
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P39527

Applicant: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

NAME OF PLACE/OBJECT: ROBUR TEA BUILDING

HERITAGE REGISTER NUMBER: H0526

LOCATION OF PLACE/OBJECT: 28 CLARENDON STREET SOUTHBANK, MELBOURNE CITY

THE PERMIT ALLOWS: *Construction of seven integrated towers and buildings ranging in height from 30 levels to 3 levels surrounding the Robur Tea Building on the north, south and west elevations, and part demolition, adaptation and conservation of the Robur Tea Building, generally in accordance with the following documents:*

- Architectural Drawings, 287 Clarendon Street, Southbank, Victoria, prepared by Snøhetta, 12/04/2024
- Robur Tea Building Conservation Works, 28 Clarendon Street, Southbank, Victoria 3006, prepared by Lovell Chen, 01/05/2024
- Heritage Building Structural Works for Tea House, Robert Bird Group, Issue F – For Authority Approval, 26/05/2022
- Tea House Melbourne, 28 Clarendon Street, Southbank, Heritage Victoria Permit Application, Design Response Report, Monno, Aspect Studios, Snøhetta, Lovell Chen, April 2024

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

MODIFICATIONS TO PLANS

1. Prior to the commencement of each relevant stage of the works identified in the Staging Plan referred to in condition 16, **amended plans** must be submitted for the approval of the Executive Director, Heritage Victoria. The plans must be generally in accordance with the plans identified in the preamble to this permit. The intent of this condition is to capture the detailed design stage of the project and to reduce the potential for delays following the submission of construction ready drawings required at condition 19. These must be provided at a point sufficient to allow for discussion and potential changes. The plans must include but not be limited to:
 - Details of proposed demolition and new connections between the existing buildings and the new development. Clearances between the new development and Robur Tea Building must be sufficient to allow maintenance access in future.
 - Details of any wind mitigation requirements. Variations should be confined to the new development and not require changes to the Robur Tea Building, nor impact view lines.
 - Exterior (all built form) and interior (Robur Tea Building) materials and finishes schedules.
 - Landscape works including all proposed permanent elements including seating, paving, public art and plantings. The landscape response should draw on the historic character of the industrial working site. Large canopy trees are to be avoided, or sited to avoid view

lines to the Robur Tea Building. New landscaping must not contribute damp issues to the Robur Tea Building.

- Seismic strengthening and structural works to the Robur Tea Building.
- Building regulation and compliance works to the Robur Tea Building.
- Signage including but not limited to tenancy and wayfinding signage.

GENERAL

2. The permission granted for this permit will 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. Commencement of the permit begins with onsite physical works.
3. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
4. 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 endorsement by the Executive Director Heritage Victoria. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
5. 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.
6. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
7. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
8. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director, Heritage Victoria.

ENGAGEMENT OF CONSULTANTS

9. Prior to the commencement of any of the works approved by this permit, a suitably qualified and experienced **Heritage 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 heritage fabric 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 1, 15, 16, 17, 18, 19, 22 and 24.
10. Prior to the commencement of any of the works approved by this permit, a suitably qualified and experienced **Structural Engineer** approved in writing by the Executive Director, Heritage Victoria must be engaged to advise and assist as necessary with the preparation of the documentation and the fulfilment of works. The approved structural engineer shall advise

the permit holder on appropriate measures to ensure the protection and structural stability of the heritage place prior to and during the undertaking of the works. The structural engineer must help fulfil conditions 12, 13, 14, 18, and 19 of this permit.

11. Except with the written consent, and to the satisfaction of the Executive Director, Heritage Victoria, Snøhetta must be retained as appropriate to the works to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes.

STRUCTURAL AND VIBRATION MONITORING

12. Prior to the commencement of any stage of the works associated with the basement or excavation, the structural engineer approved at condition 10 must submit a **reporting schedule** for the written approval by the Executive Director, Heritage Victoria. This is to include regular inspections by the structural engineer throughout the duration of the works to ensure the Robur Tea Building, including its foundations, is not compromised at any point during construction. The Executive Director, Heritage Victoria is to be informed immediately if the structural stability of the Robur Tea Building is threatened.
13. Prior to the commencement of any stage of the works associated with the basement or excavation, the structural engineer approved at condition 10 must provide a **report on acceptable levels of vibration** that the Robur Tea Building can tolerate during construction. The report must include measures and protocols to be put in place in the event that the vibration threshold is approached or exceeded. This report must be submitted to the Executive Director Heritage Victoria for approval. Once approved the report will be endorsed and will then form part of the permit.
14. Prior to the commencement of any stage of the works associated with demolition, the basement or excavation, **vibration monitoring equipment** must be installed as a precautionary measure to ensure vibration levels are monitored and maintained in accordance with the report endorsed at condition 13.

RECORDING

15. Prior to the commencement of any of the works approved by this permit an **archival quality photographic survey** is to be prepared to record the Robur Tea Building. The survey must record the existing condition of the Place, including views (both short and long) from key exterior vantage points, and key representative interior spaces and details which are to be visually and/or physically impacted by the approved works.

