
Permit No.: P24863

**HERITAGE
PERMIT
GRANTED UNDER SECTION 74 OF THE
HERITAGE ACT 1995**

NAME OF PLACE/OBJECT: HM PRISON PENTRIDGE

HERITAGE REGISTER NUMBER: H1551

LOCATION OF PLACE/OBJECT: CHAMP STREET and MURRAY ROAD and URQUHART STREET and PENTRIDGE BOULEVARD and WARDENS WALK and SENTRY LANE and INDUSTRY LANE and STOCKADE AVENUE and VIA ROMA COBURG

THE PERMIT ALLOWS: *Construction of a mixed use development partly located within two of the remaining three walled exercise yards attached to the former D Division cell block and partly outside those walls. This permit applies only to the extent that the approved works affect land registered under the Heritage Act 1995 and the associated significant built fabric located within it. The approved works are generally as described and depicted in the series of 19 drawing and information sheets by MAP Architecture & Design and numbered TP.100 to TP.118 inclusive, subject to their amendment to comply with condition number 1 below.*

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amendment of Documentation

1. Before commencement on site of any of the works approved by this permit the drawing and information sheet series referred to above is to be amended and endorsed as follows: a) to show the four townhouses located in the western exercise yard and numbered 30 to 33 reduced in height from three to two storeys, b) to show the four townhouses located outside the wall of the east exercise yard and numbered from 23 to 27 further separated from the wall to a uniform distance of 2.220 metres to conform with the setback allocated to townhouses 28 and 29, and c) to show the metal capping feature to the reveals and soffits of the two new openings in the exercise yard walls deleted. The amended drawing and information sheet series is to be submitted to the Executive Director for endorsement after which the endorsed drawings shall form part of this permit.

Interpretation of the 'Burial Ground' Area

2. With reference to the land immediately east of the D Division cell block identified on drawing sheet number TP.102 by MAP Architecture & Design as 'Burial Ground' a site interpretation and landscape scheme must be developed, submitted to and endorsed by the Executive Director as part of this permit within 12 months of the date of issue of this permit. The scheme must present the history of the prisoner burial site, the story of former inmates who are significant to the state's criminal history and the story of the part relocation of the skeletal remains of Old Melbourne Gaol and Pentridge inmates within the subject area. The scheme must be completed to the satisfaction of the Executive Director within 24 months of its endorsement.

Implementation of Covenant Requirements

3. Covenant AF860980W was registered over the land title containing the south parcel of former prison land in 2008. With further subdivision of the encumbered land the subsequent derived lots including S16 (D Division) and S23 (to the extent that it contains registered land) are also encumbered by the

covenant. The covenant requires implementation of a Heritage Audit Management Plan involving the ongoing monitoring and maintenance of the specified heritage fabric and the establishment of an interpretive museum within the components of Lot 4000 comprising eight D Division ground floor cells, its remaining intact exercise yard and the single-storey north annex building. The requirements of the covenant are to be actioned by means of lodgement with the Executive Director of the required asset condition assessment and recommendations report and a documented scheme prepared by a suitable professional consultant setting out the intended components of the museum and the system by which they will be interpreted to the public. The report and interpretive scheme are to be lodged with the Executive Director for endorsement within 12 months of the date of issue of this permit and fully implemented within 24 months of the date of their endorsement.

Appointment of Conservation Architect

4. Before commencement on site of any of the works approved or otherwise required by this permit an experienced conservation architect is to be appointed to document as necessary and oversight all works impacting on heritage fabric including formation of wall openings, removal of razor wire and any other conservation works required by the conditions of this permit. The Executive Director is to be notified of the name of the conservation architect within seven days of his/her appointment.

