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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P34800

Applicant:



**NAME OF PLACE/OBJECT:** CATANI GARDENS

**HERITAGE REGISTER NUMBER:** H1805

**LOCATION OF PLACE/OBJECT:** BEACONSFIELD PARADE and JACKA BOULEVARD ST  
KILDA, PORT PHILLIP CITY

**THE PERMIT ALLOWS:** *Establishment of a temporary construction works compound in the south-west corner of the Catani Gardens for use during the redevelopment of the St Kilda Pier, demolition of the entranceway to the existing St Kilda Pier, reconstruction of the bluestone seawall in place of the demolished pier, and (following removal of the works compound) repair and reinstatement of the impacted lawns and paths including reconstruction of the original 'squared-off' form of the gardens along with part remaking of Pier Road on the west side, in accordance with the following documents:*

- Architectural drawings prepared by Jackson Clements Burrows/Site Office Landscape Architecture
  - TP0-002 Existing / Demo Foreshore Plan - COPP Compound Works, Rev 4, 29/11/2021
  - TP4-101 Sea Wall Details, Rev C, 17/09/2021
  - A0-102 Existing Foreshore Plan - Demolition, Rev C1, 05/11/2021
  - A0-107 Existing Foreshore Plan - Demolition Area 01, Rev C1, 05/11/2021
  - A0-108 Existing Foreshore Plan - Demolition Area 02, Rev C1, 05/11/2021
  - A1-102 Proposed Foreshore Plan, Rev C1, 05/11/2021
  - A1-107 Proposed Foreshore Plan Area 1, Rev C1, 05/11/2021
  - A1-108 Proposed Foreshore Plan Area 2, Rev C1, 05/11/2021
  - A3-101 Proposed Foreshore Sections, Rev C1, 05/11/2021
  - A6-410 Proposed Foreshore Pavement Profiles, Rev C1, 05/11/2021
- Drawing No. CPP1301 - Footpath Pavement Asphalt, prepared by City of Port Phillip, Dec 2020 Rev A
- *St Kilda Pier Foreshore Works Arboricultural Conservation Impact/Tree Protection Report*, prepared by Greenwood Consulting Pty Ltd, dated 7 October 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 establishing the construction works compound within the Catani Gardens, a **Demolition Works and 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 is to cover the works associated with the setting up and use of the compound and include demolition drawings, a finalised compound plan including the layout of site offices and other elements, fencing and hoarding details, a sequencing program for the approved works, details of any temporary infrastructure and services required, layout and construction drawings for the temporary Bay Trail pathway, and protection methods for the bluestone seawall and any other heritage fabric or elements that may potentially be impacted during the setting up and use of the compound.
4. Prior to the commencement of establishing the construction works compound within the Catani Gardens, a **Tree Management and Protection Plan** prepared by a suitably qualified professional must be provided for endorsement by the Executive Director, Heritage Victoria, and once endorsed becomes part of the permit. The Tree Management and Protection Plan must be prepared in accordance with AS4970 *Protection of trees on development sites* and AS4373 *Pruning of Amenity Trees* and is to be based on the recommendations of the *St Kilda Pier Foreshore Works Arboricultural Conservation Impact/Tree Protection Report*, prepared by Greenwood Consulting Pty Ltd, dated 7 October 2021. The Plan is to ensure the protection, and ongoing health and viability of the established trees during occupation of the Gardens by the construction works compound and during the subsequent repair and reconstruction works in the Gardens.
5. Within three (3) months of condition 2 being met, the proposed design and details for artworks to be fixed to the outside face of the fence hoardings must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The artworks are to be installed within six (6) months of the design and details for the hoarding artworks being endorsed by the Executive Director.
6. Prior to the commencement of the repair and reconstruction works to the seawall, the Gardens, and Pier Road approved by this permit, a **co-ordinated set of finalised, construction-ready architectural, construction and engineering drawings** must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The drawings for the reconstruction of the seawall must also be accompanied by a concise Reconstruction Methodology, prepared by an experienced heritage professional, which specifies the appropriate materials and methods of reconstruction and repair to be used.
7. Prior to the commencement of the repair and reconstruction works to the seawall, the Gardens, and Pier Road approved by this permit, a **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 a sequencing program for these approved works, details of any temporary infrastructure and services required, protection methods for the heritage place during the undertaking of the works, and a work site layout plan.

8. Appropriate means of interpreting the reconstruction works to the seawall and Garden layout, including an explanation of their history and reconstruction, is to be displayed in their vicinity in a location or locations approved by the Executive Director. A design proposal including proposed images, text, materials and locations and fixings, is to be provided for endorsement by the Executive Director, Heritage Victoria prior to completion of the reconstruction works, and once endorsed becomes part of the permit. The signage is to be installed on site within the period of validity of this permit.
9. 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. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
10. The reconstruction of the bluestone seawall in place of the demolished pier, and (following removal of the works compound) the repair and reinstatement of the impacted lawns and paths including reconstruction of the original 'squared-off' form of the gardens along with part remaking of Pier Road on the west side are to be undertaken to the satisfaction of the Executive Director within the period of validity of this permit.
11. 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.
12. 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.
13. 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:**

25 January  
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 'Nicola Stairmand', written in a cursive style.

**Nicola Stairmand**  
Manager, Statutory Approvals  
Heritage Victoria

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