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# HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE  
HERITAGE ACT 2017

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Permit No: P38927

Applicant:



**NAME OF PLACE/OBJECT:**

SALTWATER RIVER CROSSING SITE AND FOOTSCRAY  
WHARVES PRECINCT

**HERITAGE REGISTER NUMBER:**

H1397

**LOCATION OF PLACE/OBJECT:**

MARIBYRNONG RIVER AND MORELAND STREET AND  
BUNBURY STREET AND WINGFIELD STREET AND  
NAPIER STREET AND HOPKINS STREET AND  
MARIBYRNONG STREET FOOTSCRAY, MARIBYRNONG  
CITY

**THE PERMIT ALLOWS: Demolition of non-significant built forms and landscaping to enable construction of a new entry platform adjacent to the warehouse building, new outdoor covered performance space, new amenities building, and new pathways, as well as upgrading of existing landscaping incorporating new flexible gathering spaces and seating generally in accordance with the following documents and the endorsed document below:**

- Design Development Report prepared by MGS Architects and SBLA Studio dated March 2024
- Plan of Survey (Existing Conditions) prepared by Hellier McFarland dated 9 June 2023
- Footscray Community Arts Urban Realm drawing set prepared by MGS Architects dated 5 March 2024

**Document as endorsed by the Executive Director, Heritage Victoria and forming part of this permit:**

- Cultural Heritage Due Diligence Assessment prepared by WH Heritage Consulting dated 10 November 2023

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. The permission granted for this permit will expire if one of the following circumstances applies: the permitted works have not commenced within two (2) years of the original date of issue of this permit, or are not completed within four (4) years of the original date of issue of this permit. Commencement of the permit begins with onsite physical works.
2. The Executive Director Heritage Victoria is to be given five working days' notice of the intention to commence the approved works.
3. Should further minor changes in accordance with the intent and approach of the endorsed documentation become necessary, correspondence and supporting documentation must be prepared and lodged in accordance with the permit condition for endorsement by the Executive Director Heritage Victoria. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.

4. Prior to the commencement of any of the works approved by this permit, a **Heritage Protection Plan** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the Heritage Protection Plan will be endorsed and will then form part of the permit. The Heritage Protection Plan must include a sequencing program for the approved works, details of any temporary infrastructure and services required, protection methods for the heritage place during the undertaking of the works, a work site layout plan and a tree/vegetation management and protection plan prepared in accordance with AS4970 *Protection of trees on development sites*.
5. Prior to the commencement of any of the works approved by this permit, a **construction ready (marked as such) set of landscape drawings** must be submitted to the Executive Director Heritage Victoria for approval. Once approved, the drawings will be endorsed and will then form part of the permit. The Landscape Drawings must show details of all proposed new works such as structures, landscape features, ground treatments, plantings.
6. Prior to the commencement of any of the works approved by this permit, a **schedule of construction materials, colours and finishes** for each of the new built elements must be submitted to the Executive Director Heritage Victoria for approval. The material finishes for the outdoor performance space and new built elements must be recessive, muted and reflect natural or earthy colours. Once approved, the schedule will be endorsed and will then form part of the permit.
7. Approved works or activities are to be planned and carried out in a manner which prevents damage to the registered place/object. However, if other previously hidden original or inaccessible details of the object or place are uncovered, any works that may affect such items must immediately cease. The Executive Director Heritage Victoria must be notified of the details immediately to enable Heritage Victoria representatives to inspect and record the items, and for discussion to take place on the possible retention of the items, or the issue of a modified approval.
8. All subsurface works undertaken in the area of designated historical archaeological potential (see Map 5, page 53 of the Cultural Heritage Due Diligence Assessment, WH Heritage Consulting, 10 November 2023) must be monitored by the project archaeologist Wendy Hernandez, or an alternate archaeologist endorsed by the Executive Director Heritage Victoria. The archaeologist must undertake a program of investigation, recording, reporting and artefact management for all historical archaeological features, deposits and artefacts that are uncovered at any time, in accordance with Heritage Victoria's Guidelines for Investigating Historical Archaeological Artefacts and Sites. All archaeological works must be to the satisfaction of the Executive Director, Heritage Victoria.
9. The program of archaeological monitoring may cease, subject to endorsement from the Executive Director, Heritage Victoria, if the project archaeologist determines that the subject area does not have the potential to contain significant historical archaeological remains. In this case, the project may move to an 'Unexpected Finds Protocol' which requires the cessation of works, and the immediate notification of the project archaeologist if any historical archaeological remains are uncovered at any time. All on-site workers and contractors must be made aware of this requirement.
10. An electronic copy of the required project archaeology report must be lodged with Heritage Victoria within 12 months of the completion of fieldwork conducted under this approval. The report must address the requirements of Heritage Victoria's Guidelines for Investigating

Historical Archaeological Artefacts and Sites, and be to the satisfaction of the Executive Director, Heritage Victoria. The report must include results of background historical research; plans and images; project records, reporting and a synthesis or findings; and Statements of Significance for the site and recovered assemblage. If artefacts are discovered, the artefact catalogue, analysis of the assemblage and details of any artefact conservation must also be included in the report. Any required additions or amendments to the submitted report must be made to the satisfaction of the Executive Director, Heritage Victoria and within the timeframe specified by the Executive Director, Heritage Victoria.

11. All historical archaeological artefacts uncovered during the project must be retained, unless an Artefact Discard Proposal is submitted to and endorsed by the Executive Director, Heritage Victoria. All retained artefacts must be conserved to at least a stable condition, and to the satisfaction of the Executive Director, Heritage Victoria. Heritage Victoria will not accept for storage any metal artefacts or other artefacts with conservation requirements that have not been conserved to at least a stable condition. All details of the artefact conservation program must be included in the project report. All artefact conservation work must be completed within 9 months of the date of completion of the archaeology fieldwork program.
12. A collection storage fee of \$100 per artefact box (standard size accepted by Heritage Victoria) will be required for the permanent storage and curation of any significant artefacts that are retained. This fee is payable to Heritage Victoria and will be required prior to the lodging of the collection with Heritage Victoria.
13. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.
14. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director Heritage Victoria.

**NOTE THAT PERMISSION HAS BEEN GIVEN FOR INSPECTIONS OF THE PLACE OR OBJECT TO BE UNDERTAKEN DURING THE CARRYING OUT OF WORKS, AND WITHIN SIX (6) MONTHS OF NOTIFICATION OF THEIR COMPLETION.**

**TAKE NOTICE THAT ANY NATURAL PERSON WHO CARRIES OUT WORKS OR ACTIVITIES NOT IN ACCORDANCE WITH THE PERMIT OR CONDITIONS IS GUILTY OF AN OFFENCE AND LIABLE TO A PENALTY OF 120 PENALTY UNITS (\$22,190.40 FROM 1 JULY 2022) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$110,952 FROM 1 JULY 2022) UNDER s104 THE HERITAGE ACT 2017.**

**WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$887,616 FROM 1 JULY 2022) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,775,232 FROM 1 JULY 2022) IN THE CASE OF A BODY CORPORATE UNDER SECTION 87 OF THE HERITAGE ACT 2017.**

**THE ATTENTION OF THE OWNER AND/OR APPLICANT IS DRAWN TO THE NEED TO OBTAIN ALL OTHER RELEVANT PERMITS PRIOR TO THE COMMENCEMENT OF WORKS.**

**Date Issued:**

26 July 2024

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



A handwritten signature in black ink, which appears to read "Nicola Stairmand". The signature is fluid and cursive.

**Nicola Stairmand**  
Manager, Statutory Approvals  
Heritage Victoria