The survey is to be prepared in accordance with the Heritage Council/Heritage Victoria Technical Note entitled "Specification for the submission of archival photographic records" (available on the Heritage Council website or from Heritage Victoria on request). 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 State Library of Victoria. Delivery must be made either in person or by proxy to the Library's despatch facility: 174 Little Lonsdale Street, Melbourne 3000. Deliveries can be accepted between 7.30am and 4.30pm. A receipt will be issued within 2 business days. If a receipt is required on the same day, then an advance appointment must be made with the Collection Curation & Engagement team by telephone – 03 8664 7000. Two business days notice is required for an appointment. Material will not be accepted at the information desks

in the Library.

STAGING

16. 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 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. Each stage of the works will require specific approvals from the Executive Director Heritage Victoria prior to the commencement of the works, as detailed in the conditions that follow. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence each stage of the approved works.
17. Prior to the commencement of each stage of works identified in the Staging Plan referred to in condition 16, any **enabling works or investigations** which may be required must be documented must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the associated documentation will be endorsed and will then form part of the permit.
18. Prior to the commencement of each stage of works identified in the Staging Plan referred to in condition 16, 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. The Heritage Protection Plan must include the following (as relevant to the stage):
 - Details of protection methods including any necessary temporary propping for the Robur Tea Building during new works, construction of the basement and lift well and reference to the vibration monitoring at conditions 13 and 14.
 - A dilapidation report (including images) for the Robur Tea Building to record its condition prior to the commencement of excavation works.

SUBMISSION OF DRAWINGS

19. Prior to the commencement of each stage of works identified in the Staging Plan referred to in condition 16 **final construction ready (marked as such) drawings** for the subject stage of works must be submitted to the Executive Director, Heritage Victoria for approval. Once approved, they will be endorsed and will then form part of the permit. Drawings for multiple stages can be provided. The submitted drawings shall be generally in accordance with the documents listed in the permit preamble and reflect any changes agreed at condition 1. The construction ready plans must address all demolition, excavation, conservation, new works, landscape, services and signage.

To satisfy this condition (where relevant), a report by the Heritage Consultant reviewing the construction ready plans for their compliance with conservation works must be submitted for the approval of the Executive Director, Heritage Victoria.

To satisfy this condition (where relevant), a report by the Structural Engineer reviewing the construction ready plans for their compliance with vibration and structural monitoring/propping must be submitted for the approval of the Executive Director, Heritage Victoria.

Should any heritage fabric proposed for removal be salvageable for future use (but not used in the approved works), documentation outlining the methodology for the protection and onsite storage of that retained heritage fabric must be submitted to the Executive Director, Heritage Victoria for approval at the relevant stage. Once approved, the drawings/documents will be endorsed and will then form part of the permit.

20. Within 12 months of the commencement of works approved by this permit, a **Heritage Interpretation Plan** for the Robur Tea Building must be prepared by a suitably qualified and experienced practitioner and be submitted to the Executive Director, Heritage Victoria for approval. Once approved, it will be endorsed and will then form part of the permit. The Heritage Interpretation Plan must include proposals for the appropriate interpretation of the history and heritage significance of the site. This must include consideration of an appropriate scheme to interpret historic signage on the bands of the north and south facade of Robur Tea Building.
21. 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 20, 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.
22. Within 24 months of the commencement of works approved by this permit, **Tenancy Design Guidelines** for tenancy fitouts within the Robur Tea Building must be prepared by a suitably qualified and experienced practitioner with input from the Heritage Consultant endorsed under condition 9 and be submitted to the Executive Director, Heritage Victoria for approval. Once approved, the Guidelines will be endorsed and will then form part of the permit. The Guidelines should address but not be limited to internal works and services (such as kitchens or bathrooms).
23. Within one month of endorsement of the Tenancy Design Guidelines at condition 22, a letter from the owner must be provided to the Executive Director, Heritage Victoria to confirm that the Guidelines will form part of tenancy leasing agreements associated with the Robur Tea Building. Any works associated with individual tenancy fit outs for the Robur Tea Building will be subject to separate approval under the *Heritage Act 2017*.

BANK GUARANTEE

24. Prior to commencement of any stage of works associated with the construction of above ground new development (excluding demolition and basement works), the heritage consultant approved under condition 9 must prepare a **costed schedule of conservation works** identified as required for the Robur Tea Building 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 of conservation works must take into consideration the appropriate scheme to interpret historic signage on the bands of the north and south facade of Robur Tea Building required in the Heritage Interpretation Plan at condition 20.
25. Prior to commencement of any stage of works associated with the construction of above ground new development (excluding demolition and basement works), and as provided for under s.101A 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 the works required by condition 21 and 24 approved by the permit. The amount guaranteed must be equivalent to the cost shown in the approved schedule under condition 24 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 P39527.”

26. Following completion of the conservation works required under condition 24, the heritage consultant approved under condition 9 must submit to the Executive Director, Heritage Victoria for their approval, a **brief written report** confirming that the conservation works have been completed in accordance with the endorsed schedule at condition 24.
27. The **Bank Guarantee** referred to in condition 25 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 conservation works referred to in condition 24, satisfaction of condition 26 and implementation of the Heritage Interpretation Plan referred to in condition 21 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.

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:

26 June 2024

**Signed by the Executive Director, Heritage
Victoria**



A handwritten signature in black ink, appearing to read "Steven Avery". The signature is fluid and cursive, with a long horizontal stroke at the bottom.

Steven Avery
Executive Director
Heritage Victoria