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

Permit No.: P33122

Applicant/s:



NAME OF PLACE/OBJECT: FORMER BUSH'S STORE

HERITAGE REGISTER NUMBER: H1752

LOCATION OF PLACE/OBJECT: 94 WILLIAMSON STREET and 12 MYERS STREET BENDIGO

THE PERMIT ALLOWS: *Hotel development partially on registered land, including built form to a maximum of 12m within a small portion of registered land; construction of a outdoor dining area, pergola and staircase; and conservation works to the Oil Store verandah, generally in accordance with the following documents:*

- **ARCHITECTURAL PLANS, PREPARED BY WMK ARCHITECTURE, PROJECT BENDIGO HOTEL, PROJECT NO. 19179, DATED 08/09/2020:**
 - DRAWING TP000, ISSUE C
 - DRAWING TP098, ISSUE E
 - DRAWING TP099, ISSUE E
 - DRAWING TP100, ISSUE E
 - DRAWING TP101, ISSUE E
 - DRAWING TP102, ISSUE E
 - DRAWING TP103, ISSUE E
 - DRAWING TP104, ISSUE E
 - DRAWING TP105, ISSUE E
 - DRAWING TP106, ISSUE E
 - DRAWING TP200, ISSUE D
 - DRAWING TP201, ISSUE D
 - DRAWING TP250, ISSUE D
 - DRAWING TP300, ISSUE C
 - DRAWING TP301, ISSUE C
 - DRAWING TP302, ISSUE C
 - DRAWING TP600, ISSUE C
 - DRAWING TP601, ISSUE C
 - DRAWING TP602, ISSUE C
 - DRAWING TP603, ISSUE C
 - DRAWING TP700, ISSUE C
 - DRAWING TP800, ISSUE C

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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 working days' notice of the intention to commence the approved works.
3. Prior to the commencement of any of the works approved by this permit a revised, tender ready set of drawings must be submitted for the endorsement of the Executive Director, Heritage Victoria and when endorsed becomes part of the permit. Any components of the development on land not included in the Victorian Heritage Register (VHR) must be indicated as such and the VHR boundary must be shown for all levels of the development, including the basement and upper floors. These must be revised to show:
 - a) Reduction in the overall height of any built form on registered land to be at or below 12m;
 - b) Use of an appropriate ground floor treatment that interprets the historic setting of the Oil Store verandah;
 - c) Full details, including materials and finishes, of the pergola structure, external staircase and proposed fence line on Mollison Street, all of which must not connect directly to heritage fabric.
4. Prior to the commencement of any of the works approved by this permit, a Construction Management Plan (the Plan) must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Plan must include:
 - a) A sequencing program for the approved works;
 - b) Details of any temporary infrastructure and services required;
 - c) Protection methods for the heritage place during the undertaking of the works, particularly during excavation and any above ground crane lifting;
 - d) A work site layout plan;
 - e) To ensure no structural damage takes place to the existing buildings B4 and B5 as a consequence of the basement excavation works both on and off registered land, engineering documentation prepared by a suitably qualified structural engineer relating to the methodology for protection of all remaining existing registered building fabric and footings that is proposed for retention during the course of the construction works, particularly for the basement levels. This must also include investigation and analysis of the existing footings carried out by the structural engineer and the methodology for any underpinning required.
 - f) A dilapidation report (including images) for the exterior of the heritage building the Oil Store (B4) including the verandah to record their condition prior to the commencement of works approved by this permit.
5. Prior to commencement of any of the works approved by this permit an archival quality photographic survey is to be prepared to record the verandah structure of the Oil Store (B4). The survey is to be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note entitled "Photographic Recording for Heritage Places and Objects" (available on the Heritage Council website or from Heritage Victoria on request). This must document the verandah structure, and the general context of the overall 'Former Bush's Store' in relation to the vacant land subject to this permit. 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 7.30am to 4.30pm (a receipt will be sent the day the material is received).
6. Prior to the commencement of any of the works approved by this permit, the following documents must be lodged and approved in writing by the Executive Director, Heritage Victoria:
 - a) The name of an experienced heritage consultant to be engaged to fulfil the requirements of this permit;



- b) A costed conservation schedule, and associated drawings, detailing any required conservation and repair works to the Oil Store verandah and wall structures prepared by the approved heritage consultant. The schedule must include but not be limited to details of:
 - i) Analysis of the original timber roof shingles to inform the interpretation plan;
 - ii) Any required to works safely retain and protect the original timber shingles;
 - iii) Retention of any original timber posts;
 - iv) Repair and/or replacement of the roof in material and profile to match original as close as possible;
 - v) Retention of as much remaining heritage fabric as possible, while making the structure structurally sound;
 - vi) Work to address the structural stability of the brickwork walls at either end of the verandah.
 - c) An unconditional Bank Guarantee made out to the Heritage Council of Victoria (ABN 87 967 501 331) for the amount of the works identified in the approved Conservation Schedule plus a 20% contingency amount. The bank guarantee is required to ensure satisfactory completion of the works approved by this permit including works required by the conditions of the permit. The Bank Guarantee will be forfeited if the works are not completed or implemented to the satisfaction of the Executive Director, Heritage Victoria by the expiration of this permit. 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 P33122 issued to the Customer by Heritage Victoria for the completion bond for conservation works to the heritage place ‘Former Bush’s Store’.
7. An Interpretation Plan for installation of interpretive devices within the registered land must be prepared by a suitably qualified and experienced practitioner. The Interpretation Plan must include proposals for the appropriate interpretation of the history of the site and the Oil Store (B4) including the verandah and the history of the subject site as the location of the Bush family home. The Interpretation Plan is to be submitted to the Executive Director, Heritage Victoria for endorsement within 12 months of the activation of this permit unless otherwise agreed in writing by the Executive Director. After its approval the Interpretation Plan is to be implemented on site prior to the expiration of the permit.
 8. 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 for assessment by the Executive Director, Heritage Victoria, who will advise on the approach to be taken to address these matters.
 9. 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.
 10. 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.
 11. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
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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 (\$19,826 AS AT JULY 2019) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$99,132 AS AT JULY 2019) UNDER s104 *THE HERITAGE ACT 2017*.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$793,056 AS AT JULY 2019) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,586,122 AS AT JULY 2019) 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.

<p>Date Issued:</p> <p>28/10/20</p>	<p>Signed by the Executive Director, Heritage Victoria:</p>  <p>Steven Avery</p>	
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Date of amendment	Brief description of amendment

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director, Heritage Victoria has issued a permit under s102 of the *Heritage Act 2017*.

WHEN DOES THE PERMIT BEGIN?

The permit operates from the day the permit is signed by the Executive Director, Heritage Victoria or their delegate.

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 REVIEW OF THE DETERMINATION?

The applicant or the owner of a registered place or registered object may ask the Heritage Council of Victoria to review any condition of a permit imposed by the Executive Director, Heritage Victoria on a permit issued under s102 of the *Heritage Act 2017*.

A request must -

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

Review request forms can be downloaded at:

www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/
