

---

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

---

**Permit No.:** P31758

**Applicant/s:** 

**NAME OF PLACE/OBJECT:** SPECIMEN COTTAGE

**HERITAGE REGISTER NUMBER:** H1615

**LOCATION OF PLACE/OBJECT:** 178-180 HARGREAVES STREET BENDIGO

**THE PERMIT ALLOWS:** *Construction of part of the new Bendigo Law Courts building within the extent of registration comprising a ground level entry canopy to the west of the heritage building and a portion of levels 2 to 4 cantilevering over the curtilage to the rear of the heritage building, generally in accordance with the following documents:*

- **ARCHITECTURAL PLANS (6 PAGES) PREPARED BY JOHN WARDLE ARCHITECTS**
  - **AR 0102 REV 2 – TOWN PLANNING PROPOSED SITE PLAN, DATED 16 APRIL 2020**
  - **AR 0200 REV 2 – TOWN PLANNING EXISTING CONDITIONS PRIOR TO ACQUISITION, DATED 16 APRIL 2020**
  - **AR 0501 REV 2 – TOWN PLANNING LEVEL G01 PLAN, DATED 16 APRIL 2020**
  - **AR 0507 REV 1 – TOWN PLANNING ROOF PLAN, DATED 24 MARCH 2020**
  - **SK 0511 REV 1 – LEVEL 02 EXTENT OF OVERLAP INTO CURTILAGE, DATED 21 APRIL 2020**
  - **AR 0701 REV 1 – CONTEXTUAL SERIES NORTH EAST & SOUTH WEST ELEVATIONS, 24 MARCH 2020**

**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 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. 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 who will advise on the approach to be taken to address these matters. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
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. 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 a tree/vegetation management and protection plan prepared in accordance with AS4970 Protection of trees on development sites.

5. Prior to the commencement of any of the works approved by this permit, the following must be lodged and approved in writing by the Executive Director, Heritage Victoria:
  - 5.1. The name of an experienced heritage consultant to be engaged to fulfil the requirements of this permit;
  - 5.2. A detailed condition assessment report, a costed conservation schedule, and associated drawings, detailing any required conservation and repair works to the heritage building prepared by the approved heritage consultant. The schedule must include details of works to address damp issues and defects to masonry and roof identified in the report *Preliminary Assessment Report, Project Specimen Cottage, Bendigo*, prepared RBA Architects + Heritage Consultants for Court Services Victoria (CSV), dated 28 October 2020,
  - 5.3. 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.
6. Within the period of validity of the permit, a Conservation Management Plan (CMP) must be lodged with the Executive Director, Heritage Victoria. The CMP must be produced in accordance with the Heritage Council of Victoria Information Guide, *Conservation Management Plans: Managing Heritage Places, 2013* and the *Australia ICOMOS Charter for Places of Cultural Significance, The Burra Charter, 2013*. The CMP must be prepared by an experienced heritage consultant approved by the Executive Director, Heritage Victoria.
7. A Heritage Act Consent to undertake works that may affect historical archaeological features, artefacts and/or deposits within the area of Heritage Inventory site H7724-0635 must be obtained.
8. 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.
9. 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.
10. 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 (\$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><b>Date Issued:</b></p> <p>9 November 2020</p> | <p>Signed on behalf of the Executive Director,<br/>Heritage Victoria:</p>  <p><b>Emily McLean</b><br/><b>Manager Statutory Approvals</b></p> |  |
|---|---|---|

## **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/](http://www.heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/)

---