Conservation Works

5. The colour and type of the new paint finish to the retained steel walling in the western exercise yard is to be determined by the conservation architect appointed under condition number 4 above guided by the desirability of retaining the authenticity of the associated materials and finishes that formed the exercise yard environment during the period that D Division was an active part of the prison system.
6. The one remaining unaltered exercise yard with its intact original walls and included as part of the required Pentridge Prison Museum is to remain unroofed and unaltered in all respects during the course of the works approved by this permit with the exception of any conservation works carried out in accordance with the requirements of this permit.
7. The spiked steel axles bolted to the top of the former exercise yard walls as escape deterrents are significant artefacts of the original prison use of the complex and are therefore to be retained in situ and given an appropriate rust neutralizing treatment and protective surface finish as directed by the conservation architect appointed under condition number 4 above. All razor wire and its associated fixings are to be carefully removed and disposed of to avoid damage to the significant built fabric retained *in situ*.
8. All the surviving exercise yard walls are to be cleaned of plant growth and all deteriorated mortar joints repointed as necessary to achieve the original unweathered profile. New mortar is to be sand and lime-putty mix only, with mineral oxide added if necessary to match the original mortar colour. Repointing of the interior faces of the brickwork extension above the bluestone wall may be necessary where the render and roughcast finish is absent.
9. The two documented new openings in the bluestone walls are to be formed by continuous vertical saw cuts and the retained rendered brick wall above the bluestone is to be supported on the necessary new steel lintel with only its flange forming the soffit visible from outside. Any voids in the newly exposed sawn reveals are to be neatly backfilled with mortar to the level of the saw cut to prevent loss of the original rubble infill. The sawn side reveals are not to be clad or otherwise concealed after backfilling with mortar and heritage fabric disturbed during the work including to bluestone, brickwork, render and roughcast are to be made good to match the undisturbed equivalent adjacent surfaces.
10. To maintain their integrity and original finished appearance, no paint or other finish, whether opaque or clear, is to be applied to any surface of the former exercise yard walls.


Heritage Act 1995

11. No fixings are to be made into the exercise yard walls including for the support of fencing, bin enclosures, signage, conduit, cabling and antennas.
Landscape Plan
12. A landscape plan showing the location of all plants intended to be introduced to the registered land is to be submitted to and endorsed in writing by the Executive Director prior to placement of the plants on the registered land. The plan is to identify all the plant species by their scientific botanical name and by their common name.
Lodgement of Financial Security
13. Before the commencement on site of any works approved by this permit and as provided for under s.74(4) of the *Heritage Act 1995* a financial security in the form of an **unconditional Bank Guarantee or Insurance Bond** (unconditional with regard to it being unlimited as to expiry date), is to be lodged with the Executive Director to ensure the satisfactory completion of the works approved or otherwise required by this permit. The financial security shall be in the amount of **two-hundred-and-fifty-thousand-dollars (\$250,000)** and shall name the **Heritage Council of Victoria** (ABN 87 967 501 331) as favouree. The financial security shall be released on written application of the provider to the Executive Director subject to the satisfactory completion of the works in his/her opinion.
14. The financial security referred to in condition 13 above shall be forfeit to the **Heritage Council of Victoria** if the works approved or otherwise required by this permit are not completed to the satisfaction of the Executive Director within the validity period of this permit.
15. This permit shall expire if the permitted works have not commenced within two (2) years of the date of issue of this permit, or are not completed within four (4) years of the date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria.
16. The Executive Director is to be given five working days notice of the intention to commence the approved works.
17. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place. However, if other previously hidden original or inaccessible details of the place are uncovered, any works that may affect such items shall immediately cease. The Executive Director shall 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. All works must cease and this office 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 whilst the site is cleared of all personnel.
19. The Executive Director is to be informed when the approved works have been completed.
20. The development approved by this permit is to be carried out in accordance with the endorsed drawings, 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 UP TO 2,400 PENALTY UNITS (\$346,464) OR 5 YEARS IMPRISONMENT OR BOTH, OR IN THE CASE OF A BODY CORPORATE 4800 PENALTY UNITS (\$692,928).

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 2016	Signed by the Executive Director, Heritage Victoria: Tim Smith	
-----------------------------	---	---

(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Executive Director has issued a permit under section 74 of the *Heritage Act 1995*.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit.

WHEN DOES A PERMIT EXPIRE?

A permit expires if -

- * the development or any stage of it does not start within the time specified in the permit; or
- * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The applicant or the owner of a registered place or registered object may appeal to the Heritage Council against any condition of a permit imposed by the Executive Director on a permit issued under Section 74 of the Heritage Act.

An appeal must -

- * be in writing; and.
- * be lodged within 60 days after the permit is issued.

Appeal forms can be downloaded at:

<http://heritagecouncil.vic.gov.au/hearings-appeals/permit-appeals/permit-appeals-explained/>
