

# Statement of Recommendation from the Executive Director, Heritage Victoria

See Yup Temple, H0219

76 Raglan Street and 141 – 143 Cobden Street, South Melbourne  
Port Phillip City

Bunurong Country



## Executive Director recommendation

I recommend to the Heritage Council of Victoria (**Heritage Council**) that See Yup Temple, located at 76 Raglan Street and 141-143 Cobden Street, South Melbourne in the Victorian Heritage Register (**VHR**) be amended.

In accordance with Part 3 of the *Heritage Act 2017* (**the Act**), I recommend to the Heritage Council:

- that the See Yup Temple should be included in the VHR in the category of Registered Place in accordance with section 37(1)(a) of the Act
- that the land identified in the proposed extent of registration should be included in the VHR as part of the place in accordance with section 37(1)(b) of the Act
- that the proposed categories of works or activities which may be carried out in relation to the See Yup Temple for which a permit under the Act is not required will not harm the cultural heritage significance of the place in accordance with section 38 of the Act.



**STEVEN AVERY**

**Executive Director, Heritage Victoria**

**Date of recommendation: 18 November 2024**

## The process from here

### 1. The Heritage Council publishes the Executive Director's recommendation (section 41)

The Heritage Council will publish the Executive Director's recommendation on its website for a period of 60 days.

### 2. Making a submission to the Heritage Council (sections 44 and 45)

Within the 60-day publication period, any person or body may make a written submission to the Heritage Council. This submission can support the recommendation, or object to the recommendation and a hearing can be requested in relation to the submission. Information about making a submission and submission forms are available on the Heritage Council's website.

### 3. Heritage Council determination (sections 46, 46A and 49)

The Heritage Council is an independent statutory body. It is responsible for making the final determination to include or not include the place, object or land in the VHR or amend a place, object or land already in the VHR.

If no submissions are received the Heritage Council must make a determination within 40 days of the publication closing date.

If submissions are received, the Heritage Council may decide to hold a hearing in relation to the submission. The Heritage Council must conduct a hearing if the submission is made by a person or body with a real or substantial interest in the place, object or land. If a hearing does take place, the Heritage Council must make a determination within 90 days after the completion of the hearing.

### 4. Obligations of owners of places, objects and land (sections 42, 42A, 42B, 42C, 42D and 43)

The owner of a place, object or land which is the subject of a recommendation to the Heritage Council has certain obligations under the Act. These relate to advising the Executive Director in writing of any works or activities that are being carried out, proposed or planned for the place, object or land.

The owner also has an obligation to provide a copy of this statement of recommendation to any potential purchasers of the place, object or land before entering into a contract.

### 5. Further information

The relevant sections of the Act are provided at Appendix 1.

Introduction

The See Yup Temple was listed in the Historic Buildings Register in 1974. The registration has not been amended since that time. In February 2024 an electrical fire caused the Temple to be closed to both worshippers and the public. Due to the spiritual nature of the place, and the impact of the fire, a particular approach has been taken during this assessment:

- Where parts of the complex could not be accessed, the description is based on documentary sources, and this is noted in the text.
- Where fixtures and items have been relocated for safekeeping, their usual location is noted in the description.
- Internal photographs which may contain sensitive imagery are provided in a confidential attachment. This is to respect the wishes of the See Yup Society who request that visitors not photograph the deities.

Interim Protection Order

The Executive Director made an Interim Protection Order (IPO) for the place on 2 October 2024. An IPO has the effect of immediately including a place in the VHR while an assessment can take place. This IPO will be in place until 2 February 2025 unless the Heritage Council revokes the IPO or makes a determination before that time. The Minister for Planning may also extend the period for which an IPO is in effect. The serving of an IPO requires Heritage Victoria to make a recommendation on whether to include the place, or part of the place, in the VHR within 60 days of the IPO being served. This report forms that recommendation.

Terminology

There are numerous names and terms used to describe the See Yup Temple. These variations stem from the use of both Cantonese and Mandarin languages and the systems used to Romanise them. The following table outlines the terminology used in this report and the alternatives.

Building		Deity	
Name used in this report	Other Names	Name used in this report	Other Names
See Yup Temple	Guan Di Temple Kuan Ti Temple Si Yi Temple Huikuan	-	-
Guan Di Hall	Hsieh T'ien Kung Xie Tian Gong (ground floor)	Guan Di	Quandi, Kuan Ti, Kuanti, Kwanti, Quan Gong, Guan Yu, Guan Yuchang
God of Wealth Hall	Ts'ai Hsing Kung Cai Xing Gong (ground floor)	God of Wealth	-
	Zi Me Gong (first floor)	Tse Wei	Zi Wei, Ziwei Emperor
Ancestral Hall (1866)	Ancestral Hall 1 Yi An Ancestral Hall	-	-
Ancestral Hall (1901)	Ancestral Hall 2	-	-
Ancestral Hall (2003)	Ancestral Hall 3	-	-
Guanyin Pavilion	-	Goddess of Mercy	Guan Yin, Kuanyin, Kuan Yin



## Description

The following is a description of the See Yup Temple at the time of the site inspection by Heritage Victoria in September 2024. At the time of this visit, the temple was closed to both worshippers and the public due to an electrical fire in February 2024. The seat of the fire, and the location of most damage, was in the Guan Di Hall (1866).

The See Yup Temple is located on the traditional land of the Bunurong. The site is flat, and the temple faces south towards Albert Park Lake which is 500m away. To the north, approximately 500m away is the summit of Emerald Hill, now the location of the South Melbourne Town Hall.

The temple is approached through a cast iron fence and gate from Raglan Street, South Melbourne. The sign across the gate reads “See Yup” in English with a newer sign in traditional characters which reads “Kuan Ti Temple”. A straight path leads through a vegetated open space. Visitors pass through another cast iron fence and gate, and then across an unnamed bluestone lane to reach the temple entry.

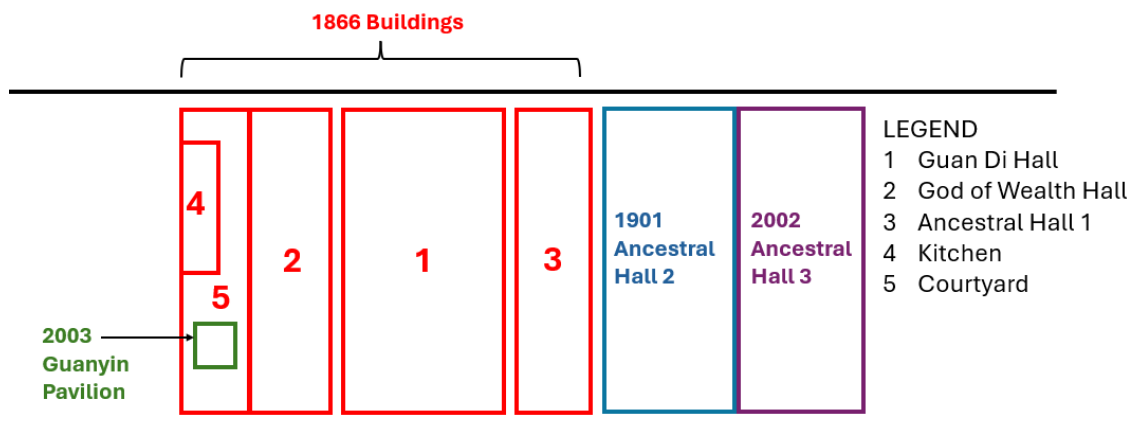


2024, Entry from Raglan Street. Source: [Southbank News](#)



c.2024, Unnamed bluestone lane, open space to the left and temple entry to the right. Source: [Google Streetview](#)

The See Yup Temple consists of several linked buildings dating from 1866 to 2003 as described in the diagram and photography below.



2024, Indicative diagram of temple complex denoting dates of construction. Source: Heritage Victoria



2024, Aerial photograph of See Yup Temple. Yellow arrow indicates fire damage Source: unknown



2015, See Yup Temple – the three halls of the 1866 building, and the 1901 Ancestral Hall to the right. Source: <https://www.chineseancestor.org/>

The following description proceeds chronologically from the earliest date of construction to the most recent.

### 1866 Temple Buildings

The earliest buildings in the complex date from 1866 and are in the form of three halls, symmetrically arranged with classical revival details, separated by open passageways. There are several entries to the complex, however the principal entry for visitors is through the Guan Di Hall. The Guan Di Hall is two storeys with a small porch at ground level and verandah at the upper-level set behind three arches featuring columns and pilasters with Corinthian capitals. Decorative fleur-de-lis are shown on the spandrels between the arches and above the balustraded parapet. Lion and fish statues are also located atop the roof balustrade. The two flanking halls, also of two storeys, are simpler in design and feature arched windows and false door openings – two windows and a false door at ground level, and a single window on the upper level.

#### *Guan Di Hall*

The Guan Di Hall was the primary area of damage during the February 2024 fire and is still the subject of substantial conservation works.

Guarding the doors to the Guan Di Hall are a pair of carved stone Chinese lions. Past the lions and small tiled porch is the front door. Either side of the front door are red plaques each inscribed with a line of a couplet, and above the door a blue plaque dating from 1866 which reads, in Chinese characters, “See Yup Huikuan”. Huikuan may be translated as guildhouse or meeting hall and commonly denotes a place with accommodation, shrine rooms and ancestor halls. A round mirror above the door reflects and wards off demons and evil spirits. Visitors then step over a raised threshold to enter the temple complex and Main Hall.



2024, One of the pair of entry lions. Source: Heritage Victoria



2019, Entrance to the See Yup Temple. (© Paul Macgregor)

The Guan Di Hall is where an altar to Guan Di, the primary temple deity, is usually located. The fire damage to this space is immediately apparent upon entry. Just inside the entry is a fixed gilded screen, its purpose to prevent the free passage of evil spirits. Visitors enter the Main Hall through openings on either side of the screen.

