemented within the permit validity period.
 9. At the completion of works approved by this permit (including works required by the conditions of the permit), and before the expiration of the permit, a final project report must be submitted to the satisfaction of the Executive Director. The final project report must include:
 - a. a summary of how and when each of the conditions of the permit was satisfied;
 - b. a full documentation of the changes which have occurred at the Place, including documentation of any significant material which has been removed, altered, revealed, or excavated from the Place.
 10. The Executive Director 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: 19 May 2021	Signed by the Executive Director, Heritage Victoria:  Steven Avery Executive Director	
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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.
