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

Permit No.: P26809

Owner/s:



NAME OF PLACE/OBJECT: RESIDENCE
HERITAGE REGISTER NUMBER: H0149
LOCATION OF PLACE/OBJECT: 11 BRUNSWICK STREET FITZROY

THE PERMIT ALLOWS: Demolition works, building alterations and additions, and the construction of a seven-storey apartment building on Lot 1 on Title Plan 872274G, 11 Brunswick Street, Fitzroy, in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Plans for endorsement

1. Prior to the commencement of any works approved by this permit, a set of the drawing sheets to be endorsed by the Building Surveyor appointed for the project under the *Building Act 1993* must be submitted (in electronic format) to and endorsed by the Executive Director, Heritage Victoria. These drawing sheets are to be in accordance with the 34 sheets and drawings prepared by Clarke Hopkins Clarke Architects dated July 2018 showing a seven-storey apartment building.

Construction management plan

2. Prior to the commencement of any works approved by this permit, a Construction Management Plan (the CMP) must be submitted to and endorsed by the Executive Director and once endorsed becomes part of the permit. The CMP 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 worksite layout plan. The CMP must also include a dilapidation report (including photo-images) for those parts of the heritage building to be affected by the approved works to record its condition prior to the commencement of those works.

Reconstruction of the existing pediment

3. The existing central decorative pediment on the front façade of the original three-storey residence must be reconstructed to reinstate the following features based on available photographic and other documentary evidence of their original appearance (if any):
 - (a) the central pediment;
 - (b) flanking dwarf balustrade with balusters; and
 - (c) four decorative urns.

4. An experienced conservation architect must be engaged to document and supervise the reconstruction of the decorative pediment referred to in Condition 3. The selected conservation architect's name must be submitted to and approved in writing by the Executive Director, Heritage Victoria prior to being engaged to provide these services.

Finishes and treatment of the rear wall to the service wing

5. Prior to the commencement of any works approved by this permit, details of the finishes and treatment to the fireplaces in the west-facing wall of the service wing that is exposed through demolition must be submitted for endorsement by the Executive Director, Heritage Victoria.

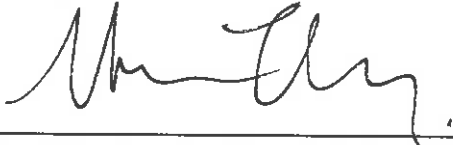

6. Prior to the commencement of any works approved by this permit, details of the waterproofing of the west-facing wall and fireplace on the first floor of the service wing that are exposed through demolition, must be submitted to and endorsed by the Executive Director, Heritage Victoria. Works to this wall must be carried out in a manner that conserves and protects the brickwork.
Treatment of doors and windows to the service wing
7. The original door and window openings in the southern wall of the two-storey service wing must be retained, and the window and door joinery must be either conserved or restored to match existing details, all to the satisfaction of the Executive Director, Heritage Victoria.
Financial security
8. Prior to the commencement of any works approved by this permit and in accordance with section 103 of the *Heritage Act 2017*, a financial security in the form of an unconditional Bank Guarantee must be lodged with the Executive Director. The Bank Guarantee must be issued in favour of the Heritage Council of Victoria (ABN 87 967 501 33) in the amount of \$50,000 (fifty-thousand-dollars). It must be unconditional with regard to expiry date and must be returned at the request of the permit holder on the completion of the approved works and any additional works required within the conditions of this permit, to the satisfaction of the Executive Director.
9. The financial security referred to in Condition 8 above must be forfeited to the beneficiary, being the Heritage Council of Victoria, if the works for which it is lodged have not been completed within the validity period of this permit to the satisfaction of the Executive Director, Heritage Victoria.
General conditions
10. 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, Heritage Victoria.
11. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
12. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the 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, for the issue of a modified approval.
13. 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.
14. The Executive Director, Heritage Victoria must be informed when the approved works have been completed in order to arrange for a final inspection to be carried out.

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 (\$19,028 AS AT NOVEMBER 2017) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$95,142 AS AT NOVEMBER 2017) UNDER SECTION 104 THE HERITAGE ACT 2017 (THE ACT).

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$761,136 AS AT NOVEMBER 2017) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,522,272 AS AT NOVEMBER 2017) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE ACT.

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: 1 July 2019	Signed on behalf of the Executive Director, Heritage Victoria: 	
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director has issued a permit under section 102 of the *Heritage Act 2017*.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit.

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 on a permit issued under Section 102 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:

<http://heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/>
