
HERITAGE PERMIT

GRANTED UNDER SECTION 102 OF THE
HERITAGE ACT 2017

Permit No: P35035

Applicant:



NAME OF PLACE/OBJECT: CAPE OTWAY LIGHTSTATION

HERITAGE REGISTER NUMBER: H1222

LOCATION OF PLACE/OBJECT: 1140 LIGHTHOUSE ROAD CAPE OTWAY, COLAC
OTWAY SHIRE

THE PERMIT ALLOWS: Replacement/upgrading of the septic system that services two accommodation buildings - Lightkeepers Cottage' B2 and 'Lighthouse Lodge'. The proposed works including new septic tanks (x2), holding well, land application area (LAA), and associated service pipes, in accordance with the following documents, as endorsed by the Executive Director and forming part of this permit:

Cape Otway Lightstation, Heritage Impact Statement prepared by Heritage Insight P/L
Cape Otway Lightstation Drawings prepared by BSE Consulting

- C0 Layout Plan 6/04/2021
- C1 Land Application Area Layout 6/4/2021
- C2 Septic Tanks & Holding Well 06/04/2021
- C3 Typical Sections

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.
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 approved documentation become necessary, correspondence and supporting documentation must be prepared and lodged for assessment by the Executive Director who will advise on the approach to be taken to address these matters.
4. All staff and contractors involved in any ground disturbing or subsurface works or activities are to attend an archaeological induction prior to their commencement of works. The induction, developed and presented by one of the approved archaeologists (Wendy Dolling or Luke Falvey from Heritage Insight), must summarize the types of archaeological deposits, features and artefacts which may be discovered, the process of reporting the discovery, and the requirements under the *Heritage Act 2017*.
5. All archaeological works, including investigation, artefact management and reporting, must be in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites* (July 2015), as detailed in Section 7 of the *Heritage Impact Statement* (Heritage Insight, 13 September 2021) submitted as part of the Application, and to the satisfaction of the Executive Director, Heritage Victoria.

6. All archaeological site works must be conducted or supervised by Wendy Dolling or Luke Falvey from Heritage Insight (as nominated in the Permit Application Form), or another suitably qualified archaeologist with prior approval from the Executive Director, Heritage Victoria.
7. Area A: Archaeological excavation of an 8m x 8m trench must be conducted in Area A, as detailed in Section 7.7 and in the location shown in Figures 23 and 24 of the *Heritage Impact Statement* submitted as part of the Application. Initial ground disturbance (including site clearance and removal of topsoil) can be conducted by machine, subject to archaeological monitoring by the archaeologist. In the event significant archaeological features, deposits and/or artefacts are uncovered, excavation of the trenches are to be continued by hand by the archaeologist, in accordance with the methodology detailed in Section 7.7 of *Heritage Impact Statement*, Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*, and to the satisfaction of the Executive Director, Heritage Victoria. The location, dimensions and number of trenches may vary in consultation with Heritage Victoria and be based on preliminary findings.
8. Area B: As shown in Figures 23 and 24 of the *Heritage Impact Statement* submitted as part of the Application. All ground and subsurface disturbing works and activities must be conducted under archaeological monitoring. If historical archaeological material is discovered, the archaeologist must direct the works to cease in order to evaluate the deposit. An archaeological excavation may be necessary at that time, which is to be determined in consultation with Heritage Victoria. Monitoring can cease once the archaeologist believes that the works no longer have the potential to impact upon any historical archaeological material, subject to endorsement from the Executive Director, Heritage Victoria.
9. Works outside of Areas A and B (as shown in Figures 23 and 24 of the *Heritage Impact Statement*) do not require archaeological monitoring. If at any potentially significant historical archaeological features, deposits and/or artefact are uncovered, a program of archaeological investigation, recording, reporting and artefact management must be undertaken to the satisfaction of the Executive Director, Heritage Victoria.
10. The applicant is liable for all expenses arising from the conservation, storage, management and curation of any significant historical archaeological artefacts that are recovered and retained as a result of the project works, to the satisfaction of the Executive Director, Heritage Victoria.
11. Artefact management, including artefact cataloguing, analysis and storage, is to be undertaken in accordance with Heritage Victoria's *Guidelines for Investigating Historical Archaeological Artefacts and Sites*, and to the satisfaction of the Executive Director, Heritage Victoria.
12. All historical archaeological artefacts are to be initially retained, with the exception of building materials which can be sampled and disposed of following recording, and hazardous material which can be recorded on-site and appropriately disposed of. A significance-based assessment of the artefact assemblage must be undertaken following the completion of fieldwork, cataloguing and site analysis. This information will form the required Artefact Retention Policy. The policy must also consider artefact condition, research value, sampling, representativeness and other relevant factors. Artefacts can only be discarded once the submitted Artefact Retention Policy has been approved by the Executive Director, Heritage Victoria.
13. An Artefact Catalogue must be completed within six (6) months of the completion of archaeological site works. The catalogue must be prepared in accordance with Heritage

Victoria's approved format and include all historical archaeological artefacts recovered during the investigations.

14. In the event artefacts requiring conservation treatment are discovered, an Artefact Conservation Proposal (ACP) must be prepared by the archaeologist and conservator (Bianca DiFazio, Heritage Insight) and submitted to the Executive Director, Heritage Victoria within two (2) months of the completion of fieldwork, for approval. Any artefacts requiring complex treatment will require that a conservator with suitable experience (as approved by the Executive Director, Heritage Victoria) be engaged to undertake the works. The ACP must include the details of the proposed conservation treatments, and the details and rationale for the artefact selections. The ACP must be informed by the post-excavation evaluation of site and context significance. Any artefacts recommended for retention and long-term storage must be considered in the ACP and be treated to a stabilised condition. All conservation works proposed within the ACP must be completed within one (1) year of the date of endorsement. All details of the artefact conservation program must be included in the Permit Report.
15. The archaeologist must lodge all artefacts approved for retention with Heritage Victoria within two (2) years of date the Permit was issued, unless an extension has been granted by the Executive Director, Heritage Victoria. All artefacts must be packed, labelled and curated in accordance with the *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.
16. The archaeologist must lodge an electronic copy of the Permit Report to Heritage Victoria within two (2) years of the date the Permit was issued. 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. 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. If artefacts are discovered, the artefact catalogue, analysis of the assemblage, statement of significance for the assemblage, and details of any artefact conservation must also be included in the report.
17. 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:

12 October
2021

**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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