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# HERITAGE PERMIT

GRANTED UNDER SECTION 108 OF THE  
HERITAGE ACT 2017

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Permit No: P38409

Applicant:



**NAME OF PLACE/OBJECT:** LITTLE MILTON

**HERITAGE REGISTER NUMBER:** H1738

**LOCATION OF PLACE/OBJECT:** 26 ALBANY ROAD TOORAK, STONNINGTON CITY

**THE PERMIT ALLOWS: Internal and external works including partial demolition, construction and landscaping works and the construction of a single-storey pavilion in the rear yard, generally in accordance with the following documents:**

- Architectural Drawing Set, Alta Architecture Pty Ltd (no date [2023]) incorporating the changes shown on the first floor demolition plan (drawing no. ID-F1.01) and the first floor fitout plan (drawing no. ID-F1.02), DND Studio (26 August 2024)
- Landscape Drawing, Eckersley Garden Architecture (10 October 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, 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, 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) architectural set of 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.

6. Prior to the commencement of any of the works approved by this permit, a construction ready (marked as such) set of landscape 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 landscape drawings must be revised to show:
  - Tree removal plan, including an arborist report on each tree proposed for removal. The arborist report must address how impacts on original trees, including the fig tree in the front garden, can be avoided or minimised.
  - A planting plan detailing the proposed plant species (botanical and common name), installation size, width and height at maturity, and plant numbers. The planting plan must include Edna Walling signature plants within the front gardens.
  - Identification of any original hard and soft landscape elements designed by Edna Walling, and their retention where possible.
7. 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.
8. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
9. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
10. 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 (\$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:**

22 November  
2024

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



A handwritten signature in black ink, which appears to read "Nicola Stairmand". The signature is fluid and cursive.

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