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

Permit No.: P29324

Applicant/s 

NAME OF PLACE/OBJECT: FAWKNER PARK

HERITAGE REGISTER NUMBER: H2361

LOCATION OF PLACE/OBJECT: 24-88 COMMERCIAL ROAD SOUTH YARRA

THE PERMIT ALLOWS: *Improvement works to the Pasley Street entry zone at Fawkner Park including the removal of the existing basketball court, the construction of a new sports court further to the west of the existing facility, landscaping works, drainage improvement works, selected tree removals and new tree planting works and the construction of two new pathways providing access to the new sports court facility.*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the commencement of any works approved by this permit the following must be submitted to, and approved in writing by the Executive Director, Heritage Victoria (Executive Director). The plans must be generally in accordance with the civil works plans CI-1000 to CI-1072 Version T1 dated 31/10/2018 and landscape plan L105 RevA: Landscape Materials Plan Option B, but modified to show:
 - a. Revisions to the drainage concept plan consistent with the recommendations made by Mr M Noyce in his expert evidence dated 19/2/20 depicted in Figure 11 including:
 - i. removal of the depressed stormwater detention area between Path N and Path H;
 - ii. the use of shallow box culverts instead of pipes for drainage;
 - iii. the use of shallow infiltration trenches.
 - b. Removal of the path from the Pasley Street entrance to Avenue G via the southern side of the new court;
 - c. A Lighting Plan for all new lighting that removes reference to conduits for future court lighting;
 - d. A Tree Protection Management Plan prepared by an arborist that sets out measures for tree protection for all trees located near or otherwise potentially affected by the approved works;
 - e. A Construction Management Plan that includes a sequencing program for the approved works including installation of temporary infrastructure, all services, work site layout and protection methods for existing trees, pathways and grassed areas;
 - f. Revised Drainage Design, including Stormwater Drainage and Irrigation Plan to include the amendments to the plans required by conditions 1a) and b);
 - g. A Ground Treatment Inventory detailing materials and colours for all proposed permanent elements such as paving, retaining wall/seating, garden beds and plantings.
2. Prior to installation of any signage and associated signage infrastructure which is not already identified on the plans approved under condition 1, or is otherwise exempt, a Signage Plan must be approved in writing by the Executive Director.
3. Prior to installation of any lighting, a Lighting Plan for all new lighting which removes reference to conduits for future court lighting and BBQ supply, must be approved in writing by the Executive Director

4. This permit shall expire if the permitted works have not commenced within two (2) years of the date of issue of this permit and are not completed within four (4) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director.
5. The Executive Director is to be given five working days' notice of the intention to commence the approved works.
6. 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.

<p>Date Issued:</p> <p>18 December 2020</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>NICOLA STAIRMAND Manager Statutory Approvals</p>	
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Date of amendment	Brief description of amendment
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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/
