
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P35868

Applicant: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

NAME OF PLACE/OBJECT: PROVINCIAL HOTEL

HERITAGE REGISTER NUMBER: H0432

LOCATION OF PLACE/OBJECT: 121 LYDIARD STREET NORTH BALLARAT CENTRAL,
BALLARAT CITY

THE PERMIT ALLOWS: Development the western portion of the site to accommodate at-grade carparking, ramp access and part basement level associated with development of 112 Armstrong Street (not included in registration), and a new public outdoor terrace and landscaping, subject to the undertaking of a program of Historical Archaeological investigations, reporting and artefact management, generally in accordance with the following documents:

- Revised Set of Architectural Drawings prepared by Bespoke Architects Pty Ltd, 23 May 2022: TP000 Cover Sheet; TP001 Contents Page; TP010 Location Plan; TP011 Transport Infrastructure & Landmarks; TP012 Site Photographs; TP013 Cultural & Historical Context; TP014 Cultural & Historical Context; TP015 Cultural & Historical Significance; TP016 Cultural & Historical Significance; TP017 Climate; TP018 Existing Utilities; TP019 Planning Controls; TP020 Urban Design Objectives; TP021 Urban Design Objectives; TP100 Existing Site Plan; TP101 Demolition Plan; TP102 Proposed Site Plan; TP103 Basement Carpark Layout; TP103A Carpark & Provincial Hotel Interaction AXO; TP104 Basement Carpark; TP105 Ground Floor; TP106 First Floor; TP107 Second Floor; TP108 Third Floor; TP109 Roof Plan; TP200 Overall Elevations; TP201 South Elevation – Market St; TP202 West Elevation – Armstrong St; TP203 North Elevation; TP204 East Elevation; TP300 Section 01; TP301 Section 02; TP302 Section 03; TP303 Section 04; TP400 Perspective – Revised Context 121 Lydiard Street; TP401 Perspective – Revised Carpark; TP402 Perspective – Revised Market Street; TP403 Perspective – Revised Public Space; TP404 Perspective Location; TP405 Perspective Location – Market Street (looking west); TP406 Perspective Location – Armstrong Street (looking north); TP407 Perspective Location – Armstrong Street (looking south); TP408 Perspective Location – Market Street (looking east); TP409 Perspective – Carpark Entry; TP410 Perspective – Footpath Entrance; TP411 Perspective – Collage; TP412 Perspective – Distant Context 1; TP413 Perspective – Distant Context 2; TP414 Perspective – Distant Context 3; TP500 Feature Survey.
- Provincial Hotel – 121 Lydiard Street Archaeological Assessment, prepared by Terra Culture.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Standard Conditions

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 date of issue of this permit, or are not completed within four (4) years of the date of issue of this permit.
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 approved 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.
4. 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.
5. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
6. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

Archaeology Conditions

7. Prior to the commencement of any of the works approved by this permit an archaeologist with relevant qualifications and expertise approved in writing by the Executive Director Heritage Victoria, must be engaged to advise and assist as necessary with the archaeology program. In particular the archaeologist must help fulfil conditions 8 - 13 of this permit.
8. Prior to the commencement of any of the works approved by this permit a revised Archaeology Management Plan (AMP) must be submitted for to the Executive Director Heritage Victoria for approval. Once approved, the AMP will be endorsed and will then form part of the permit. The AMP must include:
 - A detailed assessment of the history of the subject site, including the City of Ballarat rate valuation books, 1861 Ballarat Goldfield map, Ballarat 1851 Township plan, Ballarat City allotment plan 1852, 1861 and 1871, and the Visualising Ballarat tool.
 - Evaluation of the site's potential to contain historical archaeological remains, and present a methodology to facilitate the investigation and recording of all significant historical archaeological remains across the site.
 - A detailed place history and assessment of archaeological potential; project Research Framework; details of proposed investigation and site recording methodology; details of artefact management including artefact retention/discard, cataloguing, analysis, and conservation.

9. Artefact management, including artefact cataloguing, analysis and storage, is to be undertaken in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*, and to the satisfaction of the Executive Director, Heritage Victoria.
10. An Artefact Catalogue must be completed within six (6) months of the completion of archaeological site works and submitted to the Executive Director Heritage Victoria for approval. The catalogue must be prepared in accordance with Heritage Victoria's approved format and include all historical archaeological artefacts recovered during the investigations.
11. In the event artefacts requiring conservation treatment are discovered, an Artefact Conservation Proposal (ACP) must be prepared and submitted to the Executive Director Heritage Victoria within two (2) months of the completion of fieldwork, for approval. Once approved, the ACP will be endorsed and will then form part of the permit. Any artefacts requiring complex treatment will require that a conservator with suitable experience (as approved by the Executive Director Heritage Victoria) be engaged to undertake the works. The ACP must include the details of the proposed conservation treatments, and the details and rationale for the artefact selections. The ACP must be informed by the post-excavation evaluation of site and context significance. Any artefacts recommended for retention and long-term storage must be considered in the ACP and be treated to a stabilised condition. All conservation works proposed within the ACP must be completed within 12 months of the date of completion of the archaeological fieldwork. All details of the artefact conservation program must be included in the Archaeology Project Report required at condition 13.
12. The archaeologist must lodge all artefacts approved for retention with Heritage Victoria within 12 months of the date of the completion of the archaeological fieldwork, unless an extension has been granted by the Executive Director Heritage Victoria. All artefacts must be packed, labelled and curated in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*, and to the satisfaction of the Executive Director, Heritage Victoria. A collection storage fee of \$50 per artefact box (standard size accepted by Heritage Victoria) will be required for the permanent storage and curation of any significant artefacts that are retained. This fee is payable to Heritage Victoria and will be required prior to the lodging of the collection with Heritage Victoria.
13. The Archaeology Project Report must be submitted to the Executive Director Heritage Victoria for approval within 14 months of the date of completion of the archaeology fieldwork project. The Archaeology Project Report must address the requirements of Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* and be to the satisfaction of the Executive Director Heritage Victoria. The Archaeology Project Report must include (but is not limited to): project records; individual site and trench reports; details of project Artefact Retention Policy; synthesis of findings and results; results of background historical research and other specialist historical research; plans, images and photogrammetry; results and interpretation of recovered scientific samples; framing and addressing of project Research Framework; artefact catalogue and analysis; details of artefact conservation, and production of revised Statements of Significance for both the site and the recovered artefact assemblage.

New Development Conditions

14. Prior to the commencement of the building 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 and a work site layout plan.
15. Prior to the commencement of the building works approved by this permit a construction-ready set of architectural, civil and structural 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.

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:

23 September
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 large, sweeping initial 'N'.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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