
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P35524

Applicant:



NAME OF PLACE/OBJECT: GLENROWAN HERITAGE PRECINCT

HERITAGE REGISTER NUMBER: H2000

LOCATION OF PLACE/OBJECT: SIEGE STREET GLENROWAN, WANGARATTA RURAL CITY

THE PERMIT ALLOWS: Demolition of Beaconsfield Road bridge and construction of a new bridge, relocation of underground services, drains, footpaths and adjoining roads, and temporary use of adjoining areas for construction materials and equipment, generally in accordance with the following document:

- **Revised Heritage Impact Statement, Glenrowan Heritage Precinct (H2000), prepared by Australian Rail Track Corporation, dated 29 October 2021.**

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 seven (7) years of the original date of issue of this permit unless otherwise agreed in writing by the Executive Director, Heritage Victoria (Executive Director).
2. The Executive Director 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 assessment by the Executive Director who will advise on the approach to be taken to address these matters.
4. The Executive Director must be informed when the approved works have been completed.
 - **Pre-Commencement Conditions**
5. The works approved by this permit are to be undertaken in a staged manner, these stages are: Stage 1 Early-works and site establishment, Stage 2 Construction of new bridge, civil, preliminary landscaping and signage, Stage 3 Demolition of existing bridge, Stage 4 Demobilisation, Stage 5 Landscaping finalisation and interpretation installation. If variation to these stages is required, written notification is to be provided to the Executive Director in advance of the relevant stage commencing. For clarity, the stages outlined may run concurrently.
6. Prior to the commencement of any of the works associated with each stage of the approved works (as outlined in Condition 5), a Heritage Protection Plan (the Plan) must be submitted for endorsement by the Executive Director. The Plan must outline details for the protection of heritage assets throughout the works program of that stage, including a sequencing program

for the approved works, details of any temporary infrastructure and services required, layout and set down arrangements, details of how heritage fabric and form will be protected and details of how the project workforce will be informed of the sensitivity of working at the heritage place. The same Plan can be provided and updated in association with the relevant stages.

7. Prior to commencement of any of the works approved by this permit, an archival quality photographic survey is to be prepared and approved by the Executive Director. The survey must record the existing conditions of all above ground elements within the public land at Glenrowan Heritage Precinct. The survey is to be prepared in accordance with the Heritage Victoria Technical Note *Specification for the submission of Archival Photographic Records*. Two copies of the completed photographic survey are to be produced with one copy submitted to the Executive Director for approval in writing prior to commencement of any of the works approved by this permit. On approval of the first copy the second copy is to be lodged with the State Library of Victoria.
8. Prior to the commencement of any of the works approved by this permit, a Tree Protection and Management Plan must be prepared by a suitably qualified professional and submitted for endorsement to the Executive Director and once endorsed becomes part of the permit. The Plan must be prepared in accordance with *AS4970 Protection of trees on development sites* and include the following details in particular:
 - a. Rationale for trees to be removed and reasons why tree retention could not be achieved, noting that trees must be retained to the greatest extent possible.
 - b. Detail regarding how existing vegetation and trees to be retained will be avoided during works.
 - c. adoption of relevant tree protection zones.
9. Prior to the commencement of any of the works associated with each stage of the approved works (as outlined in Condition 5) issued for construction plans must be submitted for endorsement by the Executive Director and once endorsed become part of the permit. Plans for each stage of works must be submitted for endorsement prior to commencement of that stage. The following elements must be provided:
 - a. Final construction materials, colours and finishes schedule for the new bridge, including design detail regarding safety barriers, balustrade, and anti-throw screens with a focus on ensuring these elements contextually reference the historic landscape and are as visually recessive as possible.
 - b. Final specifications for the turning bay at Siege Street East, which must include truncation of this feature and implementation of further mitigation measures to reduce visual and physical harm associated within this sensitive location.
 - **Archaeological Considerations**
10. Prior to the commencement of any of the works associated with each stage of the approved works (as outlined in Condition 5), relevant issued for construction civil, engineering and drainage plans must be submitted for endorsement by the Executive Director and once endorsed become part of the permit. The relevant plans must demonstrate the extent of sub-surface ground disturbance works required which may impact on areas of archaeological potential and likely archaeological remains.

11. Prior to the commencement of any of the earthworks or demolition approved by this permit, an Archaeological Management Plan (AMP) must be prepared by an archaeologist with relevant experience and submitted for endorsement by the Executive Director and once endorsed becomes part of this permit. The AMP must include:
 - a. An evaluation of the historical archaeological potential of the place, which defines areas of archaeological potential which will be subject to sub-surface ground disturbance in accordance with Condition 10, the archaeological remains (features, deposits and/or artefacts) likely to be identified and their heritage significance.
 - b. Methodology for archaeological monitoring. This must specifically address areas where the subsurface context within the place has not been observed and the archaeological potential is not well-understood within areas where the works are likely to impact on archaeological remains (features, deposits and/or artefacts). Targeted archaeological excavation may be required to the satisfaction of the Executive Director, where archaeological complexity is predicted and/or identified either prior to (e.g. as identified by historical plans, site survey etc.) or during the works (e.g. new discovery). Archaeological investigations must:
 - i. determine the nature and scale of the archaeological potential and/or finds, including provisions to uncover (i.e. expose) archaeological interfaces within areas likely to be impacted by the proposed project works and to facilitate recording; and
 - ii. establish the integrity, extent and cultural heritage significance of the archaeological remains uncovered.
 - c. Provisions for artefact management and artefact specialist, including an artefact retention and discard policy outlining any retention and/or discard decisions on the basis of significance (i.e. a significance-based retention model), representativeness and/or other applicable or relevant considerations.
 - d. Provisions for artefact conservation and conservator with the relevant qualifications/experience, including treatment for any potentially significant artefacts.
 - e. Provisions for an unexpected finds protocol (UFP), which is to outline the process of notification where archaeological discoveries are made in the absence of an archaeologist, and throughout the duration of the works. The UFP must be endorsed by the Executive Director and communicated to the relevant on-site contractors/personnel.
 - f. An outline of the contractor induction which will be delivered, including site history and cultural heritage significance, archaeological potential of the project area and types of potential artefacts, and obligations under the *Heritage Act 2017* and this permit.
 - g. All archaeological works, including investigation, artefact management and reporting, must be in accordance with the *Heritage Act 2017* and Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (July 2015), or guidelines as they are updated and to the satisfaction of the Executive Director.
12. All archaeological investigations must be undertaken and/or supervised by an archaeologist(s) with relevant experience, who has been nominated to, and endorsed by, the Executive Director prior to the commencement of works. Archaeological investigations (monitoring/excavation) may cease, and/or works may recommence (if ceased as part of the UFP process) where the archaeological remains have been appropriately recorded and it is

determined that there is no further (or low) potential for significant archaeological remains to exist, as informed by the results of any archaeological investigation(s).

13. A project report must be submitted to the Executive Director within 12 months of the completion of excavation works, unless otherwise agreed in writing by the Executive Director. The project report must provide the results of the excavation conducted under this permit, including an overview of the impact to historical features associated with the Glenrowan Heritage Precinct and subsequent analyses (where appropriate), in accordance with the *Guidelines for Investigating Historical Archaeological Artefacts and Sites (2015)* or guidelines as updated and to the satisfaction of the Executive Director. Where artefacts are identified/recovered, an artefact catalogue must be prepared by personnel with experience in historical artefact cataloguing and analysis (e.g., artefact specialist) in accordance with Heritage Victoria's approved format and must be included in the project report.
14. All artefacts are to be packaged for storage in accordance with *Heritage Victoria's Guidelines for Investigating Historical Archaeological Artefacts and Sites (2015)* or guidelines as they are updated, and to the satisfaction of the Executive Director. 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 the retained collection. This fee is payable to the Heritage Victoria and will be required prior to the lodging of the collection with Heritage Victoria. *Note: Heritage Victoria will not except any metal artefacts or other artefacts for storage with conservation requirements that have not been conserved to at least a stable condition.*