Inside the Guan Di Hall, there is a spiral staircase on the left, and in the front right corner (east) is the usual location of the shrine for the Earth God and Door Gods. The staircase, and upper level, was not accessible due to structural concerns. Documentary sources indicate that the upper level of the Hall consists only of an ante room that provides access to the enclosed verandah overlooking the open space and towards Raglan Street.



The Guan Di Hall is divided into three sections by three pairs of columns. In the centre of the hall is a two-storey height space with a skylight. There are usually five timber tables for food offerings and the burning of incense in the space. Two of the tables have ornate gilded carved 'aprons' protected by glass. One of the wooden aprons depicts battle scenes and figurines of the two immortals Harmony and Concord at each end.

The Guan Di altar is located on the rear wall and faces north. The Guan Di altar is of rendered masonry and, prior to the fire, was topped by a carved timber shrine with decorative fabric trim containing a large figurine of Guan Di, approximately 500mm in height, with a backdrop featuring a portrait of Guan Di with his adopted son and his aide. Objects associated with Guan Di are usually located on the altar including ornamental vessels, decorative incense, and Guan Di's blade. To the west of the Guan Di altar there is usually a table that holds Guan Di's seal and a stand with small flags. These objects are all points of worship and integrally tied to Guan Di and the altar.

The east of the Guan Di altar is the usual location of the Red Hare shrine which consists of two horse figures representing Guan Di's horse.

#### *God of Wealth Hall*

To the left (west) of the Guan Di Hall one passes through an arched doorway and then an open passageway to enter into a roofed courtyard in the centre of the God of Wealth Hall which is dedicated to the worship of the God of Wealth. This part of the complex was not directly affected by the fire and has suffered only water and smoke impacts.

On the northern (rear) wall is the shrine to the God of Wealth, a Taoist entity. Carved gilded screening panels flank the shrine. Both the screens and shrine are decorated with historical scenes. Above the shrine is a gilded and carved timber canopy with carvings of magpies and chrysanthemums. Also in this hall, on the southern wall, are two large black soap stone stele bearing the names of office holders and donors who contributed to the fund to build the 1866 temple. Behind the southern wall are storage areas and a stair that were not accessible during our visit.

The first floor is usually closed to the public and was also not accessible during our visit. Documentary sources explain that the first floor contains the Taoist deity named Tse Wei in Cantonese (and named Zi Wei in Mandarin). In Chinese culture and Chinese theology, he is the highest deity in charge of all the natural phenomenon in the universe, and the symbol of the emperor in the human world.

#### *Courtyard*

Further west is a courtyard formed by perimeter walls dating to 1866 and including a kitchen building of the same date. The kitchen building was not accessed. This courtyard also contains the Guanyin Pavilion (2003).

#### *Ancestral Hall (1866)*

From under the skylight of the Guan Di Hall visitors pass through an arched doorway in the eastern wall, along an open passageway to enter the open courtyard of Ancestral Hall (1866). To the left (north) of the courtyard is a room housing ancestral tablets, and to the right a storage area that was not accessible. This part of the complex was not directly affected by the fire but suffered water and smoke impacts.

Ancestral halls are where the ancestral tablets of Chinese ancestors are stored and serve as shrines where descendants can pay their respect on key dates such as festivals and anniversaries. Currently there are approximately 15,000 ancestral tablets in total in the three ancestral halls of the See Yup Temple. To the right (east) of this hall are two more ancestral halls, each more recent than the previous.

Ancestral Hall (1866) contains 10,000 tablets for ancestors who died before 1900, arranged in chronological order with the oldest tablets situated at the top. Many of those whose tablets are housed in the ancestral halls are buried in cemeteries in Castlemaine, White Hills, Bendigo, Ballarat and Beechworth (Jin, 2018, p. 243). Each wooden ancestral tablet is inscribed with the name of the deceased and the village and region where they were born. The tablets are displayed on a tiered frame that reaches up from table level to the ceiling. In front of the tablets are altars where incense and candles are lit to keep alive the memory of the departed, and a dish of fresh fruit is placed as an offering to the departed souls.

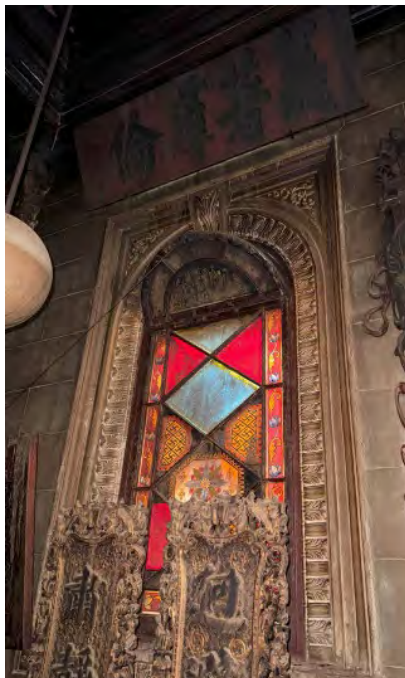




2006, Guan Di Hall, Earth God and Door Gods Shrine. Source: (Jin, 2018)



February 2024, Guan Di Hall, spiral staircase after the fire. Source: Sophie Couchman

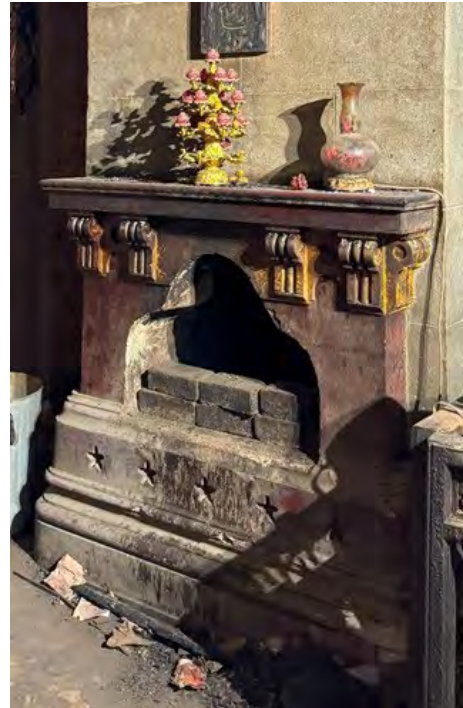


February 2024, Guan Di Hall window detail. Source: Sophie Couchman



undated, Guan Di Hall skylight before the 2024 fire. Source: <https://nicelocal.com.au/>





February 2024, Guan Di Hall column detail, after the fire. Source: Sophie Couchman  
February 2024, Guan Di Hall fireplace. Source: Sophie Couchman



2024, Guan Di Hall table detail. Source: Sophie Couchman

February 2024, Guan Di Hall Guan Di altar detail, after the fire. Source: Sophie Couchman



2006, Passageway between the Guan Di Hall and God of Wealth Hall. Source: (Jin, 2018)



2006, God of Wealth Hall, Opening to upper level and balustrade. Source: (Jin, 2018)

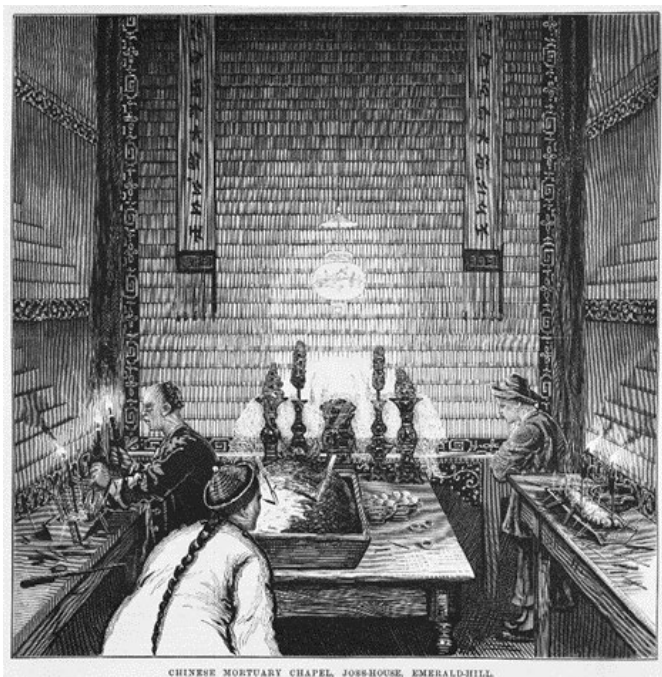


2006, God of Wealth Hall, Black soap stone steles. Source: (Jin, 2018)



2006, God of Wealth Hall. Gilded and carved timber canopy above the Shrine to the God of Wealth. Source: (Jin, 2018)





1875, Wood engraving of Ancestral Hall 1(1866) accurately depicts its current appearance. Source: [State Library Victoria](#)



2024, Ancestral Hall 1(1866) "Michael Lam (left) and a temple regular inspect the ancestral hall. Credit: Chris Hopkins" Source: [The Age Sept 15 2024](#)



### Ancestral Hall (1901)

Further east of the 1866 Ancestral Hall and along another open passageway one enters the second Ancestral Hall (1901). This part of the complex was not directly affected by the fire but has suffered minor impacts.

The entry space of this hall is a roofed courtyard with a raked unlined ceiling. The entry space is separated from the rooms on either side by red brick walls, each with a large, curved opening. To the left the curved opening is infilled by an arts and crafts style timber framed glazed windows and door. Though this door is a room housing almost four thousand ancestor tablets. The room is a double height space and has a raked timber lined ceiling. The ancestor tablets are arranged in rows within a timber tiered display that extends from table height to the ceiling and features a carved timber canopy above, and side panels.

To the right of the entry space, through the curved opening, is an open room currently used for storage. It has a timber screened staircase on the southern wall leading to the upper level. The upper level is now also used for storage and is a well-lit space with a raked ceiling.



*Undated, Ancestral Hall (1901). Source: unknown*



*1978, Ancestral Hall (1901). Source: National Trust*



*September 2024, Ancestral Hall (1901). Source: Heritage Victoria*



*2006, Ancestral Hall (1901). Source: (Jin, 2018)*



2006, Ancestral Hall (1901) entry space with curved openings left and right. Source: (Jin, 2018)



2006, Ancestral Hall (1901) storage space and stair at southern end. Source: (Jin, 2018)



September 2024, Ancestral Hall (1901) upper level looking north. Source: Heritage Victoria



2006, Ancestral Hall (1901) upper level looking south. Source: Heritage Victoria



### Ancestral Hall (2002)

Further east is the newest and third Ancestral Hall built in 2002 to provide additional capacity for the deposit of ancestral tablets. It is a steel framed, two-storey structure with brick walls and was designed to maximise natural light and energy efficiency. The building is directly adjacent the Ancestral Hall (1901) and may be accessed by a linking doorway. At the southern end of the building is an entrance lobby and loft. At the northern end, or rear, is a space housing ancestral tablets arranged in a traditional terraced style on the north, east and west walls. Deposit of ancestral tablets is not restricted by place of origin or ancestry.



*Undated, 2002 Ancestral Hall. Source: unknown*

*2024, 2002 Ancestral Hall, Ancestral tablets. Source: Heritage Victoria*

*2006, Spiral staircase in the 2002 ancestral hall. Source: (Jin, 2018)*

### 2003 Guanyin Pavilion

Located within the 1866 courtyard is the Guanyin Pavilion (2003) dedicated to Guan Yin, the Goddess of Mercy and Compassion, a Buddhist entity. The roof of the pavilion features green glazed tiles, and the red pillars are decorated with traditional dragon and phoenix carvings and the walls are glazed. A statue of Guan Yin holds a central position, and she is clad in robes of brocade.



*2024, 2003 Guanyin Pavilion to the right, within 1866 Courtyard. Source: Heritage Victoria*

*2006, 1866 courtyard looking south in front of 2003 Guanyin Pavilion. Source: (Jin, 2018)*

## History

The story of the See Yup Temple is intertwined with that of the See Yup Society and Chinese migration to Australia. The fabric of the place reflects the ebbs and flows of migration and changing attitudes and religious practices over the last 170 years.

### Chinese migration

The discoveries of gold in 1851 made Australia particularly attractive to Chinese migrants and greatly accelerated arrivals to Victoria. Most of these migrants were men described as 'sojourners' - temporary residents seeking financial gain and then returning to China.

Alarm by Europeans at this wave of migration resulted in the introduction of a poll tax in 1854 on each new arrival from China, and the introduction of a Chinese Protection Ticket in 1855 for each Chinese miner. By 1856, there were an estimated 25,000 Chinese in Victoria. The 1857 Buckland Valley Riot in north-east Victoria was one of many events that illustrate the widespread hostility faced by the Chinese.

### See Yup Society

In this unstable environment, in 1854, the See Yup Society of Victoria was established to provide aid, fellowship and meet the spiritual needs of fellow Chinese immigrants.

Chinese migrants from the four counties of Taishan, Xinhui, Kaiping and Enping in the Province of Guangdong established See Yup societies across the world and Australia. The name "See Yup" comes from the Romanisation of "Siyi", meaning "four counties", as spoken in the Cantonese dialect. The Society acted as an umbrella organisation for associations of each of these four districts. Of these both the Kong Chew Society and the See Yup societies remain in operation today (Couchman, 2019, p. 51).

The See Yup Society of Victoria had a constitution and rules that governed the conduct of miners on and off the gold fields. They assisted the Chinese miners with lodging, transport, preparation of letters, and settlement of disputes. They also supplied aid for the sick and the aged to return to their villages, repatriated the remains of the deceased, and raised funds for hospitals and disaster relief in China.

The 1854 constitution of the See Yup Society of Victoria states its objective to unite See Yup compatriots, preserve and promote traditional culture, and engage in charitable works. It further committed to build and maintain a temple to commemorate and honour See Yup ancestors, build ancestral halls and conduct annual spring and autumn commemorative ceremonies in memory of the deceased.

The See Yup Society of Victoria was an influential body that owned buildings in almost every town with a significant Chinese population in Victoria (Welch I., 2003, p. 32).

### "Little Wooden Temple"

In 1856 the See Yup Society of Victoria built its first structure, a small two-storey timber building at Raglan Street, South Melbourne, referred to as "Little Temple" or 'Little Wooden Temple' by the See Yup community. A type of *huikuan* or *huiguan*, in China these structures provided a place where people from the same locale or dialect group could obtain food, shelter, and assistance whilst away from home. In South Melbourne the building provided offices for the See Yup Society with business taking place upstairs, and with the ground devoted to worship, with a shrine to the deity Guan Di as centrepiece.

Guan Di was born in 162AD, and during the period of the Three Kingdoms (190-280AD) was one of the Shu Han Kingdom's generals. Following his death he was deified by successive emperors, and he evolved into a heroic figure. Guan Di is the embodiment of loyalty, faith, benevolence and valour (See Yup Society of Victoria, 2016, pp. 70-71).

The places provided by district associations such as the See Yup Society of Victoria enabled the social, cultural, and other needs of Chinese immigrant communities to be met. In caring for graves and repatriating remains, traditional Chinese family values centred on the worship of ancestors were able to be maintained (Welch I., 2006, p. 10).

By 1860, as the Chinese population grew, it was becoming increasingly difficult to accommodate all worship and other activities within the *huikuan*. The See Yup community was also becoming wealthier and more established, and funds



were raised from Chinese communities across Victoria to replace the timber structure with a larger brick temple which opened in 1866. Remaining funds were used to build new offices for the Society in Little Bourke Street, Melbourne.

## Classical Revival and *Feng-Shui*

The 1866 See Yup Temple by architect George Wharton in the Classical Revival style consisted of three halls (Guan Di Hall, God of Wealth Hall and Ancestral Hall), separated by open passageways, as well as a kitchen building and courtyard. The Guan Di Hall formed the principal entry to the Temple and was dedicated to the worship of Guan Di. The ground floor of the God of Wealth Hall was dedicated to the God of Wealth, and its upper floor dedicated to Tse Wei. The third hall, to the east, was an Ancestral Hall.

Oral history tells us that it was extremely difficult for the early Chinese settlers to provide designers and architects with the relevant principles of traditional Chinese temple design. It is believed that this is how the Temple came to be built in a mix of western and traditional Chinese styles (See Yup Society of Victoria, 2016).

Nevertheless, despite its western appearance, the design of the 1866 See Yup Temple accords with that of a traditional Chinese temple and it appears that the migrant community was able to impart the *Feng-Shui* principles they had known in China to their architects, George Wharton and Harold Desbrowe Annear.

The principles of *Feng-Shui* are demonstrated in the siting and design of the See Yup Temple where the main doors and windows of the Temple face the flat open space addressing Raglan Street, and beyond that a body of water (Albert Park Lake). Also, the rear of the Temple presents a façade with doors and windows to a mountain (Emerald Hill).

*Feng-Shui* principles have informed the inclusion of a short cross-wall or 'spirit screen' just inside the main doors to stop any stray *sha-qi* (negative energy) from reaching the statue of Guan Di on the altar. Further, the open passageways between the three halls enabled the doors between them be staggered preventing the travel of negative energy.

All Chinese temples, whether they be Taoist, Buddhist or Confucian, have a similar layout, comprised of numerous buildings, halls and shrines, statues and altars for worship, and ancestral halls for the storage and display of ancestral tablets. The use of several buildings enables the establishment of an obvious hierarchy of spaces. At the See Yup Temple, the main hall dedicated to Guan Di is the most important of the three halls and this is clearly expressed architecturally through scale, ornamentation and materials. The Guan Di Hall is larger and more ornate than the flanking God of Wealth Hall and Ancestral Hall.

## Federation

After the gold rush, most miners returned to China. Their short-term interest in Victoria can be seen in the steady decline of the Chinese population. Out of some 30,000 Chinese people who came to Victoria during the nineteenth century, just 6,000 were still resident in 1901 (Welch I., 2006, p. 4). Those who settled in Australia turned to work in various industries, and by the 1890s were represented in a wide variety of occupations: market vendors, shopkeepers, tobacco farmers, cooks, carpenters, clerks and interpreters.

The year 1901 marked a turning point both for Victoria and for its Chinese residents. In Melbourne, the See Yup Society had engaged architect Harold Desbrowe Annear to design an additional ancestral hall. The 1901 Ancestral Hall, in the arts and crafts style, was constructed adjacent the 1866 Ancestral Hall and separated from it by another open passageway.

The Chinese community was also actively involved in the celebrations marking Federation. The celebrations in Victoria included Chinese processional dragons, one of which is now stored at the See Yup Temple.

In the same year, the *Immigration Restriction Act* was passed marking the beginning of the White Australia policy. This Act introduced a dictation test for potential immigrants and in effect prevented immigration by people for whom English was not a first language.

## Twentieth Century

During the twentieth century, the fortunes of the See Yup Temple rose and fell in concert with the levels of Chinese migration and changing attitudes within Australia to cultural diversity.

Enactment of the *Naturalisation Act* in 1903 prevented those of Chinese descent, amongst others, from applying for naturalisation and further compounded downward pressure on Chinese migration.

In 1905 the Chinese Community Society was formed to combat discriminatory occupational bans, and to protect the rights and interest of Chinese furniture makers.

Over the years, racism found expression in vandalism of the See Yup Temple. Artefacts were stolen, windows broken, and the building defaced. Gas lamps adorning the entrance gates, and a pair of lions on the first-floor balcony were stolen.

The Chinese community continued to decline and did not begin to substantially increase until the late 1950s and early 1960s with the introduction of provisions, although restrictive, for the entry of students.

By the 1950 and 1960s, the temple was a quiet place overlooking a vacant lot, but the Society remained active. Ancestral tablets continued to be added to the ancestral halls, worship continued, and the Lunar New Year was celebrated.

