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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P36963

Applicant:



**NAME OF PLACE/OBJECT:** JOHN DARLING AND SON FLOUR MILL

**HERITAGE REGISTER NUMBER:** H0829

**LOCATION OF PLACE/OBJECT:** 74 SYDNEY STREET ALBION, BRIMBANK CITY

**THE PERMIT ALLOWS:** *Works associated with the Melbourne Airport Rail Project, including construction of a section of the Albion/Sunshine viaduct and ground plane works, generally in accordance with the following documents:*

- **Albion Station Urban Design, Sunshine Albion Package, Melbourne Airport Rail, prepared by Aurecon Jacobs Mott Macdonald Joint Venture (AJMJV), Final Reference Design, Revision B, dated 3 Sept 2021, drawings:**
  - **SAP-AJM-SUN-MA1-DRG-AUD-ALB-0465200 Locality Plan, General Notes & Legend.**
  - **SAP-AJM-SUN-MA1-DRG-AUD-ALB-046521 General Arrangement Sheet 1.**
  - **SAP-AJM-SUN-MA1-DRG-AUD-ALB-0465211 General Arrangement Sheet 2.**
  - **SAP-AJM-SUN-MA1-DRG-AUD-ALB-0465225 Typical Cross Sections - Sheet 1.**
  - **SAP-AJM-SUN-MA1-DRG-AUD-ALB-0465226 Typical Cross Sections - Sheet 2.**
  - **SAP-AJM-SUN-MA1-DRG-AUD-ALB-0465230 Typical Details.**
- **Structures – Bridges, Sunshine Albion Package, Melbourne Airport Rail, prepared by Aurecon Jacobs Mott Macdonald Joint Venture (AJMJV), Final Reference Design, Revision B, dated 3 Sept 2021, drawings:**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418100 Cover Sheet And Key Plan.**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418103 Legend.**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418200 MAR Viaduct Key Plan.**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418208 MAR Viaduct General Arrangement Sheet 4.**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418209 MAR Viaduct General Arrangement Sheet 5.**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418225 MAR Viaduct Typical Section Sheet 1.**
  - **SAP-AJM-SUN-MA1-DRG-CBR-SUN-0418235 MAR Viaduct Miscellaneous Details - Signalling/CTBC.**
- **Combined Services Route, Sunshine Albion Package, Melbourne Airport Rail, Rev B, prepared by Aurecon Jacobs Mott Macdonald Joint Venture (AJMJV), Rev B, dated 3 Sept 2021, drawings:**

- **SAP-AJM-SUN-MA1-DRG-CCS-SUN-0408100 Cover Sheet And Key Plan.**
  - **SAP-AJM-SUN-MA1-DRG-CCS-SUN-0408103 Legend.**
  - **SAP-AJM-SUN-MA1-DRG-CCS-SUN-0408110 Typical Details - Sheet 1.**
  - **SAP-AJM-SUN-MA1-DRG-CCS-SUN-0408111 Typical Details - Sheet 2.**
  - **SAP-AJM-SUN-MA1-DRG-CCS-SUN-0408112 Typical Details - Sheet 3.**
  - **SAP-AJM-SUN-MA1-DRG-CCS-SUN-0408123 MAR, ARTC, & V/Line - CSR Layout, Civil Works And Interface Sheet 4.**
- **Sunshine Albion Package Drainage, Maintenance, Fences & Noise Walls, prepared by Aurecon Jacobs Mott Macdonald Joint Venture (AJMJV), Rev B, dated 3 Sept 2021, drawings:**
    - **SAP-AJM-SUN-MA1-DRG-CDR-SUN-0406201 LEGEND.**
    - **SAP-AJM-SUN-MA1-DRG-CDR-SUN-0406213 PLAN - SHEET 4.**
    - **SAP-AJM-SUN-MA1-DRG-CDR-SUN-0406231 DRAINAGE TYPICAL DETAILS - SHEET 2.**
    - **SAP-AJM-SUN-MA1-DRG-CDR-SUN-0406232 DRAINAGE TYPICAL DETAILS - SHEET 3.**
  - **MAR Viaduct Elevations, Sunshine Albion Package – MAR Viaduct, Melbourne Airport Rail, prepared by AJM Joint Venture, dated 31 March 2022.**

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 three (3) years of the original date of issue of this permit, or are not completed within five (5) 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 (5) working days' notice of the intention to commence the approved works.
3. Prior to commencement of any of the works approved by this permit, a **visual survey** is to be prepared and provided to the Executive Director, Heritage Victoria for approval and endorsement. The survey must include surveyor drawing/s and high-resolution photographs to record the existing condition and location of the remnant rail tracks/sidings contained within the project area to the line of the eastern canopy. The visual survey may also include historic mapping to further demonstrate the early alignment of the rail tracks/sidings. The visual survey must be provided in electronic/digital form.
4. A **Heritage Protection Plan** (HPP) for all works occurring within the registered extent must be approved in writing by the Executive Director, Heritage Victoria. Approval of the HPP may be staged (e.g. site establishment works, main works), however it must be submitted, approved and endorsed by the Executive Director, Heritage Victoria for each stage of the works, prior to commencement of that stage or activity, and must include the following (as relevant to the stage):

- a. Details for the protection of heritage assets throughout the works program including layout and set down arrangements, details of temporary hoardings and fencing, and details of how heritage buildings will be protected.
  - b. Details of how the project workforce will be informed of the sensitivity of working at a heritage place during site induction processes.
  - c. A brief summary of the project approach to management of vibration impacts and any anticipated impacts on the heritage buildings specifically. The Executive Director, Heritage Victoria must be notified if vibration levels exceed acceptable levels, and will then advise on the approach to be taken to address these matters.
5. Construction-ready **architectural drawings** for all works occurring within the registered extent must be approved in writing by the Executive Director, Heritage Victoria. The drawings must be in accordance with the intent and approach of the reference drawings referred to above. Approval of the drawings may be staged (e.g. site establishment works, main works), however they must be submitted, approved and endorsed by the Executive Director, Heritage Victoria for each stage of the works, prior to commencement of that stage or activity, and must include the following (as relevant to the stage):
  - a. all final design details including details of the overhead wiring masts and details of the materiality and finishes of the new viaduct.
6. Prior to the commencement of any landscaping works approved by this permit, a construction-ready set of **landscaping drawings** must be submitted for the approval and endorsement of the Executive Director, Heritage Victoria. The submitted drawings must document plans for a new public plaza adjacent to the heritage buildings, landscaping to the area under the new viaduct and other areas of the western forecourt (the area between the heritage buildings and the railway line) as relevant. In the case of the public plaza, a fence must be erected to correspond with the line of the canopy of the heritage buildings. Landscaping is not required between the new fence and the heritage buildings. The fence must be a minimum height of 1.8 metres, simple and recessive in design, with materials selected to require minimal maintenance. The submitted drawings must include details of hard and soft landscaping including the fence mentioned above, the low-height screens to be installed between the piers, fixed elements such as planters and street furniture, new paving treatments, a final vegetation schedule and planting plan, and embedded interpretative design elements (as relevant) in accordance with the Heritage Interpretation Plan required under Condition 7 of this permit.
7. A **Heritage Interpretation Plan** detailing the design and implementation of interpretative elements within the newly created public plaza and other areas of the western forecourt must be prepared by a suitably qualified and experienced practitioner and be submitted for the approval and endorsement of the Executive Director, Heritage Victoria within two (2) year of the issue date of this permit, unless otherwise agreed in writing by the Executive Director. The interpretative elements must focus on the rail history of the land and the interface of the railway with mill operations. The Heritage Interpretation Plan must set out details of the content, design and location of the interpretive elements, including embedded design elements developed in accordance with the landscape drawings required under Condition 6 of this permit. The approved Heritage Interpretation Plan must be fully implemented to the satisfaction of the Executive Director, Heritage Victoria within the period of validity of this

permit.

8. Prior to the commencement of any excavation or subsurface works approved by this permit, an **Unexpected Finds Protocol** (UFP) is to be prepared by an archaeologist with relevant experience and submitted to the Executive Director, Heritage Victoria, for approval and endorsement. The UFP must outline the process of notification where historical archaeological discoveries are made in the absence of an archaeologist, and throughout the duration of the works. The UFP must also include an outline of the contractor induction which will be delivered, including site history and cultural heritage significance, archaeological potential of the project area and types of potential artefacts, and obligations under the *Heritage Act 2017* and this permit. *The UFP may be incorporated into the Heritage Protection Plan required under Condition 4a.*
9. Should **further changes** in accordance with the intent and approach of the approved documentation become necessary, correspondence and supporting documentation must be prepared and lodged for assessment by the Executive Director, Heritage Victoria who will advise on the approach to be taken to address these matters. If the Executive Director, Heritage Victoria considers that the changes are of sufficient substance to require it, an amendment to the permit or a new application will be required.
10. 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 (\$22,190.40 FROM 1 JULY 2022) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$110,952 FROM 1 JULY 2022) UNDER s104 THE HERITAGE ACT 2017.**

**WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$887,616 FROM 1 JULY 2022) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,775,232 FROM 1 JULY 2022) 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:**

25 November  
2022

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

A handwritten signature in black ink, appearing to read 'V. McLean', with a long horizontal flourish extending to the right.

**Vicki McLean**  
Principal, Major Projects  
Heritage Victoria

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