
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P40168

Applicant:



NAME OF PLACE/OBJECT: FLINDERS TELEGRAPH CABLE COMPLEX AND PIER

HERITAGE REGISTER NUMBER: H2413

LOCATION OF PLACE/OBJECT: , MORNINGTON PENINSULA SHIRE

THE PERMIT ALLOWS: The repair and upgrade of the inner/western section of Flinders Pier to a length of approximately 180 metres from the foreshore, including replacement of most of the timber deck and beams and localised replacement of deteriorated crossheads and piles, as well as new balustrading, generally in accordance with the following documents:

- **Maritime Archaeology Heritage Impact Assessment for Flinders Pier Flinders, prepared by Jane Mitchell Cosmos Archaeology, dated July 2024**
- **Flinders Pier Marine Ecology and Inner Pier Restoration Assessment prepared by Consultant Environment Engineers (CEE), dated August 2024**
- **Architectural Drawings - Flinders Pier Timber Pier Repairs S001-S013 & Balustrading Details (Tender Issue) prepared by FSC Range, 28 November 2023**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permission granted for this permit will 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. Commencement of the permit begins with onsite physical works.
2. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
3. 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 in accordance with the permit condition for endorsement by the Executive Director Heritage Victoria. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
4. Prior to the commencement of any of the works approved by this permit, the name of an **experienced structural engineer is to be nominated** by the permit holder and approved in writing by the Executive Director, Heritage Victoria. The nominated and approved engineer is to be appointed by the permit holder to have oversight and advise the permit holder on the approved repair works, including but not limited to providing advice to the contractor during the undertaking of the works in response to physical conditions encountered during construction and on the retention of heritage fabric. Any changes to the works recommended by the structural engineer in the course of construction are to be submitted to the Executive Director, Heritage Victoria under condition 6.

5. 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 form part of the permit. The Heritage Protection Plan must include a sequencing program for the approved works, protection methods for the heritage place during the undertaking of the works, and a work site layout plan. The Heritage Protection Plan must be informed by any necessary reports prepared by the approved structural engineer at condition 4.
6. Prior to the commencement of any of the works approved by this permit, a final **construction ready (marked as such) drawings for the works** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, they will be endorsed and will then form part of the permit. The submitted drawings shall be generally in accordance with the documents referenced above in the permit preamble and where necessary be informed by any reports prepared by the approved structural engineer at condition 4.
7. Prior to the commencement of any of the works approved by this permit, a **specification/methodology for the repair works** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, it will be endorsed and will then form part of the permit.
8. Prior to the commencement of any of the works approved by this permit, a **Maritime Archaeological Management Plan** must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the MAMP will be endorsed and will then form part of the permit.
9. Excavation around the timber piles must be limited to exposing only the upper 1.0 metre of the timber piles. Any deeper excavation should be undertaken under the supervision of an archaeologist, in consultation with Heritage Victoria.
10. 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.
11. 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.
12. The Executive Director, Heritage Victoria must be informed when the approved works have been completed. A series of photographs of the completed works are to be submitted to visually demonstrate that the works have been undertaken to the satisfaction of the Executive Director, Heritage Victoria.
13. 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 (\$23,710.80 FROM 1 JULY 2024) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$118,554 FROM 1 JULY 2024) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$948,432 FROM 1 JULY 2024) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,896,864 FROM 1 JULY 2024) 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:

10 April 2025

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



A handwritten signature in black ink, appearing to read "Jessica Hood". The signature is fluid and cursive, with a large initial "J" and "H".

Jessica Hood
Principal, Heritage Permits
Heritage Victoria