
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P34658

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

NAME OF PLACE/OBJECT: FORMER NORTHCOTE THEATRE

HERITAGE REGISTER NUMBER: H2287

LOCATION OF PLACE/OBJECT: 212-220 HIGH STREET NORTHCOTE, DAREBIN CITY

THE PERMIT ALLOWS: Adaptive re-use of the Northcote Theatre to a live performance venue and conservation works, generally in accordance with the following documents:

- Heritage Impact Statement, prepared by Bryce Raworth Pty Ltd, revised October 2021.
- Architectural drawing set, drawing nos. A000-1902, prepared by Winwood McKenzie Architecture, dated 7 October 2021.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

PERIOD OF VALIDITY

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 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 (5) days' notice of the intention to commence the approved works.

STAGED WORKS

3. 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 provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Plan must include anticipated dates for submission of finalised designs for each stage of works, for endorsement by the Executive Director, Heritage Victoria.
4. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 3, a **Construction Management Plan** must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Construction Management 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. The first stage of works must also include a dilapidation report (including images) for the heritage building to record its condition prior to the commencement of works approved by this permit.
5. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 3 **final construction ready set of architectural drawings** for the subject stage of works are to be submitted to the Executive Director, Heritage Victoria for endorsement and

once endorsed become part of the permit. The submitted drawings for the rooftop structures must be updated to provide for a more visually recessive cladding material than that included in the drawings referenced in the permit preamble.

CONSERVATION WORKS

6. Prior to the commencement of any of the works approved by this permit, a **suitably experienced heritage conservation architect**, endorsed 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 during the carrying out of those works. The heritage conservation architect must help fulfil conditions 7 and 9 of this permit.
7. Prior to the commencement of any of the works approved by this permit the conservation architect endorsed under Condition 6 must prepare a **final costed conservation schedule and drawings of conservation works** identified as required for the heritage place for endorsement by the Executive Director and once endorsed these works become part of the permit. The schedule and drawings must include but not be limited to: the reinstatement of the first-floor level balconies and balustrading to High Street based on historic photography; repairs required for the stained glass windows to the High Street facade; restoration of the High Street facade. The conservation works endorsed at this condition must be completed within the life of this permit.
8. If the works approved at condition 7 are not completed before the commencement of the other development works approved by this permit a financial security in the form of an unconditional **Bank Guarantee** in favour of the Heritage Council of Victoria (ABN 87 967 501 331) regardless of the financial status of the permit holder, is to be lodged with the Executive Director Heritage Victoria (as provided for under s.103 of the *Heritage Act 2017*). 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 conservation works required and approved by this permit. The amount guaranteed must be equivalent to the cost shown in the endorsed conservation schedule under condition 7 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 P34658.
9. Following completion of the conservation works required under Condition 7, the approved heritage conservation architect must submit to the satisfaction of the Executive Director, Heritage Victoria 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.
10. The Bank Guarantee referred to in condition 8 will be released to its provider subject to the completion of all of the works referred to in condition 7 and the satisfaction of condition 9. The Bank Guarantee will be forfeited to the Heritage Council of Victoria in the event that all of the works at condition 7 are not completed to the satisfaction of the Executive Director, Heritage Victoria prior to the expiry date of this permit.

GENERAL CONDITIONS

11. 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 assessment by the Executive Director, Heritage Victoria who will advise on the approach to be taken to address these matters.
12. 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.
13. All works must cease, and Heritage Victoria must 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 and the site is to be immediately cleared of all personnel.
14. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

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:
24 April 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 long, sweeping underline.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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