In 1958 the Australian government abolished the language test for migration and implemented new, less restrictive, migration laws for Chinese nationals.

In the 1970s Chinese Vietnamese refugees embraced the temple, and after 1973, with the formal abolishment of the White Australia policy, immigrants of diverse Chinese backgrounds arrived. They included refugees, business and professional people and their families, from Timor, Indochina, Singapore, Malaysia, Hong Kong and China.

In 1974 the White Australia policy was effectively removed when a new *Australian Citizenship Act* was passed under the Whitlam Government removing immigration restrictions based on race, colour and language.

In 1973 the See Yup Society launched a campaign to restore the See Yup Temple. Restoration began in 1973 with financial support from the National Trust, Emerald Hill Association, the Victorian Government and the Federal Government. In 1977 the restored Temple opened to the public, with restoration works continuing until 1983. At this time, landscaping was undertaken in front of the temple with the planting of trees and installation of seating.

Renewed immigration from China and south-east Asia continued into the 1980s and led to the purchase of additional land for a third ancestral hall, and its construction in 2002.

By 2003 a growth in the worshippers of Guanyin, a Buddhist deity, led to the construction of the Guanyin Pavilion. Prior to construction of her own sanctuary she had been housed in the Guan Di Hall. By the 2010s, the Chinese population in Australia has expanded and its composition had fundamentally changed. There was now a wider base of ethnic Chinese, drawn from all parts of China and Southeast Asia.

## Twenty First Century

Temples for the worship of Guan Di are found across China and outnumber those dedicated to Confucius giving an indication of his popularity. Guan Di temples may also be found wherever people of Chinese ancestry have settled, across Southeast Asia, Japan, the Americas, Europe and Africa (See Yup Society of Victoria, 2016, p. 71).

Today, there are several overlapping groups of people using the temple. People born in China, and people of Chinese birth or descent, visit the temple to worship Guan Di and other deities. Descendants of Chinese immigrants visit to worship ancestors. International visitors attend the temple for worship, and non-Chinese Australians visit to experience and understand Chinese culture and celebrations.

Originally constructed by the See Yup Society for people from the Four Districts regions of China, the See Yup Temple is now attended by people of diverse ethnic and cultural backgrounds including more recent migrants. The Temple has social value in the present day to people with Chinese ancestry and members of that community have a strong and special attachment to this place as a space for prayer, ritual and gathering.

The See Yup Temple is the principal place for the celebration of the Lunar New Year in Melbourne with festivities and rituals extending over a fortnight and attracting thousands of worshippers and visitors.

The social value of the See Yup Temple is part of a story in Victoria that contributes to Victoria's identity. The story of Chinese migration is now recognised as an important aspect of Victoria's history and has been integrated into Victoria's contemporary identity as a State. There is evidence that the social value of the See Yup Temple to the Australian Chinese community resonates across the broader Victorian community. The Temple is identified by Victorians as a place of pilgrimage at the Lunar New Year.

## Historical images



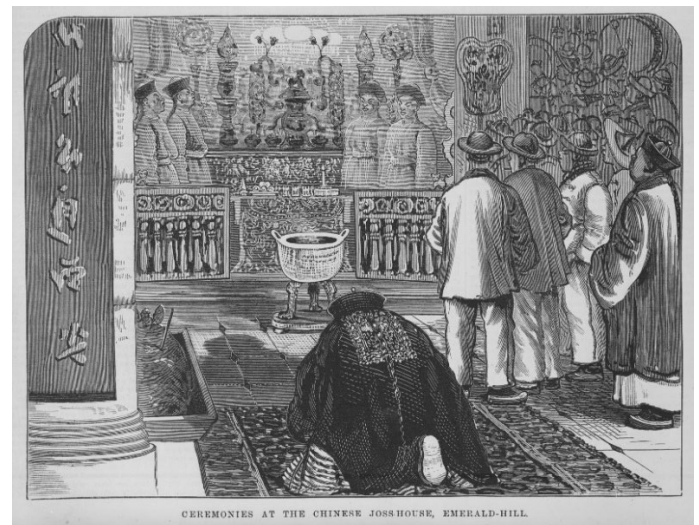
1869-1873, See Yup Temple from Raglan Street showing now demolished dwellings. Source: [State Library Victoria](#)



c. 1880-1890, See Yup Temple from Raglan Street showing now demolished dwellings and cast iron fence and gate. Source: [State Library Victoria](#)



1875, Wood engraving illustrating the Guan Di Hall at the opening of the temple. Source: [State Library Victoria](#)



1875, Wood engraving illustrating ceremonies at the temple. Source: [State Library Victoria](#)







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## Consultation and interviews

The Executive Director acknowledges the work of Robyn Annear and the input and advice of Sophie Couchman.

## Further information

### Traditional Owner Information

The place is located on the traditional land of the Bunurong people. Under the *Aboriginal Heritage Act 2006*, the Registered Aboriginal Party for this land is the Bunurong Land Council Aboriginal Corporation.

### Native Title

Native title is the recognition in Australian law that some Aboriginal and Torres Strait Islander people continue to hold rights and interests in land and water. Native title is not granted by governments. It is recognised through a determination made by the Federal Court of Australia under the *Native Title Act 1993* (Cth).

There is no Native Title Agreement affecting the place.

### Recognition and Settlement Agreement

In 2010, acknowledging the difficult nature of having native title determined under the *Native Title Act*, the Victorian Government developed an alternate system for recognising the rights of Victorian traditional owners. The *Traditional Owner Settlement Act 2010* (Vic) allows the government and traditional owner groups to make agreements that recognise traditional owners' relationship to land and provide them with certain rights on Crown land.

There is no Recognition and Settlement Agreement between the Victorian Government and the Bunurong People.

### Victorian Aboriginal Heritage Register

The place is not in an area of Aboriginal cultural heritage sensitivity.

(September 2024)

### Integrity

The integrity of the place is excellent. The cultural heritage values of the See Yup Temple can be easily read in the extant fabric.

(September 2024)

### Intactness

The intactness of the place is good. Despite the February 2024 fire both the exterior and interior of the place bear strong semblance to nineteenth century documentation. The plan of the complex, the volume of the spaces and architectural detailing largely remain intact with the largest impact of the fire being on parts constructed of timber and glass.

Whilst not considered as part of this assessment process, furniture and objects were most impacted by the fire. Many have been removed for safekeeping and the commencement of conservation works.

(September 2024)

### Condition

The condition of See Yup Temple is fair.

The condition of the place has been negatively impacted by the February 2024 fire and firefighting activities. The Guan Di Hall (1866), God of Wealth Hall (1866), and Ancestral Hall 1 (1901) were impacted and will require conservation and repair works.

(September 2024)

Note: The condition of a place or object does not influence the assessment of its cultural heritage significance. A place or object may be in very poor condition and still be of very high cultural heritage significance. Alternatively, a place or object may be in excellent condition but be of low cultural heritage significance.

## Amendment recommendation

### State-level cultural heritage significance of the place

The State-level cultural heritage significance of the See Yup Temple was recognised in 1974 by its inclusion in the Register of Historic Buildings.

### Amendment application

On 11 September 2024 the Executive Director made and accepted an application to amend the registration of the place to ensure it is consistent with current practices under the Act.

The place was included in the Historic Building Register in 1974. This early heritage registration has not been reassessed since that time. In 2024 a fire at the place caused significant damage to the place.

To support the restoration and repair process and enable the continued use of the place for worship, an update of the registration has been prioritised to ensure clarity about permit approval processes and permit exemptions.

### Additional land

The Executive Director recommends that the Heritage Council amend this registration because in accordance with section 40(4)(c)(i) and (ii):

- (i) the State-level cultural heritage significance of the place would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the place were developed; or
- (ii) the additional land surrounds the place and is important to the protection or conservation of the place; or contributes to the understanding of the place.

### Assessment and summary under section 40(4)(c)(i)

- The current registration applies to the buildings at the rear of 76 Raglan Street that existed at the time of the heritage registration in 1974, including the Guan Di Hall, God of Wealth Hall, Ancestral Hall 1 (1866), the kitchen, Ancestral Hall 2 (1901), and the fence to the unnamed laneway.
- The open passageways and courtyards between these buildings are a traditional temple design feature that allows the flow of spiritual energy and reduces fire risk. These passageways and courtyards have always been used in conjunction with the buildings and have been part of the place since its construction. In addition, a small forecourt between the Temple buildings and the fence to the unnamed laneway has always been part of the place.
- The complex now includes two additional buildings - the 2003 Guanyin Pavilion in the western courtyard, and the 2002 Ancestral Hall (directly adjacent, and attached to, the 1901 Ancestral Hall). Both are integral parts of the complex and are part of its day-to-day functioning as an active place of worship.
- The open space to the south of the Temple, fronting Raglan Street, has been formed by the gradual acquisition, since 1867, by the See Yup Society of single lots and progressive demolition of structures. This process has enabled open space at the entrance, and views, to the Temple, possibly expressing the principles of Feng-shui. The paved path which travels north-south through the open space and wrought iron fencing on each side of the space have been part of the space and in the same positions since approximately 1869-1874. The open space does not contain the plants and elements found in traditional temple gardens and was almost always an open grassed area until the 1970s. It functions as a transition space between the street and Temple and is also used for reflection, informal social interaction and by the wider community.
- If any of the land (passageways, courtyards, 2002 ancestral hall, open space to the south) were developed, there is potential for the development to substantially reduce the State-level cultural heritage significance of the place.
- Including additional land will ensure that all works are managed through an approval process consistent across the entirety of this place and would provide certainty for all parties.

### Assessment and summary under section 40(4)(c)(ii)

- The current extent of registration is limited to the buildings and structures at the rear of 76 Raglan Street that existed in 1974, including the 1866 temple buildings and 1901 Ancestral Hall. This is insufficient to protect, conserve and allow for a proper understanding of the place.
- The open space to the south of the temple, facing Raglan Street is now an integral part of the complex and its day-to-day functioning as an active place of worship.
- The temple buildings (at the rear of the site), and the open space (facing Raglan Street) are separated by a council managed bluestone laneway. The narrow laneway is important to the protection or conservation of the place given its close proximity to the temple and open space.
- If new buildings or works were constructed near the temple, particularly on the open space, it would have the potential to diminish the spiritual values as well as the setting and context of the temple complex and therefore reduce its State-level cultural heritage values.
- Including an area of land around the buildings will enable new development immediately adjacent to the building to be managed under an approval process.
- Inclusion of an area of land around the buildings will also enable works that could potentially impact the conservation of the buildings, such as drainage and paving, to be managed under an approval process.

### Amending the Heritage Council Criteria

**This place is currently registered on the basis of the following Criteria:**

The 1974 registration was prepared prior to the introduction of the Heritage Council's *Criteria and Threshold Guidelines* (2012). No Criteria are formally identified in the current Statement of Significance.

**The Executive Director recommends that the place is registered on the basis of the following Criteria:**

Criterion A (Historical Significance)  
Criterion B (Rarity)  
Criterion D (Architectural Significance)  
Criterion G (Social Significance)  
Criterion H (Life or works of a person or group)

### Change of name

The current name of the place in the VHR is "Chinese Temple". This name does not reflect current naming practices and indicates the type of building, rather than a name that tells us something about the place or can be used to find or identify it. It is recommended that the place be named "See Yup Temple" in the VHR reflecting its cultural origins and the name by which it is known in the community.



## Statutory requirements under section 40

### Terms of the recommendation (section 40(3)(a))

The Executive Director recommends that the registration of See Yup Temple in the VHR is amended.

### Information to identify the place or object or land (section 40(3)(b))

**Number:** H0219

**Category:** Registered Place.

**Name:** See Yup Temple

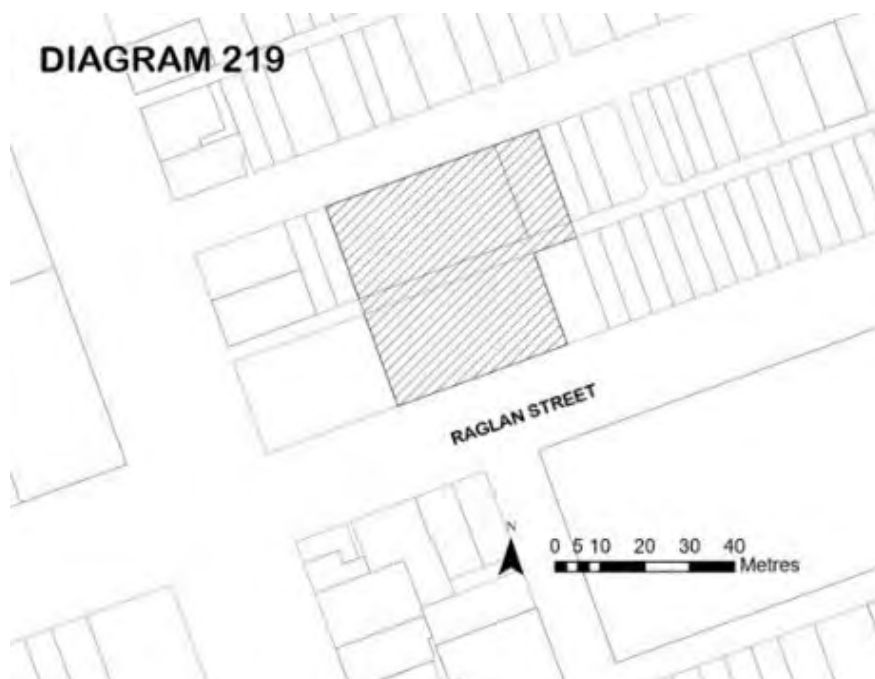
**Location:** 76 Raglan Street and 141-143 Cobden Street South Melbourne

**Municipality:** Port Phillip City

### Proposed extent of registration

The Executive Director recommends that the extent of registration for See Yup Temple be gazetted as:

All of the place shown hatched on Diagram 219 encompassing all of Lots 1, 2, 3, 4, and 5 of Title Plan 949973, Lots 1 and 2 of Title Plan 20802, and Lot 1 of Title Plan 902146, and part of the road reserve of the unnamed lane.



## Aerial Photo of the Place Showing Proposed extent of registration



Note: This aerial view provides a visual representation of the place. It is not a precise representation of the recommended extent of registration. Due to distortions associated with aerial photography some elements of the place may appear as though they are outside the extent of registration.

### Rationale for the extent of registration

The recommended extent of registration comprises the eight land parcels on which the temple buildings and open space are located as well as a section of the unnamed laneway between the buildings and open space. The laneway is managed by the City of Port Phillip.

This extent of registration has been designed to ensure that both the fabric of the temple buildings, land in between them, as well as boundary walls and fences, and open space are protected.

The recommended extent of the registration is the same as the nominated extent of registration.

It should be noted that everything included in the proposed extent of registration including all the land, all soft and hard landscape features, and all buildings (exteriors, interiors and fixtures) is proposed for inclusion in the VHR. A permit or permit exemption from Heritage Victoria is required for any works within the proposed extent of registration, apart from those identified in the categories of works or activities in this recommendation.

## Reasons for the recommendation, including an assessment of the State-level cultural heritage significance of the place (section 40(3)(c))

Following is the Executive Director's assessment of See Yup Temple against the tests set out in [The Victorian Heritage Register Criteria and Thresholds Guidelines \(2022\)](#). A place or object must be found by the Heritage Council to meet Step 2 of at least one criterion to meet the State level threshold for inclusion in the VHR.

### CRITERION A: Importance to the course, or pattern, of Victoria's cultural history.

#### Step 1 Test for Criterion A

No.	Test	Yes/No	Reason
A1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	The place has a clear association with the following in Victoria's cultural history: a) Gold mining b) Migration and settlement c) Religion and spirituality
A2)	Is the event, phase, period, process, function, movement, custom or way of life of historical importance, having made a strong or influential contribution to Victoria?	Yes	These phases are of historical importance having made a strong and influential contribution to Victoria. a) Gold mining was foundational in the rapid development and economic growth of Victoria in the mid-nineteenth century. b) Migration and settlement from China have made a strong and influential contribution to Victoria. c) Religion and spirituality assisted Chinese sojourners and migrants to transfer belief systems and ideals to Victoria and maintain their culture.
A3)	Is there evidence of the association to the event, phase, period, process, function, movement, custom or way of life in Victoria's cultural history?	Yes	There is evidence of the association between the place and these historical phases: a) The See Yup Society was founded as a benevolent association to support the arrival of gold-seekers from the See Yup (Four Counties) region of southern China. b) Chinese societies, such as the See Yup Society, and temples were the means through which the social and cultural needs of Chinese immigrants to Victoria were met, and settlement supported. c) The temple was an important centre of spiritual life for Chinese immigrants in the nineteenth century, whose traditional eclectic beliefs incorporated Buddhism, Taoism, Confucianism, deity-worship and ancestor-veneration. Since the 1980s, with increased immigration, particularly from southeast Asia, Chinese Australians of diverse backgrounds have worshipped here.

If A1, A2 and A3 are all satisfied, then Criterion A is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion A is likely to be relevant.
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## Step 2 State-level test for Criterion A

No.	Test	Yes/No	Reason
SA1)	Does the place/object allow the clear association with the event, phase, period, process, function, movement, custom or way of life of historical importance to be understood better than most other places or objects in Victoria with substantially the same association?	Yes	<p>The place allows the association with phase a), b) and c) to be better understood than most other similar places.</p> <p>a) There are many places that tell of the association between Chinese migration and gold mining, however there are few that also link that story to settlement and spirituality.</p> <p>b) The Temple also functioned as the clubrooms of the See Yup Society - a community and benevolent association which helped to maintain social cohesion both between Chinese arrivals, and between these arrivals and the prevailing Australian culture.</p> <p>c) The Temple has been little changed since its establishment, despite its ongoing use. There are no other places that tell of this association over time.</p>

If SA1 is satisfied, then Criterion A is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion A is likely to be relevant at the State level.
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## CRITERION B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

### Step 1 Test for Criterion B

No.	Test	Yes/No	Reason
B1)	Does the place/object have a clear association with an event, phase, period, process, function, movement, custom or way of life of importance in Victoria's cultural history?	Yes	<p>The place has a clear association with the following historical phases which are of importance in Victoria's cultural history:</p> <p>a) Gold mining</p> <p>b) Migration and settlement</p> <p>c) Religion and spirituality</p>
B2)	Is there evidence of the association to the historical phases etc identified at B1)?	Yes	<p>There is evidence of the association between the place and these historical phases:</p> <p>a) The See Yup Temple demonstrates its association with gold mining and migration in the thousands of ancestor tablets housed within.</p> <p>b) The fabric of the See Yup Temple demonstrates the changes in Chinese and Asian migration to Australia in its phases of construction and combined architectural language.</p> <p>c) The spatial hierarchy of the temple building, together with its altars associates the temple with religion and spirituality of Chinese origin.</p>

<b>B3)</b>	Is there evidence that place/object is rare or uncommon, <u>or</u> has rare or uncommon features?  See definition of 'rare' on p.6 of the <a href="#">Guidelines</a> .	Yes	B3(i) There is evidence that the place is rare or uncommon. The See Yup Temple is a rare example of a nineteenth Chinese Temple, with the goldrush era Chinese Temple in Bendigo (H1791) being the only other example.  B3(ii) There is evidence that the place has rare or uncommon features. The See Yup Temple is rare in Victoria for its combination of European architectural styles with Chinese spatial hierarchies and decoration.
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**If B1, B2 AND B3 are satisfied, then Criterion B is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response:	Yes	Criterion B is likely to be relevant.
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## Step 2 State-level test for Criterion B

