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# HERITAGE PERMIT

Permit No: P37739

Applicant:   


GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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**NAME OF PLACE/OBJECT:** WESLEY CHURCH COMPLEX

**HERITAGE REGISTER NUMBER:** H0012

**LOCATION OF PLACE/OBJECT:** 118-148 LONSDALE STREET AND 117-147 LITTLE  
LONSDALE STREET MELBOURNE, MELBOURNE CITY

**THE PERMIT ALLOWS:** Adaptation of Nicholas Hall (B4) for office use, including internal fit out works, conservation works, construction of a steel arbour to the front setback of the hall to Lonsdale Street, construction of an addition to the north and associated landscaping generally in accordance with the following documents:

- **Nicholas Hall, Town Planning Drawings, September 2022, Project 318019.02, prepared by Cox Architecture**
  - TP-00-000, TP-21-100, TP-40-020, Rev 3, 09/11/22
  - TP-01-010, TP-10-010, TP-10-020, TP-10-030, TP-10-040, TP-11-010, TP-11-011, TP-11-012, TP-20-010, TP-21-090, TP-21-120, TP-30-010, TP-30-020, TP-30-030, TP-63-010, TP-63-020, TP-63-030, TP-80-010, Rev 1, 19/09/22
  - TP-21-110, TP-40-010, TP-96-010, Rev 2, 25/10/22

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

## GENERAL CONDITIONS

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 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. 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. 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. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
6. The Executive Director is to be informed immediately of any concerns regarding the structural stability of Nicholas Hall.
7. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
8. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

### **STAGING**

9. 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. A Heritage Protection Plan for multiple stages can be provided.
10. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 9, 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 if necessary a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*. For the relevant stage of works, the Heritage Protection Plan must also include a **dilapidation report** (including images) for the heritage building(s) to record its(their) condition prior to the commencement of works approved by this permit
11. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 9 final **construction ready (marked as such) drawings** for the subject stage of 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. Drawings for multiple stages can be provided. The submitted drawings shall be generally in accordance with the documents shown above in the permit preamble with the following required: **Architectural:**
  - conservation works to retained and reinstated heritage fabric (internal and external) as required under condition 15
  - exterior and interior materials and finishes schedules
  - use of terrazzo flooring in new flooring finish to bathroom
  - infill of the exterior opening to the upper level on the southern facade
  - location of services where known

### **Landscape:**

- integration with the landscape works approved in Permit P21963

- inclusion of an inventory of ground treatment materials and colours, all proposed permanent elements including paving and proposed plantings
- details relating to the steel arbour

**Tenancy fit-out for office:**

- must be reviewed by heritage conservation consultant approved at condition 14 before being submitted to the Executive Director Heritage Victoria
- signage plan showing the proposed content, materials, location and installation method of new tenancy signage

12. Prior to the commencement of any of the works approved by this permit, a **report prepared by a suitably qualified Structural Engineer**, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the report will be endorsed and will then form part of the permit. The report must document appropriate measures to ensure the protection and structural stability of the heritage place prior to and during the undertaking of the works.
13. Prior to commencement of any of the works approved by this permit an **archival quality photographic survey** is to be prepared to record the heritage place. The survey must record the existing condition of the Place including views from key exterior vantage points and all interior spaces and details. The survey is to be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note entitled "Specification for the submission of archival photographic records" (available on the Heritage Council website or from Heritage Victoria on request).  
Two copies of the completed photographic survey are to be produced with one copy submitted to the Executive Director Heritage Victoria for approval in writing prior to commencement of any of the works approved by this permit.  
On approval of the first copy the second copy is to be lodged with the La Trobe Picture Collection, 328 Swanston Street Melbourne 3000, State Library of Victoria or delivered by courier to Despatch: 174 Little Lonsdale Street Melbourne 3000. Deliveries accepted from 7.30 to 4.30 (A receipt will be sent the day the material is received.)

