
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P35797

Applicant:



NAME OF PLACE/OBJECT: CALIFORNIA GULLY PRIMARY SCHOOL

HERITAGE REGISTER NUMBER: H1623

LOCATION OF PLACE/OBJECT: 4-14 STALEY STREET CALIFORNIA GULLY, GREATER BENDIGO CITY

THE PERMIT ALLOWS: *Demolition of existing external structure covering north courtyard, later internal partitions; construction of new infill addition to courtyard, DDA-compliant access ramp and new openings; and internal and external conservation works, generally in accordance with the following documents:*

- ‘California Gully Primary School Contract Documentation,’ drawing set, prepared by Y2 Architecture, Rev L, dated 1 June 2022, [300 L; 301 L; 302 L; 303 L; 304 L; 305 L; B1.305 H; B1.306 H; B1.307 H; B1.310 H; B1.311 H; B1.312 H; B1.315 H; B1.318 H; B1.319 H; B1.320 H; B1321 H; B1.325 H; B1.326 H].
- ‘California Gully Upgrade & Modernisation Works: 2.7 Materials & Colour Schedule,’ (updated preliminary ‘P’ issue, prepared by Y2 Architecture (undated), 15 pages.
- ‘Outline Schedule of Conservation Works,’ dated 3 December 2021, prepared by GJM Heritage.
- ‘Penetrations markup’ drawings 3 pages, [210308 S100; H03; M04], prepared by RMG Pty Ltd, dated 3 and 4 March 2022.

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.
2. 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 this permit condition for assessment by the Executive Director, Heritage Victoria who will advise on the approach to be taken to address these matters.
3. The Executive Director, Heritage Victoria is to be given five working days’ notice of the intention to commence the approved works.
4. Prior to the commencement of any of the works approved by this permit, a **Heritage Protection Plan** must be provided for endorsement by the Executive Director Heritage Victoria and once endorsed becomes 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, 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 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.
6. Prior to the commencement of any of the works approved by this permit, **a suitably experienced heritage conservation architect**, 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 built fabric of heritage significance is involved and to provide relevant conservation advice to the permit holder during the carrying out of those works. In particular the heritage conservation architect must help fulfil conditions 7 and 9 of this permit.
7. Prior to the commencement of any of the works approved by this permit, the conservation architect approved under condition 6 must prepare **a final costed schedule and drawings of conservation works** identified as required for the heritage place 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 should include but not be limited to specifications for replacement slate to meet technical standard BS EN 12326-1:2014.
8. 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) regardless of the financial status of the permit holder, 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 conservation works required and 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 P35797”.

9. Following completion of the conservation works required under condition 7, the approved heritage conservation architect must submit to the Executive Director Heritage Victoria for 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.
10. 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 referred to in condition 7 to the satisfaction of the Executive Director Heritage Victoria, and the satisfaction of condition 9. 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.

11. If the works required by condition 7 are undertaken in full (apart from the make good works associated with the new build) to the satisfaction of the Executive Director Heritage Victoria before any other works approved by this permit are commenced, financial security is not required to be lodged. In this case, if condition 9 has been satisfied, the remainder of the works approved by the permit may proceed.
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 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.
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.
14. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
15. 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 (\$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:
07 July 2022

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

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A handwritten signature in black ink, appearing to read 'J Hood', is centered on the page.

Jessica Hood
Acting Manager Statutory Approvals
Heritage Victoria