No.	Test	Yes/No	Reason
<b>SB1)</b>	Is the place/object rare or uncommon, being one of a small number of places/objects remaining that demonstrates the event, phase, etc identified at B1)?	Yes	The See Yup Temple is rare being one of a small number of places/objects that demonstrates the themes of gold mining, migration and settlement, and religion and spirituality.
<b>SB2)</b>	Is the place/object rare or uncommon, containing unusual features, and these features are of note and these features were not widely replicated in Victoria?	Yes	The See Yup Temple is rare or uncommon for: <ul style="list-style-type: none"> <li>i. containing unusual features; and</li> <li>ii. these features are of note; and</li> <li>iii. these features were not widely replicated in Victoria:</li> </ul> The See Yup Temple is uncommon in the combination of European architectural styles with Chinese spatial hierarchies and decoration. It is rare for the intactness of its interior features and decoration dating from its construction in 1866, and 1901. The ongoing use of the See Yup Temple is rare. Whilst there are other places associated with Chinese migration and settlement there are few that can demonstrate ongoing use by the community, and a high level of intactness, since establishment in the 1850s.
<b>SB3)</b>	Is the existence of the class place/object that demonstrates the historical phases at B1) endangered to the point of rarity due to threats and pressures on such places/objects in Victoria?  See definition of 'class' on p.6 of the <a href="#">Guidelines</a> .	No	The See Yup Temple is of the class of Chinese Temple The class does demonstrate the historical phases set out at B1.  The tests for rarity are met under SB1 and SB2.  In 2024, the class 'Chinese Temple' is not endangered to the point of rarity due to active threats and pressures. While many have been demolished or succumbed to threats and pressures since the 1850s, the few that remain are highly valued and communities, such as the See Yup Society, are acting to ensure their survival in the present day.

**If any one of SB1, SB2 OR SB3 is satisfied, then Criterion B is likely to be relevant at the State level**

Executive Director's Response:	Yes	Criterion B is likely to be relevant at the State level.
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**CRITERION C: Potential to yield information that will contribute to an understanding of Victoria's cultural history.**

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**Step 1 Test for Criterion C**

No.	Test	Yes/No	Reason
C1)	Does physical fabric and/or documentary evidence and/or associated oral history or cultural narratives relating to the place/object indicate a likelihood that the place/object contains evidence of cultural heritage significance that is not currently visible and/or well understood or available from other sources?	No	Insufficient English language documentary evidence or associated oral history or cultural narratives exist at this time to make a finding about the likelihood of such sources revealing cultural heritage significance that is not currently visible or well understood.  This criterion warrants further assessment when research can be undertaken in collaboration with the See Yup Society.
C2)	And, from what we know of the place/object, is the physical evidence likely to be of an integrity and/or condition that it could yield information through detailed investigation?	Yes	From what we know of the See Yup Temple, the physical evidence is likely to be of an integrity and condition that could yield information through detailed investigation.  This criterion warrants further assessment when information become available.

If **both** C1 AND C2 are satisfied, then Criterion C is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	No	Criterion C is not likely to be relevant in 2024 and warrants further detailed investigation.
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**CRITERION D: Importance in demonstrating the principal characteristics of a class of cultural places and objects**

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**Step 1 Test for Criterion D**

No.	Test	Yes/No	Reason
D1)	Is the place/object one of a class of places/objects that has a clear association with an event, phase, period, process, function, movement, custom or way of life in Victoria's history?	Yes	The See Yup Temple belongs to the class of Chinese Temple. This class has a clear association with the following in Victoria's history: <ul style="list-style-type: none"><li>a) Gold mining</li><li>b) Migration and settlement</li><li>c) Religion and spirituality</li></ul>
D2)	Is the event, phase, period, process, function, movement, custom or way of life of historical importance, having made a strong or influential contribution to Victoria?	Yes	a), b) and c) are historical phases and events which have made a strong and influential contribution to Victoria.  a) Gold mining was foundational in the rapid development and economic growth of Victoria in the mid-nineteenth century.



- b) Migration and settlement from China have made a strong and influential contribution to Victoria.
- c) Religion and spirituality assisted Chinese sojourners and migrants to transfer belief systems and ideals to Victoria and maintain their culture.

<b>D3)</b>	Are the principal characteristics of the class evident in the physical fabric of the place/object?	Yes	The principal characteristics of the class are evident in the physical fabric of the place. The See Yup Temple has the spatial layout and hierarchies, and decorative characteristics of the type.
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**If D1, D2 AND D3 are satisfied, then Criterion D is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response:	Yes	Criterion D is likely to be relevant.
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### Step 2 State-level test for Criterion D

No.	Test	Yes/No	Reason
<b>SD1)</b>	Is the place/object a notable (fine, influential or pivotal) example of the class in Victoria?  See definition of 'notable' see Reference Tool D on p.14 of the <a href="#">Guidelines</a> .	Yes	<p>The See Yup Temple is a notable example of the class of Chinese Temple.</p> <p>The place is a fine example of a Chinese temple and its floor plan, and spatial hierarchies, are typical of the class and enables the class to be more easily understood. In the class of Chinese Temples, this place is notable for its unique combination of European architectural styles and Chinese spiritualism and culture.</p> <p>The See Yup Temple is notable in its application of the Classical Revival (1866) and Arts and Crafts (1901) styles to a traditional Chinese Temple design. Stylistically, the only known Victorian comparator is the classical Num Pon Soon Society Building (H0485) in Little Bourke Street designed by Knight and Kerr in 1861 as a clubhouse for the Sam Yup Society.</p>

**If SD1 is satisfied, then Criterion D is likely to be relevant at the State level**

Executive Director's Response:	Yes	Criterion D is likely to be relevant at the State level.
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## CRITERION E: Importance in exhibiting particular aesthetic characteristics.

### Step 1 Test for Criterion E

No.	Test	Yes/No	Reason
<b>E1)</b>	Does the physical fabric of the place/object clearly exhibit particular aesthetic characteristics?	Yes	<p>The interior of the See Yup Temple clearly exhibits aesthetic characteristics particular to its style.</p> <p>The interiors feature examples of gilt and painted hand carved, timber spiritual items and fixtures, particular to the design of Chinese Temples.</p>

**If E1 is satisfied, then Criterion E is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response:	Yes	Criterion E is likely to be relevant.
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## Step 2 State-level test for Criterion E

No.	Test	Yes/No	Reason
SE1)	<p>Are the aesthetic characteristics 'beyond the ordinary' or are outstanding as demonstrated by:</p> <ul style="list-style-type: none"> <li>Evidence from within the relevant discipline (architecture, art, design or equivalent); and/or</li> <li>Critical recognition of the aesthetic characteristics of the place/object within a relevant art, design, architectural or related discipline within Victoria; and/or</li> <li>Wide public acknowledgement of exceptional aesthetic qualities of the place/object in Victoria expressed in publications, print or digital media, painting, sculpture, songs, poetry, literature, or other media?</li> </ul>	No	<p>Within English language commentary there is scant:</p> <ul style="list-style-type: none"> <li>evidence from the relevant discipline, such as art and architecture</li> <li>critical recognition of aesthetic characteristics, or</li> <li>widespread public acknowledgement of exceptional aesthetic qualities in publication, digital media etc.</li> </ul> <p>Further, the position of Chinese people and their culture within Australian culture has not always been one of acceptance which has likely impacted critical recognition and public acknowledgement of the aesthetic characteristics of the place.</p> <p>The interiors are striking and a magnificent assembly of traditional designs and fabric which creates a sense of the spiritual. Together, the fixtures, low light, sounds and incense smoke, evoke an awe and calm.</p> <p>It is acknowledged that the aesthetic qualities of the interiors of the See Yup Temple are 'beyond the ordinary', however it is noted that the objects within the Temple are a large part of its exceptional aesthetics, and this warrants further exploration at a later date.</p>

If SE1 is satisfied, then Criterion E is likely to be relevant at the State level

Executive Director's Response:	No	Criterion E is not likely to be relevant at the State level at this time, however further assessment of the interiors and objects is warranted at a future date.
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## CRITERION F: Importance in demonstrating a high degree of creative or technical achievement at a particular period.

### Step 1 Test for Criterion F

No.	Test	Yes/No	Reason
F1)	Does the place/object contain physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created?	Yes	<p>The See Yup Temple contains physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created.</p> <p>The interiors feature examples of gilt and painted hand carved, timber spiritual items and fixtures, particular to the design of Chinese Temples.</p>
F2)	Does the physical evidence demonstrate a high degree of integrity?	Yes	The physical evidence at the See Yup Temple demonstrates a high degree of integrity.

The interior fixtures, fittings and objects are illustrated in early wood engravings published in newspapers of the day.

