
HERITAGE PERMIT

Permit No: P38177

Applicant: 


GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

NAME OF PLACE/OBJECT: QUEEN VICTORIA MARKET

HERITAGE REGISTER NUMBER: H0734

LOCATION OF PLACE/OBJECT: 65-159 VICTORIA STREET MELBOURNE, MELBOURNE CITY

THE PERMIT ALLOWS: a program of historical archaeological test investigations beneath the paved areas adjacent to the southern and eastern facades of the Franklin Street Stores in accordance with the following document as endorsed by the Executive Director, Heritage Victoria:

- *QVM Southern Development Site, Cemetery Boundary Testing, Archaeological Assessment and Research Design*, Extent Heritage, April 2023 - FINAL v2, figure19.

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 one (1) year of the original date of issue of this permit, or are not completed within 18 months of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria (the Executive Director).
2. The Executive Director is to be given five working days' notice of the intention to commence the approved works.

Site works and archaeological investigations

3. This permit authorises the removal of asphalt or concrete surfaces along the southern and eastern facades of the Franklin Street Stores, and the excavation of archaeological test trenches, as detailed in the submitted plans (see *QVM Southern Development Site, Cemetery Boundary Testing, Archaeological Assessment and Research Design*, Extent Heritage, April 2023 - FINAL v2, **figures 18 and 19**).
4. **This permit does not authorise the disturbance (or removal from site) of human remains (including disarticulated remains). No disturbance of graves or grave cuts is authorised, other than to define a feature for the purpose of assessment, mapping, recording and reporting.**
5. The archaeological testing program may include the investigation of up to a total of 80m of test trenching, with a maximum width of 1.2m. The location and/or details of the testing program may be altered or expanded, subject to approval from the Executive Director. Trenches may be investigated until natural, undisturbed soil profiles are reached (subject to the requirements of condition 4, above).

Archaeology Methodology

6. The archaeological investigations and recording are to be conducted in accordance with the methodology detailed in sections 5.6 - 5.9 (pages 42) of the submitted application, and in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (July 2015). The on-site project team must include, at all times, an archaeologist with expertise in the identification and management of human remains, to the satisfaction of the Executive Director.
7. The applicant is responsible for obtaining all other required statutory approvals which may include (but is not limited to) approvals under the *Aboriginal Heritage Act 2006*, the *Cemeteries and Crematoria Act 2003*, and approvals relating to the National Heritage Listing of the place (*EPBC Act*).
8. All trenches must be safely remediated at the completion of works, to the satisfaction of the Executive Director and the responsible authority.

Project reporting

9. The Project Report must be submitted within 8 months of the date of the completion of archaeological fieldwork conducted under this permit. Any required additions or amendments to the submitted report must be made to the satisfaction of the Executive Director, and within the timeframe specified by the Executive Director.
10. The report must address the requirements of Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (July 2015), and be to the satisfaction of the Executive Director. The report must include (but is not limited to) project records, synthesis of findings and results; results of background historical research; plans and images, artefact catalogue and analysis, details of any required artefact conservation work, and production of revised Statements of Significance for both the site and any recovered artefact assemblage. In particular, the report must contain findings and recommendations relating to the extent, profile and condition of the former cemetery site, associated burials and other archaeological features, deposits and artefacts.

Artefact Retention/Discard

11. All historical archaeological artefacts likely to be more than 75 years of age are to be initially retained and listed in the required project catalogue, with the exception of artefacts that may be hazardous to health. Building materials (including bricks, dressed stone, building timber, drain pipe, mortar, plaster and paving) may be sampled.
12. No post-excavation artefact discard can take place unless in accordance with a Retention/Discard policy, submitted to and approved by the Executive Director. At the completion of the fieldwork, catalogue and site analysis work, a significance-based assessment of the artefact collection should be undertaken which will form the basis for the artefact retention/discard policy. The policy should also consider artefact condition, research value, sampling, representativeness and other relevant factors.

Artefact conservation

13. The applicant is liable for all expenses arising from the conservation, storage, and management of any significant historical archaeological artefacts that are recovered during works, to the satisfaction of the Executive Director.

Urgent conservation requirements

14. If any artefacts with urgent conservation requirements are recovered during the fieldwork, the project conservator (Holly Jones-Amin, The Grimwade Centre for Cultural Materials Conservation) must conduct an assessment as soon as is practicable and provide appropriate conservation treatments, to the satisfaction of the Executive Director.

Artefact Conservation Plan (ACP)

15. If significant artefacts are recovered that are likely to be retained, an ACP is required to be submitted to Heritage Victoria within two months of the completion of the fieldwork. The ACP must include the details of the proposed conservation treatments, and the details and rationale for the artefact selections. The conservation program proposed in the ACP must be approved by and implemented to the satisfaction of the Executive Director. The ACP must be informed by the post-excavation evaluation of site, context and artefact significance.

Artefact conservation

16. All retained artefacts must be conserved to at least a stable condition, and to the satisfaction of the Executive Director. **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 required artefact conservation work must be completed within eight months of the date of the completion of archaeological fieldwork conducted under this permit.

Artefact management

17. All artefacts are to be packaged for storage in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*, and to the satisfaction of the Executive Director. **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.

General conditions

18. 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. If the Executive Director considers that the changes are not minor, an amendment to the permit or a new application will be required.
19. Officers of Heritage Victoria may at any time inspect the site works or artefacts recovered under this permit, acting under the authority of the Act. Any person exercising the authority of this permit must produce it for inspection, when required to do so, by any member of the police force or by any person appointed as an inspector under the *Heritage Act 2017*.
20. The project timeframes and deadlines listed above, or the details of the project archaeologist(s), may be altered by the Executive Director.
21. The Executive Director must be informed when the approved works have been completed.
22. The works approved by this permit must be carried out in their entirety unless otherwise agreed in writing by the Executive Director.

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:

02 May 2023

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



Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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