
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P34910

Applicant:



NAME OF PLACE/OBJECT: XAVIER COLLEGE

HERITAGE REGISTER NUMBER: H0893

LOCATION OF PLACE/OBJECT: 135 BARKERS ROAD KEW, BOROONDARA CITY

THE PERMIT ALLOWS: Demolition of basketball courts, cricket nets, maintenance shed and associated tree removal works and construction of a multi-level Year 7 & 8 building to the north-west of the Chapel and the construction of an underground car park, lift, stairs, change rooms and bicycle facilities under the Chapel Oval, generally in accordance with the following documents:

Architectural Drawing prepared by MGS Architects: Xavier College, 7 & 8 Building, Chapel Oval Carpark, (Rev HV2) prepared October 2021

A001 Cover Page

A0101 Campus Plan – Existing

A0102 Campus Plan – proposed

A0103 Area Plan – 7/8 Building and Car Park – Existing

A0104 Area Plan – 7/8 Building and Car Park – Proposed

A0201 Lower Ground Floor

A0202 Ground Floor Plan

A0203 Level 1 Plan

A0204 Level 2 Plan

A0205 Plant Room Plan

A0206 Roof Plan

A0251 Oval Floor Plan

A0252 Car Park Floor Plan

A0401 Elevations

A0402 Elevations

A0451 Car Park Elevation – West Façade

A0452 Car Park Elevation – South Façade

A0501 Sections

A0502 Sections

A0503 Sections

A0551 Sections- Existing Oval

A0552 Sections – Proposed Car Park

A0553 Sections CC Existing & Proposed Oval

A0651 Tree Removal Plan

A1501 Materials Finishes Schedule

Landscape Site Plan L400-03, prepared by Openwork, 23 July 2021

Arboricultural Impact Assessment prepared by CIVICA, dated July 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.
3. Prior to the commencement of any of the works approved by this permit, a revised landscape plan prepared by a suitably qualified and experienced person or firm must be lodged for endorsement by Executive Director, Heritage Victoria and once endorsed becomes part of the permit. This plan must be generally in accordance with the landscape site plan Rev 3 prepared by Openwork Pty Ltd but updated to account for the revised layout of the Year 7&8 building .
4. Prior to the commencement of any of the works approved by this permit, a schedule must be submitted which shows the relevant stages of works ('Early Works', 'Main Works', "Landscape Reinstatement Works' and/or other stages to be nominated), and provides an overview of the order in which the approved works will commence. This must be provided for endorsement by the Executive Director, Heritage Victoria, and once endorsed becomes part of the permit.
5. Prior to the commencement of each stage of works identified in condition 4, construction-ready architectural (interior fit outs are not required), mechanical and structural plans (where applicable) and a material and finishes schedule for the subject stage of works are to be submitted to the Executive Director, Heritage Victoria and once endorsed become part of the permit. The drawings must generally be in accordance with documents referred to above. To mitigate any unforeseen impacts, approval of solar panels is dependent on the finale design, location and visibility.
6. Prior to the commencement of each stage of the works approved by this permit, a Heritage 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:
 - Details of any temporary infrastructure and services required;
 - Protection methods for the heritage place during the undertaking of the works;
 - A work site layout plan;

- A tree/vegetation management and protection plan prepared in accordance with AS4970 Protection of trees on development sites;
- A tree protection plan (TPP) must be devised, implemented and maintained for trees being retained in the project area to ensure they are not inadvertently removed or damaged during demolition and construction phases of the project. All works within TPZs must be under supervision of a project arborist and all demolition and excavation activities within the TPZ must be supervised by the project arborist. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times. The Tree Protection Plan (TPP) must show:

- All tree protection zones and structural root zones

- ◆ All tree protection fenced off areas and areas where ground protection systems will be applied
- ◆ The project arborist and builder must ensure that TPZ fencing conditions are being adhered to throughout the entire building process, including site demolition, levelling and landscape works.
- ◆ The project arborist must ensure that all buildings and works (including site demolition) within the TPZs of the trees do not adversely impact their health or stability now or into the future.
- ◆ Buildings where the TPZs of Trees must be constructed on tree sensitive footings, such as post footings or screw piles, with no grade change greater than 10% of the TPZs. The postholes must be hand dug and no roots greater than 40mm in diameter are to be cut or damaged. A Geotechnical Engineer must assess the soil type and provide the results to a Structural Engineer so that appropriate footings and foundations can be designed so that they are not affected by soil movement.
- ◆ Tree Protection Measures for Tree 321 must include the provision of access panels within the reinforced slab/decking to facilitate access to the root plate area beneath in the event that soil remediation, installation of irrigation and soil monitoring beneath the slab/decking structure is required and will allow for natural rainfall infiltration from the turf layer above.
- ◆ Should any tree or shrub be removed or destroyed it must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Executive Director, Heritage Victoria.

7. Prior to the commencement of landscape works approved by this permit a tender ready set of Landscape Plans must be submitted for the endorsement of the Executive Director Heritage Victoria and when endorsed becomes part of the permit. Plans must show:

- Design features such as paths, paving, lawn and mulch.
- A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant

- How ground conditions will be improved to provide suitable growing conditions for the replacement trees.
 - An ongoing maintenance program to monitor and respond to any impacts of the works on the health of the significant trees 300-302, 320-325 and the new oak tree surrounded by the resource centre.
8. Should minor changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged in accordance with this permit condition for assessment by the Executive Director, Heritage Victoria. More fulsome or major changes to the permit may require the submission of a permit amendment application to Heritage Victoria.
 9. A conservation architect must propose a Landscape Scheme that analyses historical evidence and the existing conditions to determine the most appropriate landscape design and/or new plantings for the South Turning Circle and Forecourt. When approved by the Executive Director, Heritage Victoria, the landscape plan will be endorsed as part of this permit and must be implemented within the permit validity period.
 10. A draft suite of ongoing permit exemptions for the Place must be submitted for review by the Executive Director, Heritage Victoria within 12 months of the commencement of works. The objective of this is to have in place standing permit exemptions which allow for regular activities carried out by the school but which do not result in harm to its heritage values.
 11. At the completion of all works approved under condition 4, a final report must be approved in writing by the Executive Director Heritage Victoria. The report must compare the condition of the site including landscaping pre-work and post-work and include recommendations for any repair works required to rectify any damage that might have occurred. When approved by the Executive Director, Heritage Victoria, the report will be endorsed as part of this permit and all recommendations must be implemented within the the period of validity of the permit.
 12. 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.
 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.

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 (\$21,808.80 FROM 1 JULY 2021) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$109,044 FROM 1 JULY 2021) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$872,352 FROM 1 JULY 2021) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,744,704 FROM 1 JULY 2021) 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:

05 December
2021

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



Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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