**If both F1 and F2 are satisfied, then Criterion F is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response:	Yes	Criterion F is likely to be relevant.
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## Step 2 State-level test for Criterion F

No.	Test	Yes/No	Reason
SF1)	Is the nature and/or scale of the achievement of a high degree or 'beyond the ordinary' for the period in which it was undertaken as demonstrated by one or more forms of evidence: <ul style="list-style-type: none"> <li>evidence from within the relevant creative or technological discipline that recognises the place/object as a breakthrough in terms of design, fabrication or construction techniques <u>and/or</u> as a successful solution to a technical problem that extended the limits of existing technology;</li> <li>critical acclaim of the place/object within the relevant creative or technological discipline as an outstanding example in Victoria;</li> <li>wide acknowledgement of exceptional merit in Victoria in media such as publications or print/digital media;</li> <li>recognition of the place/object as an outstanding example of the creative adaptation of available materials and technology of the period?</li> </ul>	No	<p>There is insufficient evidence that the nature and/or scale of the achievement is of a high degree or 'beyond the ordinary' for the period in which it was undertaken.</p> <p>Within English language commentary there is scant:</p> <ul style="list-style-type: none"> <li>evidence from the relevant discipline, such as art and architecture</li> <li>critical recognition from within creative or technological disciplines, or</li> <li>widespread public acknowledgement of exceptional merit in publication, digital media etc.</li> </ul> <p>Further, the position of Chinese people and their culture within Australian culture has not always been one of acceptance which has likely impacted critical recognition and public acknowledgement of the creative and technical achievement of the place.</p>

**If SF1 is satisfied, then Criterion F is likely to be relevant at the State level**

Executive Director's Response:	No	Criterion F is not likely to be relevant at the State level.
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## CRITERION G: Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons

### Step 1 Test for Criterion G

No.	Test	Yes/No	Reason
G1)	Does the place/object demonstrate social value to a community or cultural group in the present day in the context of its cultural heritage significance? Evidence must be provided for all three facets of social value listed here:  See definitions of 'social value' and Criterion G terms in the Guidelines		



i)	Existence of a community or cultural group; <u>and</u>	Yes	There is evidence that the place has social value in the present day to the Australian Chinese community. There is evidence that the members have a strong and special attachment to this place as a space for prayer, ritual and community gathering. Originally constructed by the See Yup Society for people from the Four Districts regions of China, the See Yup Temple is now attended by people of diverse ethnic and cultural backgrounds including more recent migrants.
ii)	Existence of a strong attachment of a community or cultural group to the place or object; <u>and</u>	Yes	There is evidence of a strong attachment of the Australian Chinese community to the See Yup Temple  The See Yup Temple is the principal place for the celebration of the Lunar New Year in Melbourne.
iii)	Existence of a time depth to that attachment.	Yes	The See Yup Society continues to manage the place after establishing it in 1866.

If **all facets** of G1 are satisfied, then Criterion G is likely to be relevant (but not necessarily at the State level)

Executive Director's Response:	Yes	Criterion G is likely to be relevant.
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## Step 2 State-level test for Criterion G

No.	Test	Yes/No	Reason
SG1)	Is there evidence that the social value resonates across the broader Victorian community as part of a story that contributes to Victoria's identity?	Yes	SG1(i) The social value of the See Yup Temple is part of a story in Victoria that contributes to Victoria's identity.  The story of Chinese migration is now recognised as an important aspect of Victoria's history and has been integrated into Victoria's contemporary identity as a State.
			SG1(ii) There is evidence that the social value of the See Yup Temple to the Australian Chinese community resonates across the broader Victorian community:  The place is identified by Victorians as a place of celebration at the Lunar New Year. There are festivities and rituals extending over a fortnight and attracting thousands of worshippers and visitors from Melbourne and other parts of Victoria.

If **all facets** of SG1 are satisfied, then Criterion G is likely to be relevant at the State level

Executive Director's Response:	Yes	Criterion G is likely to be relevant at the State level.
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## CRITERION H: Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

### Step 1 Test for Criterion H

No.	Test	Yes/No	Reason
H1)	Does the place/object have a direct association with a person, or group of persons who has made a strong or influential contribution in their field of endeavour?	Yes	<p>H1(i) There is a direct association between See Yup Temple and See Yup Society</p> <p>The See Yup Society built, maintain and own the temple.</p> <p>H1(ii) The See Yup Society has made a strong or influential contribution in their field.</p> <p>The See Yup Society was established in 1854 as a mutual self-help society to support those who came to Victoria from the See Yup Districts in southern China, and it continues to operate today.</p>
H2)	Is there evidence of the association between the place/object and the person(s)?	Yes	<p>There is evidence of the association between the See Yup Temple and See Yup Society</p> <p>There is documentary evidence of the connection between the See Yup Society and the See Yup Temple within public records.</p>
H3)	Does the association relate: <ul style="list-style-type: none"> <li>• directly to achievements of the person(s); <u>and</u></li> <li>• to an enduring and/or close interaction between the person(s) and the place/object?</li> </ul>	Yes	<p>H3(i) The association between the See Yup Temple and the See Yup Society relates directly to the achievements of the See Yup Society.</p> <p>The 1854 constitution of the See Yup Society committed to 'build and maintain a temple to commemorate and honour See Yup ancestors'.</p> <p>H3(ii) The association relates to a close and enduring interaction between the See Yup Society and the See Yup Temple.</p> <p>The See Yup Society continue to own and manage the Temple and are currently working to conserve and repair the place and artefacts impacted by the February 2024 electrical fire.</p>

**If all facets of H1, H2 AND H3 are satisfied, then Criterion H is likely to be relevant (but not necessarily at the State level)**

Executive Director's Response:	Yes	Criterion H is likely to be relevant.
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### Step 2 State-level test for Criterion H

No.	Test	Yes/No	Reason
SH1)	Are the life or works of the person/persons important to Victoria's history?	Yes	The See Yup Society is important in Victoria's history. The organisation was formed four years after the Port Phillip

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District of NSW officially became the colony of Victoria. Its story is entwined with the development of Victoria.

The See Yup Society established the See Yup Temple and its predecessors and used the place as both a meeting place and cultural centre from its inception to the current day.

The See Yup Society provided accommodation for members, and also returned ancestral remains to China.

The See Yup Society established rules for the conduct of its members to support civil operations on the gold fields, and it advocated against restrictive immigration policies.

<b>SH2)</b>	Does this place/object allow the association between the person or group of persons and their importance in Victoria's history to be readily appreciated better than most other places or objects in Victoria?	Yes	<p>The headquarters of the See Yup Society are located at 124-126 Little Bourke Street, Melbourne in a precinct known as Chinatown. This headquarters building has been substantially altered and its relationship to the See Yup Society is not immediately obvious to an English-speaking viewer.</p> <p>The See Yup Society and the See Yup Temple share a name, with the name of the temple displayed on its front gate. Above the entry to the Temple is a blue plaque which reads, in Chinese characters, "See Yup Huikuan". Huikuan means meeting hall and which can commonly include accommodation, shrine rooms and ancestor halls.</p> <p>The See Yup Society has provided ongoing cultural support to Australians of Chinese origins and has made charitable contributions to numerous Australian institutions over time, including hospitals, schools, and for the purposes of disaster and emergency relief.</p> <p>The place does allow the association between the See Yup Society and their importance in Victoria's history to be readily appreciated more than most other places or objects in Victoria.</p>
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If SH1 and SH2 are satisfied, then Criterion H is likely to be relevant at the State level

<b>Executive Director's Response:</b>	Yes	Criterion H is likely to be relevant at the State level.
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## Summary of cultural heritage significance (section 40(4))

### Statement of significance

#### What is significant?

The See Yup Temple comprises the Classical Revival complex designed by George Wharton dating from 1866, the 1901 Ancestral Hall designed by Harold Desbrowe Annear in the Arts and Crafts style, and both the 2002 Ancestral Hall and 2003 Guanyin Pavilion by architect Cheung Sui Fung.

The 1866 complex consist of three halls (separated by open passageways), a kitchen building and courtyard. The Guan Di Hall is the principal entry to the temple complex and is dedicated to the worship of Guan Di. In the God of Wealth Hall, the ground floor is dedicated to the God of Wealth, and upper floor dedicated to Tse Wei. The 1866 Ancestral Hall, to the east, is the first of three ancestral halls for the worship of ancestors and contains 10,000 ancestral tablets for ancestors who died before 1900.

Located east of the 1866 complex, and linked to it through an open passageway, is the 1901 Ancestral Hall containing 4000 ancestral tablets. The 2002 Ancestral Hall is the next building to the east.

The 2003 Guanyin Pavilion is dedicated to the worship of Guan Yin, the Goddess of Mercy and Compassion, and is located within the western, walled courtyard.

To the south of the buildings, across the narrow, unnamed bluestone lane, is the open space addressing Raglan Street with a paved path running north to south and enclosed by cast iron fences and gates on the north and south sides and brick walls to the east and west.

#### How is it significant?

The See Yup Temple is of historical, aesthetic and social significance to the State of Victoria. It satisfies the following criterion for inclusion in the Victorian Heritage Register:

##### Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

##### Criterion B

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

##### Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects

##### Criterion G

Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.

##### Criterion H

Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

#### Why is it significant?

The See Yup Temple was the most important centre of Chinese worship in Victoria in the nineteenth century. It is a notable part of the history of the Chinese people in Victoria and has been in continuous use since 1854. The place is historically significant as a centre for worship and support for visitors, migrants and residents with Chinese ancestry from the nineteenth century through to the present day, allowing communities to maintain their spiritual and cultural traditions in a new land. [Criterion A]

The See Yup Temple is uncommon for its unique and well executed combination of European architectural styles with Chinese temple spatial hierarchies and decoration, as well as for the grand scale of its masonry architecture. It is also rare for the intactness of its interior fixtures and decoration dating from its construction in 1866 and 1901. [Criterion B]

The See Yup Temple is a fine example of a temple that has a clear association with the long history of Chinese migration, settlement and the relocation of their spiritual practices to Victoria. The place demonstrates many characteristics of places of worship including shrines and ancestral halls in Southern China and the broader Chinese diaspora. The characteristics of the class can be seen in the floor plan of the place, and the spatial arrangement and hierarchy of buildings and spaces enabling the class to be easily understood. In addition, the interiors embody the fine and skilful use of Chinese temple joinery techniques along with free form carving and gilding of plants, creatures and people in their decoration. [Criterion D]

The See Yup Temple is socially significant for its ongoing use by people with Chinese ancestry as a place for prayer, ritual, memorialising and community gathering, and by all Victorians as a place of worship and celebration at the Lunar New Year. [Criterion G]

The See Yup Temple is significant for its association with the See Yup Society, one of the oldest Chinese organisations in Australia. The Society built, maintain and own the temple and have provided support to the Chinese and Australian communities since its inception in 1854. [Criterion H]

## Recommended permit exemptions under section 38

### Introduction

A [heritage permit](#) is required for all works and activities undertaken in relation to VHR places and objects. Certain works and activities are [exempt from a heritage permit](#), if the proposed works will not harm the cultural heritage significance of the heritage place or object.

### Permit Policy

It is recommended that a Conservation Management Plan be prepared to guide management of the place in a manner which respects its cultural heritage significance.

