
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P39523

Applicant:



NAME OF PLACE/OBJECT: PIPE MAKERS PARK COMPLEX

HERITAGE REGISTER NUMBER: H1503

LOCATION OF PLACE/OBJECT: 2 VAN NESS AVENUE MARIBYRNONG, MARIBYRNONG CITY

THE PERMIT ALLOWS: *Internal and external demolition, excavation, construction and conservation works to Building 3 (Living Museum of the West), generally in accordance with the following documents:*

- *Structural assessment report, L+R Engineers (14 August 2023)*
- *Structural drawing set, L+R Engineers (25 June 2024)*
- *Termite inspection report, Specialist Termite Control (22 April 2024)*
- *Termite damage investigation, L+R Engineers (9 May 2023)*
- *Rev. Architectural drawings—termite damage repairs, OTSA Architecture (9 May 2024)*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

___START_NUMBERED_LIST__

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.
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 suitably qualified and experienced heritage conservation consultant, approved in writing by the Executive Director Heritage Victoria, must be engaged to advise and assist as necessary 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, 7, 8 and 9.
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. The drawings must provide further information regarding the internal fitout and specifications. Any deviation from like-for-like replacement of the timber roof trusses and timber columns must be discussed with Heritage Victoria and agreed in writing prior to the submission of the condition.

6. Prior to any dismantling of original fabric or excavation and/or subsurface works approved by this permit, a suitably qualified and experienced archaeologist 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 sub-surface works are involved and to provide oversight and relevant advice to the permit holder during the carrying out of those works. In particular, the archaeologist must help fulfil conditions 7, 10, 11, 12, 13, 14, 15, 16 and 17.
7. 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, a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites* (as required). The Heritage Protection Plan must also include a report (including images) for the heritage parts of the place to record their condition prior to the commencement of works approved by this permit. The Heritage Protection Plan must: (1) demonstrate the means by which the heritage building will be supported during dismantling and reconstruction works to ensure its retention; and (2) the methodology (including storage location) for the protection and storage of retained fabric to be reconstructed.
8. The Executive Director, Heritage Victoria must be provided a brief report prepared by the heritage consultant (endorsed under condition 4) when: (1) the dismantling, excavation and temporary relocation of the original bluestone and brick walls has been completed; and (2) when the walls have been reconstructed. This must report on the condition of the heritage fabric after dismantling and during storage, and then on the condition of the heritage fabric after reconstruction.
9. New mortar used for masonry joints must match the previously existing mortar in strength, composition, colour and texture, and joint finish must match the existing width and profile. Mortar must be approved by the heritage consultant endorsed under condition 4.
10. Prior to the commencement of any dismantling of original fabric or excavation and/or subsurface approved by this permit, the project archaeologist endorsed under condition 5 must provide a final historical archaeological assessment report which identifies whether the works may impact on archaeological remains associated with either the place or previous uses of the site must be submitted to the Executive Director for approval. Once approved, the historical archaeological assessment will be endorsed and will then form part of the permit. The Executive Director may require the project archaeologist to be on site to monitor works that may expose significant historical archaeological remains.
11. Prior to the commencement of any dismantling of original fabric or excavation and/or subsurface works approved by this permit, an Unexpected Finds Protocol prepared by the project archaeologist endorsed under condition 5 must be submitted to the Executive Director Heritage Victoria for the approval. Once approved the Unexpected Finds Protocol

will be endorsed and then form part of the permit.

12. All archaeological work is to be conducted in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (2015). All on-site workers and contractors must be informed and suitably inducted in line with these requirements.
13. The Executive Director Heritage Victoria may require a program of archaeological investigations and/or monitoring to be conducted prior to or during site works.
14. If any significant historical archaeological features, deposits and or artefacts are uncovered during any site works, a program of recording and reporting must be undertaken in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*, and to the satisfaction of the Executive Director Heritage Victoria. Any required project report must be submitted within 12 months of the completion of the archaeological investigations.
15. All historical archaeological artefacts recovered during investigations and site works must be retained, except where in accordance with an Artefact Retention and Discard Policy, endorsed by the Executive Director Heritage Victoria. The Applicant is liable for all expenses arising from the conservation of any significant historical archaeological artefacts that are recovered and retained, to the satisfaction of the Executive Director Heritage Victoria. A collection storage fee of \$100 per artefact box (standard size accepted by Heritage Victoria) will be required for the permanent storage and curation of any retained artefacts.
16. The archaeological monitoring program may cease if the project archaeologist endorsed under condition 5 is satisfied the site works no longer have the potential to impact historical archaeological features, deposits and/or artefacts, subject to approval in writing from the Executive Director, Heritage Victoria.
17. A report detailing the program of archaeological monitoring and investigations must be submitted to the Executive Director Heritage Victoria within 6 months of the completion of the required archaeological work. The report must include the details of any archaeological features, deposits and/or artefacts that are identified and be in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*. Any changes required to the report must be made to the satisfaction of the Executive Director, and within the timeframes specified by the Executive Director.
18. 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.
19. The Executive Director Heritage Victoria must be informed when the approved works have been completed.
20. 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 (\$23,710.80 FROM 1 JULY 2024) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$118,554 FROM 1 JULY 2024) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$948,432 FROM 1 JULY 2024) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,896,864 FROM 1 JULY 2024) 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:

10 October
2024

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



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

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria