
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P35709

Applicant:



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: The undertaking of a program of historical archaeological test excavations in parts of the open-air car park, in accordance with the following plan, as endorsed by the Executive Director and forming part of this permit:

- **Figure 13, Actual proposed trench locations overlaid onto a 1947 plan of the lower market in QVMPR Market Square, Phases 1-2 Redevelopment, Archaeological Assessment and Research Design, Prepared for City of Melbourne (QVMPR Program), Extent Heritage, August 2021 – DRAFT Version 4, see page 34.**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The permission granted for this permit shall 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 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.
3. **Site works and archaeological investigations.** This permit authorises works associated with the removal of the asphalt car park surface and associated bedding layers, to determine the level(s) at which deposits associated with the former cemetery may be located, subject to a program of archaeological investigations, recording and reporting.
4. **This permit does not authorise the disturbance (or removal from site) of human remains (including disarticulated remains), funerary and grave fabric or other associated archaeological features and artefacts.** Parts of the application that relate to the disturbance and management of human remains (including the Human Remains Management Plan, Appendix B) are not endorsed.
5. The archaeological testing program may include the investigation of up to twenty-four (24) 1m x 2m trenches located as shown in figure 13 (page 34) of the submitted *Archaeological Assessment and Research Design* (Extent Heritage, August 2021). The location of any of the trenches may be altered, subject to approval from the Executive Director. Works may be undertaken to address the questions presented in the submitted Research Framework (see

section 5.2) of the submitted application.

6. **Archaeology Methodology.** The archaeological investigations and recording are to be conducted in accordance with the methodology detailed in sections 5.4 - 5.6 (pages 31-36) of the submitted application, and in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (July 2015),
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* and the *Cemeteries and Crematoria Act 2003*.
8. All trenches must be safely remediated at the completion of works, to the satisfaction of the Executive Director, Heritage Victoria.
9. **Project reporting:** 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, Heritage Victoria, 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, Heritage Victoria. 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, and details of artefact conservation, and production of revised Statements of Significance for both the site and any recovered artefact assemblage.
11. **Artefact Retention/Discard.** 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 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, Heritage Victoria. 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.
13. **Artefact conservation:** 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.
14. **Urgent conservation requirements:** If any artefacts with urgent conservation requirements are recovered during the fieldwork, a qualified and experienced conservator (approved by the Executive Director, Heritage Victoria) must conduct an assessment as soon as is practicable and provide appropriate conservation treatments to the satisfaction of the Executive Director, Heritage Victoria.
15. **Artefact Conservation Plan (ACP):** 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, Heritage Victoria. The ACP must be informed by the post-excavation

evaluation of site, context and artefact significance.

16. **Artefact conservation:** 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 required artefact conservation work must be completed within eight months of the date of the completion of archaeological fieldwork conducted under this permit.
17. **Artefact management.** 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, Heritage Victoria. **A collection storage fee of \$50 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.
18. **Enforcement:** Officers of Heritage Victoria may at any time inspect the site works (including monitoring program) 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 Act.
19. The project time-frames and deadlines listed above, or the details of the project archaeologist, may be altered by the Executive Director. Any changes to the project report that are required must be addressed within the time-frames specified by the Executive Director, and to the satisfaction of the Executive Director.
20. The Executive Director, Heritage Victoria must be informed when the approved works have been completed.

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 (\$21,808.80 FROM 1 JULY 2021) OR IN THE CASE OF A BODY CORPORATE 600 PENALTY UNITS (\$109,044 FROM 1 JULY 2021) UNDER s104 THE HERITAGE ACT 2017.

WORKS UNDERTAKEN WITHOUT A PERMIT OR PERMIT EXEMPTION CAN INCUR A FINE OF UP TO 4800 PENALTY UNITS (\$872,352 FROM 1 JULY 2021) FOR A NATURAL PERSON OR 5 YEARS IMPRISONMENT OR BOTH AND UP TO 9600 PENALTY UNITS (\$1,744,704 FROM 1 JULY 2021) 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:

07 January
2022

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

A handwritten signature in black ink, appearing to read 'Nicola Stairmand', written in a cursive style.

Nicola Stairmand
Manager, Statutory Approvals
Heritage Victoria

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