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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P33027

Applicant:



**NAME OF PLACE/OBJECT:** FREEMASONS HOSPITAL

**HERITAGE REGISTER NUMBER:** H1972

**LOCATION OF PLACE/OBJECT:** 166 CLARENDON STREET EAST MELBOURNE,  
MELBOURNE CITY

**THE PERMIT ALLOWS:** Approval sought for Construction of a four (4) level podium and seven (7) level tower, plus roof plant to the north-east portion of the site on Albert Street, generally in accordance with the following documents:

- Drawings prepared by Silver Thomas Hanley and John Wardle Architects numbered AR02B1 (rev A), AR02B2 (rev A), AR02GR (rev C), AR02LG (rev A), AR0201 to AR0204 (all rec C), AR0205 to AR0208 (all rev A), AR1200 (rev B), AR1201 (rev F), AR1202 and AR1203 (both rev K), AR1204 to AR1207 (all rev L), AR1208 (all rev K), AR1209 (rev D), AR3000 to AR3002 and AR3500 (all rev A), AR4501 to AR4503 (all rev B) - all dated 11.11.2020 and AR9000 and AR9001 (both Rev A) - both dated 02.12.2020

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the commencement of any works approved by this permit a detailed materials and colour schedule must be submitted for endorsement by the Executive Director and once endorsed becomes part of the permit. The materials and colour schedule must provide further detail on the use of light, mid and dark tones of brick on the podium and their visual relationship to the 1977 Link Wing and 1950s North Wing.
2. Prior to the commencement of any works approved by this permit, a report detailing any functional/operational requirements of both the windows and associated brick cut outs in the reveals of the podium on Albert Street must be submitted for consideration to the Executive Director. The report will inform the Executive Director's assessment as to whether some level of revision of these elements is required in order to more appropriately reflect the rhythm of the windows on the existing Albert Street elevation.
3. Prior to the commencement of any of the works approved by this permit, a set of the drawings included in the tender documents must be submitted for endorsement by the Executive Director and once endorsed becomes part of the permit.
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. The 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.

5. Prior to the commencement of any works approved by this permit, the name of an experienced and qualified Heritage Architect/Consultant must be submitted in writing to the Executive Director, Heritage Victoria. The nominated Heritage Architect/Consultant is to be engaged to:
- Prepare a Condition Assessment for Building B1 as marked on Diagram HER/2001/001321 held by the Executive Director.
  - Consider changes to the Clarendon Street entrance of the 1930s building that are more responsive to the original design.
  - Update the Freemasons Hospital Conservation Management Plan prepared by Allom Lovell & Associates (2002)

The name of the Heritage Architect/Consultant must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit.

- Within twelve (12) months of the nomination and endorsement of a Heritage Architect/Consultant (as requested in condition 5), the nominated Heritage Architect/Consultant must prepare a detailed costed Conservation Schedule for priority conservation works to Building B1 based on the Condition Assessment required by the above condition, and this must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The Conservation Schedule must include a detailed methodology for works and the works approved in this condition must be undertaken during the validity of the permit.
- Within twelve (12) months of the nomination and endorsement of a Heritage Architect/Consultant (as requested in condition 5), the nominated Heritage Architect/Consultant must prepare a detailed scope of works to improve the Clarendon Street entrance of the 1930s building that is more responsive to the original design. This must be provided for endorsement by the Executive Director, Heritage Victoria and once endorsed becomes part of the permit. The works approved by this condition must be undertaken during the validity of the permit. The scope of works must include, but not be limited to:
  - Consideration of the introduction of a canopy element (reinstated or as a contemporary interpretation, note this would project over the title boundary)
  - Review of the aluminium-framed airlock design
  - Consideration of an alternative balustrade design for the stair and ramp
  - Consider an alternative window design to the large flanking windows, potential to interpret the multi-paned treatment in the earlier windows.
- Prior to the commencement of any works approved by this permit, an unconditional bank guarantee in favour of the Heritage Council of Victoria (ABN 87 967 501 331) to ensure satisfactory completion of the conservation works required by condition 6, regardless of the financial status of the permit holder is to be lodged with the Executive Director, Heritage Victoria. The amount of the guarantee shall be the sum of the costed schedule of works lodged under condition 6 above plus a 20% contingency amount. The financial security (or parts of it) shall be forfeited to the Heritage Council of Victoria if the works are not completed to the satisfaction of the Executive Director within the period of validity of the permit.
- Within two (2) years of the nomination and endorsement of a Heritage Architect/Consultant (as requested in condition 5), the nominated Heritage Architect/Consultant must prepare and update the Freemasons Hospital Conservation Management Plan prepared by Allom Lovell & Associates (2002). The updated CMP must be provided for endorsement by the

- Executive Director, Heritage Victoria and once endorsed becomes part of the permit.
- The permission granted for this permit shall expire if one of the following circumstances applies: the permitted works have not commenced within four (4) years of the original date of issue of this permit, or are not completed within six (6) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
  - The Executive Director, Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
  - 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.
  - 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.
  - 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.**

**Date Issued:**

12 August 2021

**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

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