
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P31539

Applicant:



NAME OF PLACE/OBJECT: WUCHATSCH'S FARM

HERITAGE REGISTER NUMBER: H0950

LOCATION OF PLACE/OBJECT: 74 ROBERT STREET LALOR, WHITTLESEA CITY

THE PERMIT ALLOWS: Construction of four (4) townhouses within the extent of registration and two (2) townhouses partially inside the extent of registration, generally in accordance with the following documents:

- **Drawings prepared by Gosia Gabrys Architect project title 'Proposed Townhouse Development' updated 2 May 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 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.
2. 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 Heritage Victoria who will advise on the approach to be taken to address these matters.
3. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
4. Prior to the commencement of any of the works approved by this permit, a Heritage Protection Plan must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Heritage Protection Plan will be endorsed and will then become part of the permit. The Heritage Protection Plan 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, a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
5. Prior to the commencement of any of the works approved by this permit, a construction ready (marked as such) set of architectural drawings, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit. The drawings must show the extent of registration of the Place.
6. Prior to the commencement of any of the works approved by this permit, a schedule of construction materials, colours and finishes must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the schedule will be endorsed and will then form part of the permit.

7. Prior to the commencement of any of the works approved by this Permit, a suitably experienced heritage conservation architect endorsed in writing by the Executive Director, Heritage Victoria must be engaged to advise and assist in developing a suite of conservation works to building B1 and the stone circle B6. In particular the heritage conservation architect must help fulfil conditions 8 and 10 of this permit.
8. Prior to the commencement of any of the works approved by this Permit the conservation architect endorsed under Condition 7 must prepare a final costed conservation schedule and drawings of the conservation works identified as required for building B1 and the stone circle B6 for the approval and endorsement of the Executive Director Heritage Victoria and once endorsed these works become part of the permit and must be completed within the period of validity of the permit.
9. Prior to the commencement of any of the works approved by this permit and as provided for under s.103 of the *Heritage Act 2017*, a financial security in the form of an unconditional Bank Guarantee in favour of the Heritage Council of Victoria (ABN 87 967 501 331) regardless of the financial status of the permit holder, is to be lodged with the Executive Director Heritage Victoria. The period of validity of the Bank Guarantee is to be unspecified.

The Bank Guarantee is to ensure the satisfactory completion of all of the works required by condition 8 of this permit. The amount guaranteed must be equivalent to the cost shown in the approved conservation schedule under condition 8 plus a 20% contingency sum (inclusive of GST).

The bank guarantee must set out under the "contract/agreement" that the bank "asks the Principal to accept this bank guarantee ("undertaking") in connection with permit P31539".

10. Following completion of the conservation works required under condition 8, the approved heritage conservation architect at condition 7 must submit to the Executive Director Heritage Victoria a brief written report confirming that the conservation works have been completed and the extent to which the completed conservation works conformed to good practice in their professional judgement.
11. The Bank Guarantee referred to in condition 9 will be released to its provider following receipt by the Executive Director Heritage Victoria of a written request by the permit holder, subject to the completion of all of the works referred to in condition 8 and satisfaction of condition 10. The Bank Guarantee will be forfeited to the Heritage Council of Victoria in the event that all of these works are not completed to a satisfactory standard prior to the expiry date of this permit.
12. If the works required by condition 8 are undertaken in full to the satisfaction of the Executive Director Heritage Victoria before any other works approved by this permit are commenced, financial security at condition 9 is not required to be lodged. Once the report at condition 10 has been approved by the Executive Director Heritage Victoria, the remainder of the works approved by the permit may proceed.
13. 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.

14. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
15. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
16. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

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:
28 June 2022

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

A handwritten signature in black ink, reading "Nicola Stairmand". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Nicola Stairmand
Acting Executive Director
Heritage Victoria

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