
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38564

Applicant:



NAME OF PLACE/OBJECT: PRINCESS THEATRE

HERITAGE REGISTER NUMBER: H0093

LOCATION OF PLACE/OBJECT: 163-181 SPRING STREET AND 1-17 LITTLE BOURKE STREET MELBOURNE, MELBOURNE CITY

THE PERMIT ALLOWS: Reinstatement of items removed under Permit P27996, repainting internally to match 1922 scheme, removal of built-up paint from decorative area, and other conservation works, generally in accordance with the following documents:

- *Paint specification prepared by Conservation Studio dated 10 July 2023*
- *Paint investigation report prepared by International Conservation Services dated June 2023*
- *Drawings for Princess Theatre H.01-H.21 prepared by Conservation Studio dated 10 July 2023*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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 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. 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.
4. Prior to the commencement of any of the works approved by this permit, 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.
5. Prior to the commencement of any of the works approved by this permit, a construction ready (marked as such) set of architectural drawings, 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. These drawings must detail the proposed paint colour for all locations in the theatre as determined by the paint report endorsed in condition 6.

6. Prior to the commencement of any of the works approved by this permit, a final Architectural Paint Research report must be submitted for the endorsement of the Executive Director Heritage Victoria. This must include onsite and microscopic analysis to support documentary research, physical samples and a rationale for their recommendation.
7. Prior to the commencement of painting works, a final specification for these works must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the specification will be endorsed and will then form part of the permit. The specification must specify component colours, paint types and preparatory work details. No painting of previously unpainted surfaces or original timber panelling or beams is permitted.
8. Prior to the removal of paint from decorative elements, a specification for the proposed treatment must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the specification will be endorsed and will then form part of the permit.
9. Prior to the commencement of any of the works approved by this permit, the conservation architect must prepare a costed schedule of all works approved by this permit for the heritage place for the approval and endorsement by the Executive Director Heritage Victoria.
10. Prior to the commencement of any of the works approved by this permit 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 approved by the permit. The amount guaranteed must be equivalent to the cost shown in the approved conservation schedule under condition 7 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 P38564.

11. Following completion of the works required under this permit, 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.
12. The Bank Guarantee referred to in condition 8 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 approved by the permit 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.
13. 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.

14. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
15. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
16. 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:
03 August 2023

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

HERITAGE
VICTORIA
HERITAGE
VICTORIA
HERITAGE
VICTORIA

A handwritten signature in black ink, reading "Nicola Stairmand". The signature is written in a cursive style with a large, sweeping initial 'N'.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria