
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P38684

Applicant:



NAME OF PLACE/OBJECT: MASONIC HALL

HERITAGE REGISTER NUMBER: H0119

LOCATION OF PLACE/OBJECT: 50 - 56 VIEW STREET BENDIGO, GREATER BENDIGO CITY

THE PERMIT ALLOWS: Redevelopment of the Bendigo Art Gallery within the extent of registration for the Masonic Hall (now known as the Capital Theatre), undertaken together with works approved in P38226 (Bendigo Art Gallery) and P38685 (Rosalind Park). Works include demolition of the contemporary additions attached to the south-east elevation of the building and conservation works to the wall following demolition, generally in accordance with the following documents:

- *Architectural Drawing Set, Jackson Clements Burrows (11 August 2023)*
- *Bendigo Art Gallery Bendigo / Dja Dja Wurrung Land: Landscape Report for Town Planning (Landscape Drawing Set), Openwork (11 August 2023)*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

PERIOD OF VALIDITY

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. Commencement of the permit begins with onsite physical works.
2. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.

ENGAGEMENT OF HERITAGE CONSULTANT

3. 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 5, 6, and 7.

STAGED WORKS

4. 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. Any stage of works associated with new development (built form and/or landscape) must include conservation

works to the Masonic Hall building to ensure this work is completed concurrent with the redevelopment.

5. Prior to the commencement of each stage of works identified in the Staging Plan referred to in Condition 4, 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. A Heritage Protection Plan for multiple stages can be provided.

DRAWINGS

6. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, a **demolition plan** 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. The drawings must identify the works in relation to the extent of registration for Masonic Hall (building only).
7. Prior to the commencement of each relevant stage of works identified in the Staging Plan referred to in Condition 4, the conservation consultant approved under condition 4 must prepare a **schedule and drawings of conservation works** identified as required for the conservation and make good works to the south-east elevation of the building 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 works must be completed within the period of validity of this permit.

ARCHAEOLOGY

8. This place is also included on the Victorian Heritage Inventory (H7724-0263). A consent process will be required in addition to this permit approval for any works that may impact historical archaeological features, deposits or artefacts, including removal of concrete slabs, soil testing and service proving. The Heritage Inventory is a listing of all known historical archaeological sites in the state, established under section 117 of the *Heritage Act 2017*. The Inventory listing relates to the Former Government Camp Precinct (Rosalind Park), one of the largest government camps on Victoria's goldfields. A historical archaeology assessment must be undertaken to determine if any historical archaeological remains may be affected by the approved works. It is highly recommended to commission the assessment (by a suitably qualified historical archaeologist) during the planning phases of the project to avoid any delay in site preparation and constructions works.

GENERAL CONDITIONS

9. 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.
10. 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.

11. All works must cease, and Heritage Victoria must be contacted if historical archaeological artefacts or deposits are discovered during any excavation or subsurface works.
12. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
13. 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:

22 March 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