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

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**Permit No.:** P33413

**Applicant/s:** [REDACTED]

**NAME OF PLACE/OBJECT:** CAIRO FLATS

**HERITAGE REGISTER NUMBER:** H1005

**LOCATION OF PLACE/OBJECT:** 98 NICHOLSON STREET and 14 HANOVER STREET  
FITZROY

**THE PERMIT ALLOWS: DISMANTLING AND RECONSTRUCTION OF THE NORTHERN BOUNDARY WALL TO HANOVER STREET, AND ASSOCIATED LANDSCAPING AND DRAINAGE WORKS, IN ACCORDANCE WITH THE FOLLOWING DOCUMENTS, AS ENDORSED BY THE EXECUTIVE DIRECTOR AND FORMING PART OF THIS PERMIT:**

- **DRAWINGS 19005-1 TO 19005-08, REVISION HV1, 'HERITAGE VICTORIA PERMIT APPLICATION FOR DISMANTLING AND RECONSTRUCTION OF THE HANOVER STREET GARDEN WALL AT CAIRO FLATS H1005' PREPARED BY CONSERVATION STUDIO, DATED 20 APRIL 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.

**Reconstruction**

3. Prior to the commencement of any of the works approved by this permit, an accurate record of the existing condition and details of the brickwork to the northern boundary wall must be submitted for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. Documentation must be carried out by a suitably experienced heritage professional using recognised recording techniques such as photography, surveying, drawn and written descriptions.
4. Prior to the commencement of any of the works approved by this permit, final detailed drawings for reconstruction of the brickwork to the northern boundary wall must be submitted for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. These must include all decorative features and be based on the documentation endorsed under condition 3. Any missing features to be reinstated must be supported by adequate historical, pictorial and physical documentation.

**Landscaping**

5. Prior to completion of the reconstruction works to the northern boundary wall and prior to the commencement of any replacement landscaping works, the following must be submitted for endorsement by the Executive Director, and once endorsed, become part of the permit.

- 5.1. a construction-ready set of Landscape Plans prepared by a suitably qualified professional showing details of all proposed new works such as ground treatments and replacement plantings for the northern boundary of the site. The plans must be consistent with the *Cairo Flats Landscape Masterplan, prepared by John Patrick Landscape Architects, dated November 2020*
- 5.2. a rationale for the chosen replacement plantings and planting locations which considers the heritage values and the history of the Place, including the 1930's landscape.
- 5.3. a detailed Tree Planting Plan, Methodology and Maintenance Schedule prepared by a suitably qualified professional for the replacement of trees to the northern boundary of the site. The document must include but not be limited to: stock sizes in accordance with AS2303 Tree stock for landscape use and outline maintenance measures for establishment of the replacement trees over the first 3 years such as watering, formative pruning, mulching and regular professional condition review to ensure success of planting.

#### **Minor Changes**

6. 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.

#### **Standard Conditions**

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. 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.
9. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

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**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>14 May 2021</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>Nicola Stairmand Manager, Statutory Approvals</p>	
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## **IMPORTANT INFORMATION ABOUT THIS PERMIT**

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### **WHAT HAS BEEN DECIDED?**

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The Executive Director, Heritage Victoria has issued a permit under s102 of the *Heritage Act 2017*.

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### **WHEN DOES THE PERMIT BEGIN?**

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The permit operates from the day the permit is signed by the Executive Director, Heritage Victoria or their delegate.

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### **WHEN DOES A PERMIT EXPIRE?**

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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.

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### **WHAT ABOUT REVIEW OF THE DETERMINATION?**

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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/](http://www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/)

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