### Permit Exemptions

#### General Exemptions

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the *Heritage Act 2017*.

**Places of worship:** In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director, Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

**Subdivision/consolidation:** Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the Planning and Environment Act 1987 and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

If not including specific exemptions, delete the remainder of the permit exemption content from here down.

#### Specific Exemptions

The works and activities below are not considered to cause harm to the cultural heritage significance of the See Yup Temple subject to the following guidelines and conditions:

##### Guidelines

1. Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions

and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.

5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.
7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

### Conditions

1. All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
3. If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the *Aboriginal Heritage Act 2006*, all details about the location and nature of the human remains must be provided to the Aboriginal Heritage Council (as defined in the *Aboriginal Heritage Act 2006*).

### Exempt works and activities

#### Unnamed laneway (maintained by Port Phillip City Council)

1. The repair of surfaces within the road casement provided that all repairs are undertaken on a like for like basis with careful attention to construction details and the retention of as much original bluestone fabric as possible.
2. The removal, repair or installation of underground services, utilities and drains within the road casement provided that the surface is carefully returned to its former appearance upon completion.



## Existing registration details

### Existing extent of registration

*City of South Melbourne*. No. 219. Chinese Temple, rear 76 Raglan Street, South Melbourne.  
[*Victoria Government Gazette* No 100 Wednesday, October 9 1974 p.3649]

### Existing statement of significance

The See Yup Society Temple at Raglan Street, South Melbourne was erected in 1866 for the See Yup Society, as the principal centre of worship and death registry for the Cantonese in Victoria. See Yup means four towns of Canton. The temple, flanking pavilions and enclosed axially arranged forecourt were designed by architect George Wharton, tenders being called in April 1866. The buildings and associated fences are in the style of the classical revival enhanced by contrasting oriental detail and statuary.

The See Yup Society Temple, South Melbourne, was the most important centre of Chinese worship in Victoria in the nineteenth century and integral with the turbulent history of the Chinese people in Victoria in that era. The building group, unique in Victoria as an historical document and architecturally important as an outstanding work by architect George Wharton, is notable for the apparent axial and spatial qualities and the successful fusion of classical with traditional Chinoiserie details and statuary. The See Yup Temple has been partially restored by the See Yup Society in conjunction with the National Trust but is still in need of extensive rehabilitation work.

[Source: *Register of the National Estate*]

### Existing permit policy and permit exemptions

There are no specific exemptions currently in place.

## Appendix 1

### Heritage Council determination (section 49)

The Heritage Council is an independent statutory body that will make a determination on this recommendation under section 49 of the Act. It will consider the recommendation after a period of 60 days from the date the notice of recommendation is published on its website under section 41.

### Making a submission to the Heritage Council (section 44)

Within the period of 60 days, any person or body with a real and substantial interest in the place or object may make a submission to the Heritage Council regarding the recommendation and request a hearing in relation to that submission. Information about making a submission and submission forms are available on the Heritage Council's website. The owner can also make a submission about proposed permit exemptions (Section 40(4)(d)).

### Consideration of submissions to the Heritage Council (section 46)

(1) The Heritage Council must consider—

- (a) any written submission made to it under section 44; and
- (b) any further information provided to the Heritage Council in response to a request under section 45.

### Conduct of hearings by Heritage Council in relation to a recommendation (section 46A)

(1) The Heritage Council may conduct a hearing in relation to a recommendation under section 37, 38 or 39 in any circumstances that the Heritage Council considers appropriate.

(2) The Heritage Council must conduct a hearing if—

- (a) a submission made to it under section 44 includes a request for a hearing before the Heritage Council; and
- (b) the submission is made by a person or body with a real or substantial interest in the place, object or land that is the subject of the submission.

### Determinations of the Heritage Council (section 49)

(1) After considering a recommendation that a place, object or land should or should not be included in the Heritage Register and any submissions in respect of the recommendation and conducting any hearing, the Heritage Council may—

- (a) determine that the place or object is of State-level cultural heritage significance and is to be included in the Heritage Register; or
- (ab) in the case of a place, determine that—
  - (i) part of the place is of State-level cultural heritage significance and is to be included in the Heritage Register; and
  - (ii) part of the place is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (ac) in the case of an object, determine that—
  - (i) part of the object is of State-level cultural heritage significance and is to be included in the Heritage Register; and
  - (ii) part of the object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or
- (b) determine that the place or object is not of State-level cultural heritage significance and is not to be included in the Heritage Register; or

- (c) in the case of a recommendation in respect of a place, determine that the place or part of the place is not to be included in the Heritage Register but—
    - (i) refer the recommendation and any submissions to the relevant planning authority or the Minister administering the Planning and Environment Act 1987 to consider the inclusion of the place or part of the place in a planning scheme in accordance with the objectives set out in section 4(1)(d) of that Act; or
    - (ii) determine that it is more appropriate for steps to be taken under the Planning and Environment Act 1987 or by any other means to protect or conserve the place or part of the place; or
  - (ca) in the case of a recommendation in respect of an object nominated under section 27A, determine that the object, or part of the object, is to be included in the Heritage Register if it is integral to understanding the cultural heritage significance of a registered place or a place the Heritage Council has determined to be included in the Heritage Register; or
  - (d) in the case of a recommendation in respect of additional land nominated under section 27B, determine that the additional land, or any part of the additional land, is to be included in the Heritage Register if—
    - (i) the State-level cultural heritage significance of the place, or part of the place, would be substantially less if the additional land or any part of the additional land which is or has been used in conjunction with the place were developed; or
    - (ii) the additional land or any part of the additional land surrounding the place, or part of the place, is important to the protection or conservation of the place or contributes to the understanding of the place.
- (2) The Heritage Council must make a determination under subsection (1)—
- (a) within 40 days after the date on which written submissions may be made under section 44; or
  - (b) if any hearing is conducted, within 90 days after the completion of the hearing.
- (3) A determination made under subsection (1)(a), (ab), (ac), (ca) or (d)—
- (a) may include categories of works or activities which may be carried out in relation to a place, object or land, or part of a place, object or land, for which a permit under this Act is not required, if the Heritage Council considers that the works or activities would not harm the cultural heritage significance of the place, object or land; and
  - (b) must include a statement of the reasons for the making of the determination.
- (4) If the Heritage Council determines to include a place, or part of a place, in the Heritage Register, the Heritage Council may also determine to include land that is not the subject of a nomination under section 27B in the Heritage Register as part of the place if—
- (a) the land is ancillary to the place; and
  - (b) the person who owns the place, or part of the place—
    - (i) is the owner of the land; and
    - (ii) consents to its inclusion.
- (5) If a member of the Heritage Council makes a submission under section 44 in respect of a recommendation, the member must not take part in the consideration or determination of the Heritage Council.
- (6) The Heritage Council must notify the Executive Director of any determination under this section as soon as practicable after the determination.

## **Obligations of owners (section 42, 42A, 42B, 42C, 42D)**

### **42 Obligations of owners—to advise of works, permits etc. on foot when statement of recommendation given**

- (1) The owner of a place, object or land to whom a statement of recommendation has been given must advise the Executive Director in writing of—

- (a) any works or activities that are being carried out in relation to the place, object or land at the time the statement is given; and
- (b) if the place, object or land is a place or additional land, any application for a planning permit or a building permit, or any application for an amendment to a planning permit or a building permit, that has been made in relation to the place or additional land but not determined at the time the statement is given; and
- (c) any works or activities that are proposed to be carried out in relation to the place, object or land at the time the statement is given.

(2) An advice under subsection (1) must be given within 10 days after the statement of recommendation is given under section 40.

#### **42A Obligations of owners before determination or inclusion in the Heritage Register—to advise of permits**

(1) This section applies if—

- (a) an owner of any of the following is given a statement of recommendation—
  - (i) a place or object nominated under section 27;
  - (ii) an object nominated under section 27A;
  - (iii) land nominated under section 27B; and
- (b) any of the following occurs within the statement of recommendation period in relation to the place, object or land—
  - (i) the making of an application for a planning permit or a building permit;
  - (ii) the making of an application for an amendment to a planning permit or a building permit;
  - (iii) the grant of a planning permit or building permit;
  - (iv) the grant of an amendment to a planning permit or building permit.

(2) The owner must advise the Executive Director in writing of—

- (a) the making of an application referred to in subsection (1)(b)(i) or (ii), within 10 days of the making of the application; or
- (b) a grant referred to in subsection (1)(b)(iii) or (iv), within 10 days of the owner becoming aware of the grant.

#### **42B Obligations of owners before determination or inclusion in the Heritage Register—to advise of activities**

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period it is proposed that activities that could harm the place, object or land be carried out.

(2) The owner, not less than 10 days before carrying out the activities, must advise the Executive Director in writing of the proposal to do so.

#### **42C Obligations of owners before determination or inclusion in the Heritage Register—to advise of proposal to dispose**

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) within the statement of recommendation period a proposal is made to dispose of the whole or any part of the place, object or land.

(2) The owner, within 10 days after entering into an agreement, arrangement or understanding for the disposal of the whole or any part of the place, object or land, must advise the Executive Director in writing of the proposal to do so.



#### **42D Obligations of owners before determination or inclusion in the Heritage Register—requirement to give statement to purchaser**

(1) This section applies if—

- (a) an owner of a place, object or land is given a statement of recommendation; and
- (b) the owner proposes to dispose of the whole or any part of the place, object or land within the statement of recommendation period.

(2) Before entering into an agreement, arrangement or understanding to dispose of the whole or any part of the place, object or land during the statement of recommendation period, the owner must give a copy of the statement of recommendation to the person who, under the proposed agreement, arrangement or understanding, is to acquire the place, object or land or part of the place, object or land.

#### **Owners of places and objects must comply with obligations (section 43)**

An owner of a place, object or land who is subject to an obligation under section 42, 42A, 42B, 42C or 42D must comply with that obligation.

Penalty:            In the case of a natural person, 120 penalty units;  
                         In the case of a body corporate, 240 penalty units.