
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P37405

Applicant:



NAME OF PLACE/OBJECT: FORMER METROPOLITAN MEAT MARKET

HERITAGE REGISTER NUMBER: H0042

LOCATION OF PLACE/OBJECT: 1-3 BLACKWOOD STREET AND 36-54 COURTNEY STREET NORTH MELBOURNE, MELBOURNE CITY

THE PERMIT ALLOWS: Temporary relocation of Orchestra Victoria to the northern end of the Main Hall, Stalls and Coolrooms for use as a rehearsal space, storage and offices and minor internal works to the Former Metropolitan Hotel for 6 years. Works include the construction and disassembly of an acoustically treated trapezoidal shaped structure (approximately 30.5m x 27m) within the existing Flat Floor Pavilion and below the existing barrel vaulted ceiling with an extension of flat floor into southern end of the main hall, temporary construction of temperature-controlled and insulated storage spaces with the east & west Meat Stall Rooms and Coolrooms, propping of the lower floor below the Main Hall, upgrading of lighting, mechanical and fire services, generally in accordance with the following documents:

- Revised set of architectural drawings Rev P2, prepared by H2o Architects Pty Ltd (23 Sheets) dated 05/06/2023
- Structural Drawings SK01-SK04 for Orchestra Victoria Meat Market prepared by WSP dated 22/05/2023

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 one (1) years of the original date of issue of this permit, or are not completed within seven (7) 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 and protection methods

for the heritage place during the undertaking of the works. The Heritage Protection Plan must also include a **dilapidation report** (including images) for the heritage building to record its condition prior to the commencement of works approved by this permit.

5. Prior to the commencement of any of the works approved by this permit, final **construction ready (marked as such) architectural, mechanical and hydraulic drawings** 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.
6. Prior to the commencement of any of the works approved by this permit, **construction ready (marked as such) structural drawings/details and supporting report(s)** prepared by a suitably qualified Structural Engineer, must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the report and drawings will be endorsed and will then form part of the permit. The report must document any investigative works carried out to inform the proposed structural details.
7. The Executive Director Heritage Victoria must be notified in writing of the completion of the works endorsed in condition 5 and 6. The 6 year temporary timeframe for occupation by Orchestra Victoria will start from that date.
8. At 2 years and 4 years following the completion of works as notified at condition 7 (a total of two reports), a report on the steps being undertaken for the relocation of Orchestra Victoria to a permanent location must be submitted to the Executive Director, Heritage Victoria for review.
9. Prior to the commencement of any of the works approved by this permit, a **suitably experienced heritage conservation 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 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 consultant must help fulfil conditions 10, 11, 12, 15, and 16 of this permit.
10. Prior to the commencement of any of the works approved by this permit, details of heritage fabric to be held in **on-site storage** must be submitted to the Executive Director Heritage Victoria for approval. This must include the physical location for storage on-site and methods for protecting the item from disassociation, physical impact, theft or vandalism, fire, water, and pests. The approved Heritage Consultant under condition 7 must prepare the documentation to fulfil this condition.
11. Within 6 months of works commencing on this permit (from the date works start as approved at condition 2), a full scope of the proposed reconstruction/repair works including the reinstatement of Bull Nose Rings must be submitted to the Executive Director Heritage Victoria for approval. The approved Heritage Consultant under condition 7 must prepare the documentation to fulfil this condition. The works endorsed at this condition must be completed within the life of the permit.
12. Prior to the commencement of any of the works approved by this permit, the heritage conservation consultant or Quantity Surveyor must prepare a **costed estimate** for all disassembly and repair works - to reinstate the building back to its current form at the end of the 6 year period.

13. 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 disassembly of all of the works approved under this permit and any required repair works. The amount guaranteed must be equivalent to the cost shown in the approved costed estimate under condition 12 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 P37405.

14. The Bank Guarantee referred to in condition 13 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 this permit to the satisfaction of the Executive Director Heritage Victoria, and satisfaction of conditions 11, 15 and 16. 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.
15. A **Heritage Protection Plan and associated architectural/structural drawings** for the removal of the works approved in conditions 5 and 6 must be submitted to the Executive Director Heritage Victoria for approval at least 6 months prior to the expiry of the permit. Once approved, they 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 and protection methods for the heritage place during the undertaking of the works.
16. Following disassembly and repair works approved at condition 15 (at the end of the 6 year period), the approved heritage conservation architect must submit to the Executive Director Heritage Victoria, for their approval, a brief written report confirming that the works have been completed and the extent to which the completed conservation works conformed to good practice in their professional judgement.
17. 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.
18. The Executive Director 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 (\$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:

01 October
2023

**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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