**BANK GUARANTEE**

14. 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 11, 15, and 17 of this permit.
15. Prior to the commencement of any of the works approved by this permit, the heritage conservation consultant approved under condition 14 must prepare a **costed schedule and drawings of conservation works** identified as required for the heritage place for the approval and endorsement by the Executive Director Heritage Victoria and once endorsed these works become part of the permit and must be completed within the period of validity of the permit. This schedule must include but not necessarily be limited to:
  - conservation of the south facade (exterior)

- conservation of the eastern facade (exterior)
- methodology for removal, storage (including location), conservation and reinstatement of pendant light fittings
- methodology for protection and conservation of in situ items including but not limited to blind windows, grilles, proscenium, timber dado, plaster walls, original decorative elements, terrazzo flooring, timber and glass screens, ticket box, bio box, ceiling including timber panelling
- internal and external painted finishes
- proposed approach to the salvage and reuse of jarrah flooring in the main hall and stage, noting it is desirable to retain as much as possible
- methodology for the conservation and repair of the original plaster ceiling.

16. Prior to the commencement of any of the works approved by this permit and as provided for under s.103 of the Heritage Act 2017, a financial security in the form of an unconditional **Bank Guarantee** in favour of the Heritage Council of Victoria (ABN 87 967 501 331), is to be lodged with the Executive Director Heritage Victoria. The period of validity of the Bank Guarantee is to be unspecified.  
The Bank Guarantee is to ensure the satisfactory completion of all of the works required by condition 15 approved by the permit. The amount guaranteed must be equivalent to the cost shown in the approved conservation schedule under condition 15 plus a 20% contingency sum (inclusive of GST).  
The bank guarantee must set out under the “contract/agreement” that the bank “asks the Principal to accept this bank guarantee (“undertaking”) in connection with permit P37739.
17. Following completion of the conservation works required under condition 15, the approved heritage conservation consultant must submit to the Executive Director Heritage Victoria, for their approval, a brief written report confirming that the conservation works have been completed and the extent to which the completed conservation works conformed to good practice in their professional judgement.
18. The Bank Guarantee referred to in condition 16 will be released to its provider following receipt by the Executive Director Heritage Victoria of a written request by the permit holder, subject to the completion of all of the works referred to in condition 15 to the satisfaction of the Executive Director Heritage Victoria and satisfaction of condition 17. The Bank Guarantee will be forfeited to the Heritage Council of Victoria in the event that all of these works are not completed to a satisfactory standard prior to the expiry date of this permit. **MANAGEMENT OF ARCHAEOLOGY**
19. Prior to the commencement of any sub-surface works, an **historical archaeological assessment report** which identifies whether the works may impact on archaeological remains associated with either the Place or previous uses, must be submitted to the written satisfaction of the Executive Director, Heritage Victoria.
20. If works are proposed that may affect historical archaeological remains at the place, a *Heritage Act 2017* Consent will be required.
21. The Executive Director, Heritage Victoria may require a program of archaeological investigations and/or monitoring to be conducted prior to or during site works.

22. If any significant historical archaeological features, deposits and or artefacts are uncovered during any site works, a program of recording and reporting must be undertaken in accordance with Heritage Victoria's Guidelines for Investigating Historical Archaeological Artefacts and Sites (2015), and to the satisfaction of the Executive Director, Heritage Victoria. Any required project report must be submitted within 12 months of the completion of the archaeological investigations.
23. All historical archaeological artefacts recovered during investigations and site works must be retained, except where in accordance with an Artefact Retention and Discard Policy, endorsed by the Executive Director, Heritage Victoria. The Applicant is liable for all expenses arising from the conservation of any significant historical archaeological artefacts that are recovered and retained, to the satisfaction of the Executive Director, Heritage Victoria. A collection storage fee of \$100 per artefact box (standard size accepted by Heritage Victoria) will be required for the permanent storage and curation of any retained artefacts.
24. Prior to the commencement of any sub-surface works, an **unexpected finds protocol** must be submitted to the written satisfaction of the Executive Director Heritage Victoria, and implemented to the written satisfaction of 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:**

05 March 2023

**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 initial 'N' and a long, sweeping tail.

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

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