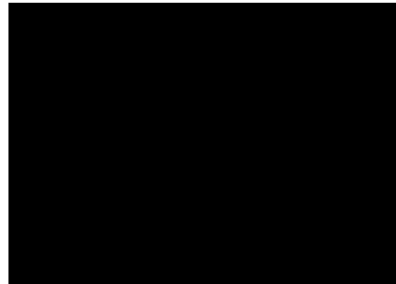

HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38226

Applicant:



NAME OF PLACE/OBJECT: BENDIGO ART GALLERY

HERITAGE REGISTER NUMBER: H1172

LOCATION OF PLACE/OBJECT: 42 VIEW STREET BENDIGO, GREATER BENDIGO CITY

THE PERMIT ALLOWS: Redevelopment of the Bendigo Art Gallery, undertaken together with works approved in P38685 (Rosalind Park) and P38684 (Masonic Hall). Works include demolition of the contemporary additions and landscape (including tree removal), construction of new additions, implementation of a new landscaping scheme, and conservation works to the Bendigo Art Gallery, generally in accordance with the following documents:

- *Architectural Drawing Set, Jackson Clements Burrows (11 August 2023)*
- *Bendigo Art Gallery Bendigo / Dja Dja Wurrung Land: Landscape Report for Town Planning (Landscape Drawing Set), Openwork (11 August 2023)*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

PERIOD OF VALIDITY

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.

ENGAGEMENT OF HERITAGE CONSULTANT

3. Prior to the commencement of any of the works approved by this permit, a suitably experienced **heritage conservation consultant**, approved in writing by the Executive Director Heritage Victoria, must be engaged to advise and assist as necessary with the preparation of the documentation where any intervention to built fabric of heritage significance is involved and to provide relevant conservation advice to the permit holder during the carrying out of those works. In particular the heritage conservation consultant must help fulfil conditions 5, 6, 7 and 9.

STAGED WORKS

4. Prior to the commencement of any of the works approved by this permit, a **Staging Plan** which provides an overview of the order in which approved works will be commenced must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Staging Plan will be endorsed and will then form part of the permit. Any stage of works associated with new development (built form and/or landscape) must include conservation works to the Bendigo Art Gallery building to ensure this work is completed concurrent with

the redevelopment.

5. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, 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 and a work site layout plan. A Heritage Protection Plan for multiple stages can be provided.

DRAWINGS

6. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, a **demolition and/or tree removal plan** 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 identify the works in relation to the extent of registration for Bendigo Art Gallery.
7. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, 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 identify the works in relation to the extent of registration for Bendigo Art Gallery. Details of the proposed connection(s) between the heritage building and the new development must be documented.
8. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, 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 show details of all proposed new works such as structures, landscape features, ground treatments and plantings. The drawings must identify the works in relation to the extent of registration for Bendigo Art Gallery.
9. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, the conservation consultant approved under condition 4 must prepare a **schedule and drawings of conservation works** identified as required for the heritage place 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 conservation works must include but not be limited to: works to the exterior brickwork; structural stabilisation where necessary; rainwater and roofing; control of water penetration, rising and falling damp; cleaning all algae and other biological contaminates; timber flooring; painting. Conservation works must be completed concurrently with the new development works and must be completed within the period of validity of the permit.
10. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, a **Heritage Interpretation Plan** be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Heritage Interpretation Plan will be endorsed and will then form part of the permit.

The Heritage Interpretation Plan for the installation of interpretive devices within the registered land must be prepared by a suitably qualified and experienced practitioner. The

Heritage Interpretation Plan must include proposals for the appropriate interpretation of the historic landscape of the place with signage facing View Street including a 19th century photograph demonstrating the circular drive. Any other necessary interpretation in the landscape should also be included.

11. Prior to the implementation of the on-site interpretation, a **construction ready (marked as such) set of interpretation drawings** documenting works generally in accordance with the Heritage Interpretation Plan approved at condition 10, 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. After its approval the interpretation works must be implemented on site prior to the expiration of the permit.

ARCHAEOLOGY

12. This place is also included on the Victorian Heritage Inventory (H7724-0263). A consent process will be required in addition to this permit approval for any works that may impact historical archaeological features, deposits or artefacts, including removal of concrete slabs, soil testing and service proving. The Heritage Inventory is a listing of all known historical archaeological sites in the state, established under section 117 of the *Heritage Act 2017*. The Inventory listing relates to the Former Government Camp Precinct (Rosalind Park), one of the largest government camps on Victoria's goldfields. A historical archaeology assessment must be undertaken to determine if any historical archaeological remains may be affected by the approved works. It is highly recommended to commission the assessment (by a suitably qualified historical archaeologist) during the planning phases of the project to avoid any delay in site preparation and constructions works.

GENERAL CONDITIONS

13. 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.
14. 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.
15. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
16. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
17. 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: Signed by the Executive Director, Heritage
Victoria**

22 March 2024



A handwritten signature in blue ink, appearing to read "Steven Avery". The signature is fluid and cursive, with a horizontal line underneath the main text.

Steven Avery
Executive Director
Heritage Victoria