
**HERITAGE
PERMIT
GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017**

Permit No.: P18590

AS AMENDED

Owner/s:



NAME OF PLACE/OBJECT: HM PRISON BENDIGO

HERITAGE REGISTER NUMBER: H1550

LOCATION OF PLACE/OBJECT: 10-20 GAOL ROAD BENDIGO

THE PERMIT ALLOWS: *Redevelopment of the site to accommodate a 1,000-seat performance facility jointly operated by Bendigo Senior Secondary College and City of Greater Bendigo, in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit: illustrations, drawings, photographs and other depictions of the proposal as presented on 54 sheets by Y2 Architecture. **NOTE 1: This permit was amended on 5 March 2013 to provide for security gates to the new Gaol Road perimeter access points and a canopy over the Marong Wing new access point all as depicted on drawings sheets HV190, HV06D and 319. These additional three drawing sheets have been endorsed by the Executive Director and now form part of this permit. NOTE 2: This permit was further amended on 25 June 2014 to allow deletion of the steel arches and demolition of the remnant brick wall section in the location of the destroyed Chapel/Administration Wing. This amendment necessitates changes to some of the conditions below and inclusion of two new conditions. These changes and inclusions are identified in bold lower case typeface. NOTE 3: This permit was further amended on 2 September 2015 to extend its expiry date to 20 July 2021. NOTE 4: This permit was further amended on 1 February 2021 to extend its expiry date to 20 July 2023.***

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. It is acknowledged that endorsed drawing sheets HV01B, HV04B, HV06B, HV17B and HV19B forming part of this permit were submitted by the applicant in response to concerns regarding the extent of loss to the existing north wall proposed in the design as initially submitted. It is considered that there is potential to further reduce the extent of loss by means of trabeation of the two proposed openings thus providing lintels to support and retain all of the capping stones and the maximum possible number of continuous brickwork courses below. Furthermore, the width of the ramped access appears capable of significant reduction whilst still satisfying functional requirements. Documentation adequate to illustrate the enhanced retention of undisturbed wall fabric in this manner is to be submitted to and endorsed in writing by the Executive Director prior to the commencement on site of any of the works approved by this permit.
2. Prior to the commencement on site of any of the works approved by this permit further documentation is to be submitted to and endorsed in writing by the Executive Director to illustrate one or more schematic plan layouts that align the proposed theatre/auditorium space with the axis of the extant Sandhurst cell block wing in a similar manner to that proposed with the cafeteria wing aligning with the extant Marong cell block wing. A written submission summarising the practicalities and relative merits of these alternative schemes may accompany the schematic plans at the applicant's discretion.
3. As provided for under S.74(4) of the *Heritage Act 1995* a security is to be lodged with the Executive Director to ensure the satisfactory completion of the permitted works. Unless otherwise agreed by the Executive Director in writing the security is to be in the form of a Bank Guarantee, unlimited in terms of its period of validity and is to be lodged prior to the commencement of the works approved by this permit. The Bank Guarantee shall be in the amount of fifty-thousand dollars (\$50,000) and the

HERITAGE COUNCIL OF VICTORIA (ABN: 87 967 501 331), as the appropriate incorporated body, shall be named in the document as sole beneficiary. The Bank Guarantee shall be returned to the provider at the written request of the permit holder on the satisfactory completion of the permitted works as determined by the Executive Director unless otherwise agreed in writing.

