
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38041



NAME OF PLACE/OBJECT: PORTLAND HOUSE

HERITAGE REGISTER NUMBER: H0417

LOCATION OF PLACE/OBJECT: 8 COLLINS STREET MELBOURNE, MELBOURNE CITY

THE PERMIT ALLOWS: *Construction of a new ten-storey office building (plus plant and two basement levels), including demolition works, alterations, and conservation works to Portland House, generally in accordance with the following documents:*

- 8 Collins Street Redevelopment, Architectural drawings, prepared by Denton Corker Marshall, Revision P2, Town Planning Issue, 08/11/2023
- Architectural Drawings, Heritage Permit Application, Portland House 8 Collins Street, Melbourne, prepared by Trethowan Architecture, Revision 9, 8/11/2023.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

PERIOD OF VALIDITY

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. Commencement of the permit begins with onsite physical works.
2. The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.

EARLY WORKS PACKAGE

3. If there is a requirement for an **Early Works Package**, prior to their commencement a construction-ready (marked as such) set of plans documenting these works must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Early Works Package will be endorsed and will then form part of the permit.

STAGED WORKS

4. Prior to the commencement of any of the works approved by this permit, other than the Early Works Package required under Condition 3, 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.
5. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, 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.

6. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, **a construction ready (marked as such) set of drawings (including architectural and structural)**, 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.
7. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, **a schedule of construction materials, colours and finishes** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the schedule will be endorsed and will then form part of the permit.

CONSERVATION WORKS

8. 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 9-12 of this permit.
9. Prior to the commencement of any of the works approved by this permit, other than the Early Works Package required under condition 3, the heritage conservation consultant approved under condition 8 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. The schedule and drawings must include but not be limited to: new slate specification, reconstruction of early/original heritage detail (such as the ground floor arrangement to southern façade, the northern elevation, chimneys etc), and resolution of historically appropriate paint schemes based on architectural paint research.
10. Prior to the commencement of any of the works approved by this permit, other than the Early Works Package required under condition 3, 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 9. The amount guaranteed must be equivalent to the cost shown in the approved conservation schedule under Condition 9 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 condition 10 on Permit P38041.

Alternately, if the works required by Condition 9 approved by the permit are undertaken in full to the satisfaction of the Executive Director Heritage Victoria before any other works approved by this permit are commenced or are completed concurrently with each stage of the approved development, financial security is not required to be lodged. In the instance

that conservation works are undertaken first, once the report at condition 11 has been approved and endorsed by the Executive Director Heritage Victoria, the remainder of the works approved by the permit may proceed. In the instance that conservation works are undertaken concurrently with development works, each stage of new development works must also include a conservation works component.

11. Following completion of the conservation works required under Condition 9, the approved heritage conservation architect 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. A Heritage Victoria representative may require a visit to the place to inspect and confirm the satisfactory completion of the works.
12. Should the Bank Guarantee referred to in condition 10 be required, it 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 9 to the satisfaction of the Executive Director Heritage Victoria. 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.

INTERPRETATION

13. A **Heritage Interpretation Plan** for installation of interpretive devices within the registered land must be prepared by a suitably qualified and experienced practitioner. The Heritage Interpretation Plan must include proposals for the appropriate interpretation of the history of the site, including but not limited to: the historical use of the place including the period of change in the twentieth century, interpretation of any lost heritage details such as the front steps, and any site interpretation as relevant to archaeology consents. The Heritage Interpretation Plan is to be submitted to the Executive Director Heritage Victoria for endorsement within 12 months of the commencement of works in accordance with condition 2.
14. Prior to the implementation of the on-site interpretation, **a construction ready (marked as such) set of drawings** documenting works generally in accordance with the Heritage Interpretation Plan approved at condition 13, 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. After its approval the interpretation works are to be implemented on site prior to the expiration of the permit.

ARCHAEOLOGY

15. This place is also included on the Victorian Heritage Inventory (H7822-1767). A consent process will be required in addition to this permit approval for any works that may impact historical archaeological features, deposits or artefacts, including removal of concrete slabs, soil testing and service proving. The Heritage Inventory is a listing of all known historical archaeological sites in the state, established under section 117 of the *Heritage Act 2017*. The Inventory listing relates to a former building on part of the site in 1850, pre-dating the existing Portland House building (1872). A historical archaeology assessment must be undertaken to determine if any historical archaeological remains (including archaeology associated with the structure believed to have been located at the place in 1850) may be affected by the approved works. It is highly recommended to commission the assessment (by a suitably qualified historical archaeologist) during the planning phases of the project to

avoid any delay in site preparation and constructions works.

GENERAL CONDITIONS

16. 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.
17. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
18. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
19. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by 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:

08 March 2024

**Signed as delegate for the Executive Director,
Heritage Victoria pursuant to the Instrument of
Delegation**



A handwritten signature in black ink, appearing to read "Nicola Stairmand". The signature is fluid and cursive, written over a light grey circular stamp.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria