



**TO WHOM IT MAY CONCERN**

**FEDERATION SQUARE – VICTORIAN HERITAGE REGISTER – INTERIM PROTECTION ORDER**

On 1 August 2018 the Executive Director, Heritage Victoria accepted a nomination for Federation Square for the inclusion of this place in the Victorian Heritage Register (VHR). In the context of this nomination, it is the opinion of the Executive Director, Heritage Victoria it is necessary to make an Interim Protection Order (IPO) for this place under section 143 of the **Heritage Act 2017** for the purposes of that Act.

In making this order the Executive Director has considered the *Guidelines for Interim Protection Orders (IPOs) under the Heritage Act 2017*. These can be found on the Heritage Victoria website. It is the view of the Executive Director that:

1. There may be a *prima facie* case for the inclusion of this place in the VHR.
2. This place is under imminent threat from approved works to facilitate the Metro Tunnel at the CBD South Precinct that may detrimentally affect its cultural heritage significance.

**TAKE NOTICE THAT:**

1. The Executive Director has caused this interim protection order to be served.
2. Federation Square is categorised as a Registered Heritage Place under section 25 of the **Heritage Act 2017**.
3. On service of this order and while this order remains in force Federation Square is deemed to be included in the Heritage Register in the category specified.
4. The **Heritage Act 2017** provides that—

<b>A person must not:</b>	<b>The maximum penalty:</b>
<ul style="list-style-type: none"> <li>• remove, relocate or demolish; or</li> <li>• damage or despoil; or</li> <li>• develop or alter; or</li> <li>• excavate—</li> </ul> all or any part of that place.	Under Section 87(1) of the <i>Heritage Act 2017</i> for a person knowingly or recklessly performing the act <ul style="list-style-type: none"> <li>• 4800 penalty units, or imprisonment for 5 years, or both for a natural person;</li> <li>• 9600 penalty units for a body corporate.</li> </ul> Under Section 88(1) of the <i>Heritage Act 2017</i> for a person negligently performing the act <ul style="list-style-type: none"> <li>• 2400 penalty units, or imprisonment for 2 years, or both for a natural person;</li> <li>• 4800 penalty units for a body corporate.</li> </ul> Under Section 89(1) of the <i>Heritage Act 2017</i> for a person performing the act <ul style="list-style-type: none"> <li>• 48 penalty units for a natural person;</li> <li>• 240 penalty units for a body corporate.</li> </ul>
<b>A person must not:</b>	<b>The maximum penalty:</b>
<ul style="list-style-type: none"> <li>• remove, relocate or demolish; or</li> <li>• damage or despoil; or</li> <li>• alter a registered object.</li> </ul>	Under Section 87(2) of the <i>Heritage Act 2017</i> for a person knowingly or recklessly performing the act <ul style="list-style-type: none"> <li>• 4800 penalty units, or imprisonment for 5 years or both for a natural person;</li> <li>• 9600 penalty units for a body corporate</li> </ul> Under Section 88(2) of the <i>Heritage Act 2017</i> for a person negligently performing the act <ul style="list-style-type: none"> <li>• 2400 penalty units, or imprisonment for 5 years or both for a natural person;</li> <li>• 4800 penalty units for a body corporate</li> </ul> Under Section 89(2) of the <i>Heritage Act 2017</i> for a person performing the act <ul style="list-style-type: none"> <li>• 48 penalty units for a natural person;</li> <li>• 240 penalty units for a body corporate</li> </ul>

**Privacy Statement**

Any personal information about you or a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2014. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002



- 
- disturb the position of an object that is a fixed registered object.
    - Under Section 87(3) of the *Heritage Act 2017* for a person knowingly or recklessly performing the act
      - 4800 penalty units, or imprisonment for 5 years or both for a natural person;
      - 9600 penalty units for a body corporate
    - Under Section 88(3) of the *Heritage Act 2017* for a person negligently performing the act
      - 2400 penalty units, or imprisonment for 5 years or both for a natural person;
      - 4800 penalty units for a body corporate
    - Under Section 89(3) of the *Heritage Act 2017* for a person performing the act
      - 48 penalty units for a natural person;
      - 240 penalty units for a body corporate.
- 

5. Under section 144 of the **Heritage Act 2017**, this order comes into force on service.

6. This order—

- (a) continues in force for a period of 4 months or for any further period specified by the Minister; or
- (b) until—
  - (i) the place or object is included in the Heritage Register; or
  - (ii) the Heritage Council determines that the place or object does not warrant inclusion in the Heritage Register; or
  - (iii) the Heritage Council removes the order—whichever occurs first.



**STEVEN AVERY**  
**EXECUTIVE DIRECTOR HERITAGE VICTORIA**

Dated: 21 August 2018