4. The name of an experienced consulting conservation architect is to be nominated by the permit holder to, and approved in writing by, the Executive Director prior to commencement of the works approved by this permit. The nominated and approved conservation architect is to be appointed to oversight all works impacting on the extant historic building fabric and advise the principal of the works on practical issues affecting such fabric. At the conclusion of the works the conservation architect is to advise in writing to the Executive Director the level of compliance of the works with best conservation practice.
5. Due to the presumed existence on site of human remains and subterranean cisterns the name of a suitably qualified and experienced archaeologist is to be nominated by the permit holder to, and approved in writing by, the Executive Director prior to the commencement of the works approved by this permit. The nominated and approved archaeologist is to be appointed to be on call in the event that any item of historical or cultural significance is revealed within the registered land.
6. As far as practicable the historic building fabric demolished as part of the works approved by this permit is to be incorporated within the new construction or used to repair extant features of the premises that are in disrepair as appropriate. The conservation architect appointed in accordance with condition 2 above is to be consulted by the principal in making the required determinations on the extent and appropriateness of reusing the demolished building fabric.
7. A Schedule of Repair Works is to be submitted to and approved in writing by the Executive Director prior to commencement of the permitted works. The Schedule is to identify the extent of repairs to be carried out on the extant historic building fabric. The Schedule shall include but not necessarily be limited to repointing of all face brickwork and stonework as required, slate roof repairs, repair of flashings, eaves guttering, downpipes and all other rainwater goods, repairs to the guard towers incorporated in the perimeter wall to render them intact and each roof watertight, reglazing as required, repainting of originally painted metalwork and joinery surfaces in authentic colours and repairs to louvred or glazed roof vents of the cell blocks and central hall.
8. A heritage interpretation program in the form of a fixed display of appropriate information illustrating the history of the prison is to be professionally researched and designed. Particular attention is to be paid in this program to the social aspects of the prison's history and to the prison as an exemplar of the 19th century prison reform movement embarked upon by the Victorian colonial government. The interpretive program is to be approved in writing by the Executive Director with regard to its content, format and location(s) before installation on site. The installation shall be located within a publicly accessible area of the premises and at ground level. **In addition a permanent interpretive marker is to be installed within or adjacent to the footprint of the former Chapel/Administration Wing referencing its demolition and the retention of the plinth stones to delineate its perimeter walls.**
9. A photographic record is to be made of the former Bendigo prison complex prior to the commencement of the works approved by this permit. The photographic record is to include the date(s) on which the recording was made and is to comply with the recommendations of the Heritage Victoria Technical Note titled "Photographic Recording for Heritage Places and Objects" available as a pdf. download from the Department of Planning and Community Development website. Within one calendar month of the commencement of the approved works two copies of the photographic record are to be provided to the Executive Director whose written approval of their suitability is to be obtained. A plan is to be included within both copies showing the building footprints at each level, a north point and numbers provided correlating with the relevant photographs to indicate the position from which each photograph was recorded. Black and white (i.e. monochrome) format only is required. Black and white negatives are required with only one of the two sets. **The remnant brickwork of the Chapel/Administration Wing revealed during recent demolition works is to be photographically recorded and the results included in the record required under this condition.**
10. This permit shall expire if 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)~~ **eleven (11)** years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
11. The Executive Director is to be given five working days notice of the intention to commence the approved works.

12. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the object are uncovered, any works that may affect such items shall immediately cease. The Executive Director shall 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.
13. All works must cease and this office 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 whilst the site is cleared of all personnel.
14. The Executive Director is to be informed when the approved works have been completed.
15. The development approved by this permit is to be carried out in accordance with the endorsed drawings, unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
16. **The Conservation Management Plan (CMP) for the former HM Prison Bendigo is to be revised to take account of the changes to the place resulting from the adaptive reuse of the premises including reference to original building fabric discovered during demolition works including the spiral stairway between the Central Hub and the Basement and the remnant brick wall of the Chapel/Administration Wing. One hardcopy version and one electronic copy of the revised CMP are to be submitted to the Executive Director, Heritage Victoria within the period of validity of this permit.**
17. A revised landscape plan specific to the former Chapel/Administration Wing and entrance courtyard area is to be submitted to and endorsed in writing by the Executive Director, Heritage Victoria prior to the revised landscape works being implemented. The revised landscape plan is to identify the precise location and extent of the granite plinth stones, both those in situ and those to be reinstated, to indicate the perimeter walls of the destroyed original Chapel/Administration Wing. All other surface treatments, features and plantings that differ from the previously endorsed plans are to be clearly identified.

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 UP TO 2,400 PENALTY UNITS (\$286,680) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$573,360).

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.

<p>Date Originally Issued: 20 July 2012 Date Amended: 5 March 2013 Date Amended: 25 June 2014 Date Amended: 2 September 2015 Date Amended: 4 February 2021</p>	<p>Signed on behalf of the Executive Director, Heritage Victoria:</p>  <p>Nicola Stairmand Manager Statutory Approvals (As delegate for the Executive Director, Heritage Victoria pursuant to the Instrument of Delegation)</p>
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(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment
5 March 2013	The four new Gaol Road arched entry points are to be fitted with steel

	security gates. In addition the proposed glazed canopy over the Marong Wing cellblock and the ramped and stepped access through the south-west opening in the perimeter wall are to be altered in detail. All changes to these elements are to be in accordance with the information provided on drawing sheets HV190, HV06D and 319, all by Y2 Architecture, as applicable. Accordingly, these three drawing sheets have been endorsed by the Executive Director and now form part of this permit.
25 June 2014	Deletion of steel arches and demolition of remnant brick wall in the entrance courtyard area. Extension of permit validity period.
2 September 2015	Condition 10: Extension of the expiry date of this permit to 20 July 2021
4 February 2021	Condition 10: Extension of the expiry date of this permit to 20 July 2023

End of this document

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director has issued a permit under section 74 of the **Heritage Act 1995**.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit.

WHEN DOES A PERMIT EXPIRE?

A permit expires if -

- * the development or any stage of it does not start within the time specified in the permit; or
- * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The applicant or the owner of a registered place or registered object may appeal to the Heritage Council against any condition of a permit imposed by the Executive Director on a permit issued under Section 74 of the Heritage Act 1995.

An appeal must -

- * be in writing; and.
- * be lodged within 60 days after the permit is issued.

Appeal forms can be downloaded at: <http://www.dpcd.vic.gov.au/heritage/permits/permit-appeals>
