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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P34790

Applicant:



**NAME OF PLACE/OBJECT:** JOHN KELLY'S FORMER HOUSE

**HERITAGE REGISTER NUMBER:** H0940

**LOCATION OF PLACE/OBJECT:** 44 KELLY STREET BEVERIDGE, MITCHELL SHIRE

**THE PERMIT ALLOWS:** minor site conservation and demolition works, excavation and drainage works, landscaping works, and interpretation works, generally in accordance with the following documents:

- Landscape Construction Documentation drawings, prepared by GbLA Landscape Architects, dated 22-02-21
  - L0 - Cover & Drawing Schedule
  - L1.0 - Existing Conditions and Site Establishment Plan
  - L1.1 - Landscape Demolition Plan
  - L1.2 - Site Excavation and Grading Plan
  - L2.0 - Grading and Drainage Plan
  - L3.0 - Landscape Surface Finishes Plan
  - L3.1 - L3.8 - Bluestone Archive 01-08
  - L4.0 - Landscape Setout Plan
  - L4.1 - Bluestone Setout Plan
  - L4.2 - Landscape Fence and Aperture Plan
  - L5.0 - L5.3 - Landscape Planting Plans 01-04
  - L5.4 - Plant Schedule
  - L6.0 - 6.3 - Landscape Softscape Details 01-04
  - L7.0 - L7.2 - Landscape Hardscape Details 01-03
- *Kelly House Beveridge Interpretive Design – Artwork*, prepared by Mono Design and LookEar, v1.0 March 2021
- *Specification for 20004 Kelly House Landscape Works at Beveridge*, prepared by GbLA Landscape Architects, dated February 2020 Version A
- Proposed Archaeology Methodology, prepared by Alliance Archaeology, 25 February 2021
- Legal Point of Discharge (as Appendix 4 to Specification)

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 during the undertaking of the works for original fabric and structures in the heritage place, including the former house and the bluestone well, and a work site layout plan.

4. Prior to the commencement of any of the works approved by this permit, a Tree Management and Protection Plan (the Plan) prepared by a suitably qualified experienced arborist must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Plan must be prepared in accordance with AS4970 *Protection of trees on development sites* and AS4373 *Pruning of Amenity Trees* to ensure the protection, and health and viability of the retained trees during excavation of the swale drain and associated works and ensure there is no damage to their roots or tree canopy.
5. Prior to the commencement of any of the works approved by this permit, final versions of the Interpretive Design and Interpretive Concept reports must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit
6. Prior to the commencement of any of the works approved by this permit, a set of construction-ready Landscape Construction Documentation drawings, including a material and finishes schedule for all elements, is to be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The drawings are to be generally in accordance with the documents listed above, but amended to show:
  - Any adjustment that might be required to the alignment of the swale drain on the west side of the site if the arborist's findings are such that the proposed excavation works in that vicinity may have unacceptable impact on the existing trees, in particular on the Weeping Willow.
  - Location of stockpile for remaining remnant bluestone and bricks not used in the landscape works.
  - Resolution of the detail for the installation of strip drains adjacent to the building to show and specify flashing or other protective method to prevent any incursion of water into the building.
  - Additional details on location and construction and dimensions for the new timber stand and water tank to be installed to the east of the house, including provision for overflow water.
  - Design resolution and construction details of the boardwalk and the two entry platforms to the building to ensure accessible movement is possible over them, and to show how the platforms will interact with the building's thresholds and walls (including flashing of the walls).
7. Prior to the completion of all works, a standalone Landscape Management Plan prepared by a suitably qualified professional which outlines how the existing and new plantings and the general landscaping of the site is to be managed into the future must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit.
8. Prior to the commencement of any site works that may disturb significant historical archaeological features, deposits and/or artefacts, an Archaeology Management Plan (AMP) is to be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit.
9. 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.

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. 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 for assessment by the Executive Director who will advise on the approach to be taken to address these matters.
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 (\$19,826 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:**  
09 June 2021

**Signed as delegate for the Executive Director,  
Heritage Victoria pursuant to the Instrument of  
Delegation**

A handwritten signature in black ink, reading "Nicola Stairmand". The signature is written in a cursive style with a large, sweeping initial 'N'.

**Nicola Stairmand**  
Manager, Statutory Approvals  
Heritage Victoria

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