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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P35580

Applicant:



**NAME OF PLACE/OBJECT:** KYNETON DISTRICT HOSPITAL

**HERITAGE REGISTER NUMBER:** H1684

**LOCATION OF PLACE/OBJECT:** 67 SIMPSON STREET KYNETON, MACEDON RANGES SHIRE

**THE PERMIT ALLOWS: The adaptive re-use of the former Kyneton District Hospital buildings and site including conservation works and landscape works, generally in accordance with the following documents:**

- Former Kyneton Hospital Heritage Impact Statement (revised), prepared by Heritage Alliance, dated November 2021.
- Drawing package – Proposed Works (revised), drawing nos. HV201-HV223, prepared by Embracia, dated 29 November 2021.
- Drawing package – Restoration Works (revised), drawing nos. HV101-HV113, prepared by Embracia, dated 29 November 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 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.

## 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 Staging 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 and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*. The Construction Management Plan for stage one

must also include a dilapidation report (including images) for the heritage buildings to record their 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 drawings** for the subject stage of works must be submitted to the Executive Director, Heritage Victoria for endorsement and once endorsed become part of the permit. The submitted drawings shall be generally in accordance with the documents shown above in the permit preamble. These must include a final materials and colours schedule documenting resolution of internal partitions to the Main Hospital building.
6. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 3, **final construction ready landscape drawings** must be submitted for the endorsement of the Executive Director, Heritage Victoria and when endorsed becomes part of the permit. These must include resolution of the carparking arrangements across the site and a materials and colours schedule for the landscaping elements such as the circular drive and carparking.
7. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 3 **final construction ready drawings associated with Interpretation** 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 shall be generally in accordance with the intent set out in the Interpretation Strategy referred to at Condition 13.

### **CONSERVATION WORKS**

8. 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, 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 principal during the carrying out of those works. In particular the heritage conservation architect must help fulfil conditions 9 and 11 of this permit.
9. Prior to the commencement of any of the works approved by this permit the conservation architect endorsed under Condition 8 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, Heritage Victoria and once endorsed these works become part of the permit. The schedule and drawings must document resolution of various elements in the Heritage Impact Statement referenced in the permit preamble such as the verandah floor reinstatement material.
10. If the works approved at Condition 9 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 this 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 permit P35580.

11. Following completion of the conservation works required under Condition 9, the approved heritage conservation architect must submit to 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.
12. The Bank Guarantee referred to in Condition 10 will be released to its provider subject to the completion of all of the works referred to in Condition 9 and the satisfaction of Condition 11. The Bank Guarantee will be forfeited to the Heritage Council of Victoria in the event that all of the works at Condition 9 are not completed to the satisfaction of the Executive Director, Heritage Victoria prior to the expiry date of this permit.

### **INTERPRETATION**

13. Within 12 months of the activation of this permit, an **Interpretation Strategy** for installation of interpretive devices within the registered land must be prepared by a suitably qualified and experienced practitioner and submitted to the Executive Director, Heritage Victoria for endorsement. The Interpretation Plan must include resolution of proposals for the appropriate interpretation of the history of the site, and in particular the Superintendents Cottage, and any other proposals suggested in the Heritage Impact Statement referenced in the permit preamble. After its approval the Interpretation Strategy can be implemented in stages through drawings submitted to meet Condition 7 and must be implemented on site prior to the expiration of the permit.

### **GENERAL CONDITIONS**

14. 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.
15. 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.
16. 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.
17. 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:**

28 April 2022

**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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