o **Post-Commencement Conditions**

15. A Landscape Concept Plan must be submitted for endorsement by the Executive Director, Heritage Victoria, within six months of the issue date of this permit, unless otherwise agreed in writing by the Executive Director. The Plan must include details regarding suitable replacement and new plantings to re-establish and maintain the historic landscape character of the place, both within the Project area and the northern rail reserve. The Plan must be prepared in accordance with the *Conservation Landscape Management Plan and Landscape Technical Guidelines (2018)* and tie into and contribute to the landscaping currently being installed by Rural City of Wangaratta in the southern rail reserve (Lions Park). The Plan must be developed in consultation with the relevant land manager. Unless otherwise agreed in writing by the Executive Director, the following elements must be specified:
 - a. Final specification for new paths and roadways to be constructed within the Precinct.
 - b. Landscaping detail to soften retaining wall to Ann Jones Inn Site, including through the planting of informal clumps of eucalyptus trees and other suitable vegetation.
 - c. Incorporation of plantings around the base of the bridge columns to soften these elements but not to obscure key view lines through the Precinct.
 - d. Installation of post and rail fencing along Siege Street to prevent informal carparking in the northern rail reserve adjacent to the station building.
 - e. Other opportunities to reflect the former historic character of the place consistent with the heritage interpretation required by Condition 19.
16. Prior to the commencement of any landscaping works approved by this permit, issued for construction landscape/civil plans based on the Landscape Concept Plan endorsed under Condition 15 must be submitted for endorsement by the Executive Director and once

endorsed become part of the permit. These works are to be implemented on site to the satisfaction of the Executive Director, within the period of validity of this permit.

17. Prior to the commencement of landscaping works approved at Condition 16, a Landscape Maintenance Plan for new trees and vegetation to be installed within the Precinct must be submitted for endorsement by the Executive Director and once endorsed becomes part of the permit. The Landscape Maintenance Plan must document watering, mulching and regular professional condition review to ensure success of the new plantings for three years following their installation.
18. Prior to the commencement of any of the works approved by this permit and as provided under s 103 of the *Heritage Act 2017*, an unconditional Bank Guarantee in favour of the Heritage Council of Victoria (ABN 86 967 501 331) to ensure satisfactory completion of the Landscape Maintenance Plan and its implementation for three years following installation in accordance with Condition 17 is to be lodged with the Executive Director. The amount of the guarantee shall be \$500,000. The financial security (or parts of it) shall be forfeited to the Heritage Council of Victoria if the works are not completed to the satisfaction of the Executive Director as directed by Condition 17. The bank guarantee must set out under the “contract/agreement” that the bank “asks the Principal to accept this bank guarantee (“undertaking”) in connection with permit P35524 issued to the Customer by Heritage Victoria for the completion bond for Condition 17.”
19. A Heritage Interpretation Plan for the heritage place must be prepared by a suitably qualified and experienced practitioner and be submitted for endorsement to the Executive Director, Heritage Victoria within six months of the issue date of this permit, unless otherwise agreed in writing by the Executive Director. The Plan must be aspirational and go beyond the provision of signage on the site and must be developed in consultation with Rural City of Wangaratta to complement the interpretative elements currently being implemented in the southern rail reserve (Lions Park). The following elements must be specified:
 - a. Embedded design elements in accordance with the Landscape Concept Plan required under Condition 15.
 - b. Interpretative outcomes installed on the new pedestrian footbridge which highlights key sites within the Precinct and presents a balanced view of Siege events, in connection with Condition 9a.
 - c. Reference to the results of key archaeological investigations and associated research relevant to the place.
 - d. Integrated signage strategy to be implemented across the Precinct in partnership with Rural City of Wangaratta.
20. The Heritage Interpretation Plan endorsed at Condition 19 is to be implemented on site and made available to the public to the satisfaction of the Executive Director, within the period of validity of this permit. This condition will be satisfied on receipt of written confirmation from 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 (\$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: Signed by the Executive Director, Heritage
Victoria**

09 August 2022



Steven Avery
Executive Director
Heritage Victoria

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