
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P34021

Applicant:



NAME OF PLACE/OBJECT: DAVID JONES STORE (FORMER COLES)

HERITAGE REGISTER NUMBER: H2154

LOCATION OF PLACE/OBJECT: 299-307 BOURKE STREET and 276-286 LITTLE COLLINS STREET MELBOURNE, MELBOURNE CITY

THE PERMIT ALLOWS: Alterations and additions to adapt the building for ongoing use as a department store at the lower levels, with commercial offices above, generally in accordance with the following documents:

- *Drawings prepared by Bates Smart numbered SD01.01 to SD01.10, SD01.20 & SD01.21 (all rev 2, all dated 22.03.21), SD01.22 (rev 1, dated 22.03.21), SD02.00 (rev 4, dated 26.10.2021), SD02.0M (rev 2, dated 22.03.21), SD02.01 to SD2.07 (all rev 2, all dated 22.03.21), SD02.B1 and SD02.B2 (both rev 2, both dated 22.03.21), SD09.00 to SD09.02 (all rev 3, all dated 26.10.21) and SD10.01 (rev 2, dated 22.03.21)*
- *Heritage Victoria and City of Melbourne Response prepared by Bates Smart (dated 6 October 2021)*

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 three (3) years of the original date of issue of this permit or are not completed within five (5) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria (the Executive Director).
2. The Executive Director is to be given five (5) working days' notice of the intention to commence the approved works. Contact details of the head contractor, registered building surveyor and project manager must be provided to Heritage Victoria at this time.
3. Works to the former gymnasium to remove remnant fabric associated with its use as a gymnasium or alter the large volume of space by construction of a floor level is not supported or approved by the permit. Any works to alter this space would result in a detrimental impact to the historical significance of the place.
4. The Level 6 rooftop addition – to the extent that it is visible from Little Collins Street – is not approved.
5. Prior to the commencement of any of the works approved by this permit, final detailed design drawings must be submitted to the Executive Director, for review and written approval and once endorsed become part of the permit. The drawings must be revised to incorporate conditions 3 and 4 and include:

- Elevation drawings of the partition walls on the ground floor, the mezzanine and first floor level and details of how they are attached/fixed to the walls and ceilings
- A reflected ceiling plan of Level 1 showing the location of the existing services (lights, ducts etc) to be removed and details of where and the type of new services are to be introduced within the flat sections of plasterboard
- Consistency of both the Bourke Street and Little Collins Street shopfront details in terms of design and materials to reflect the upper-level facades of the building
- Window and new opening schedule for Union Lane and Sugden Place
- A detailed signage proposal, including details of non-permanent fixing methodologies
- Introduction of a plinth along the north-west corner of the Bourke Street elevation where there is access to the basement tenancy. This continues the plinth across from the remainder of the shopfront
- final material and colour schedule for all works.

6. Prior to the commencement of any works approved by this permit, a Construction Management Plan (the Plan) must be submitted for review and endorsement by the Executive Director and once endorsed becomes part of the permit. The Plan must:

- Include a sequencing program for the approved works
- Detail any temporary infrastructure and services required
- Detail the advice of a suitable qualified and experienced structural engineer on appropriate protection methods for the place, before and during the undertaking of the works; and
- Include a work site layout plan.

7. Prior to the commencement of any works approved by this permit, the name of a suitably experienced structural engineer, engaged to fulfil the requirements of condition 6, must be submitted for approval in writing by the Executive Director.

8. Prior to the commencement of any works approved by this permit, the name of a suitable qualified and experienced heritage consultant, with demonstrated built heritage conservation experience, must be submitted for approval in writing by the Executive Director.

9. Prior to the commencement of any works approved by this permit, the Heritage Consultant (approved under condition 8) must prepare a Final Costed Schedule of Conservation Works (the Schedule) for the building which must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Schedule must include but not be limited to details of the retention and reinstatement of the original fabric on Level 1 and within the former gymnasium and provide details to:

- Methodology of repair of the Level 1 ceiling following the removal of existing services
- Works to reinstate the balcony within the former gymnasium
- Conservation works at Level 1 to reinstate original significant features as shown in historical images

The approved conservation works must be completed within the period of validity of this permit.

10. An unconditional Bank Guarantee in favour of the Heritage Council of Victoria (ABN 87 967 501 331) for the amount of the works identified in the approved conservation schedule at condition 9, plus a 20% contingency amount. The Bank Guarantee is required to ensure satisfactory completion of the conservation works approved by this permit regardless of the financial status of the permit holder. The Bank Guarantee will be forfeited to the Heritage Council of Victoria if the works are not completed or implemented to the satisfaction of the Executive Director by the expiration of this permit. The Applicant must provide to the Executive Director, a completion report with images demonstrating the works have been completed. 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 P34021 issued to the Customer by Heritage Victoria for the completion bond for conservation to the heritage place ‘David Jones Store (Former Coles)’.

11. Prior to the commencement of any of the works approved by this permit, a Heritage Interpretation Plan must be prepared by the heritage consultant (approved at condition 8) and provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Heritage Interpretation Plan must include interpretation of the history of the building, the level 1 former cafeteria and the former level 4/5 gymnasium. The approved Heritage Interpretation Plan must be implemented within the period of validity of this permit.

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 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. Should further minor changes in accordance with the intent and approach of the permitted works and/or endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged for assessment by the Executive Director. More fulsome or major changes to the permit may require the submission of a permit amendment application to Heritage Victoria.

15. Prior to the expiration of the permit, the Executive Director must be informed of the completion of all works approved by this permit (including works required by the conditions of the permit) by submission of a Final Project Report to the satisfaction of the Executive Director. The Final Project Report must include:

- A summary of how and when each of the conditions of the permit was satisfied; and
- Documentation of the changes which have occurred at the heritage place as a result of the approved works, including documentation of any significant material which has been removed, altered, revealed or excavated from the heritage place.

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.

Date Issued:

28 November
2021

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



Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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