

## Recommendation of the Executive Director and assessment of cultural heritage significance under Part 3 of the *Heritage Act 2017*



<b>Name</b>	Queen Victoria Market
<b>Location</b>	65-159 Victoria Street Melbourne, Melbourne City
<b>Date Registered</b>	3 May 1989
<b>VHR Number</b>	VHR H0734
<b>VHR Categor(ies)</b>	Registered Place, Registered Archaeological Place
<b>Hermes Number</b>	1211



Queen Victoria Market

### EXECUTIVE DIRECTOR RECOMMENDATION TO THE HERITAGE COUNCIL:

To amend the existing registration for VHR H0734 in accordance with s.62 of the *Heritage Act 2017* by:

- Adding additional land
- Updating permit policy and permit exemptions
- Re-formatting the statement of significance.

Under s.49(1)(d) of the *Heritage Act 2017* the Heritage Council may include additional land to registered places.

**STEVEN AVERY**  
Executive Director

**Recommendation Date:** 15 July 2019

**Advertising Period:** 19 July 2019 – 16 September 2019

This recommendation report has been issued by the Executive Director, Heritage Victoria under s.37 of the *Heritage Act 2017*. It has not been considered or endorsed by the Heritage Council of Victoria.

## AMENDMENT BACKGROUND

### Victorian Heritage Register

The Queen Victoria Market was gazetted in the Register of Historic Buildings on 3 May 1989. The original registration did not extend further south than Shed H and did not include the carpark or the Franklin Street Stores. On 17 May 2012, the registration in the VHR for the Queen Victoria Market was amended to include Shed M, the carpark and the Franklin Street Stores, and the record the Market in the VHR in the categories of Heritage Place and Archaeological Place. The current registration comprises two separate city blocks; the western rectangular block bound by Franklin, Peel, Victoria and Queen Streets; and the irregular eastern block bound by Queen, Victoria, Elizabeth and Therry Streets.



Current extent of registration in the VHR for the Queen Victoria Market (shaded in yellow).



### National Heritage List

The Queen Victoria Market is also included in the National Heritage List (2018) (ID 106277). The listing includes eastern and western blocks as well as the northern portion of Queen Street which is located between the two blocks.



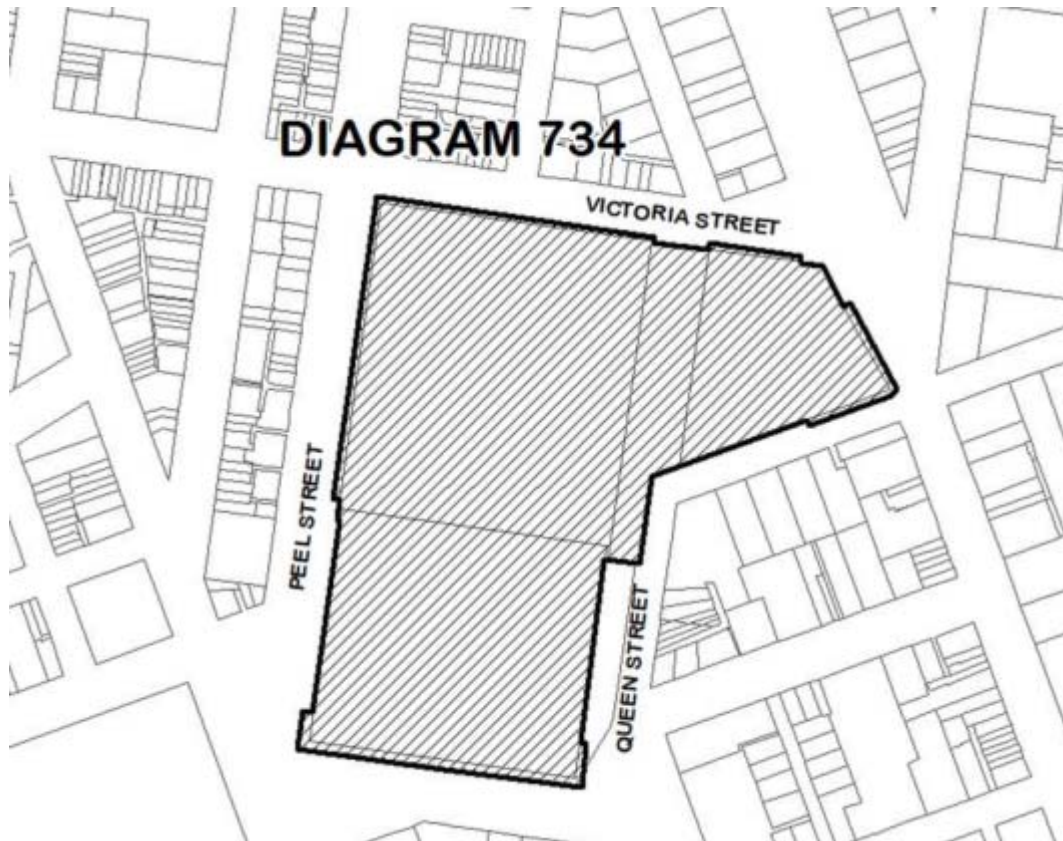
Extent of registration for the Queen Victoria Market in the National Heritage List  
(shaded in red)

### Application to amend the entry in the VHR for the Queen Victoria Market

An application to amend this registration was accepted by the Executive Director on 9 April 2019. The application aligns with the National Heritage List boundaries and proposes the addition of the northern portion of Queen Street to the current registration. The permit policy and permit exemptions have been updated and the statement of significance has been re-formatted.

## RECOMMENDED EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 734 encompassing all of Crown Allotments 4, 5, 6, and 7, Section F Parish of Melbourne North, Township of Melbourne at West Melbourne and part of the road reserve of Queen Street.



The extent of registration of the Queen Victoria Market in the Victorian Heritage Register affects the whole place shown on Diagram 734 including the land, buildings and structures (including the exteriors and interiors), roadways, trees and historical archaeology.

The recommended extent is the same as the nominated extent.

## AERIAL PHOTO OF THE PLACE SHOWING PROPOSED REGISTRATION



### RATIONALE FOR EXTENT

The current extent of registration for the Queen Victoria Market comprises two separate blocks. The inclusion of the northern portion of Queen Street connects the two blocks and is considered important to the protection and conservation of the place. Under s.49(1)(d) of the *Heritage Act 2017* the Heritage Council may include additional land to registered places.



## CHANGE OF HERITAGE CATEGORY

### Current category

Registered Place; Registered Archaeological Place.

### Proposed category

No change.

## CHANGE OF NAME

**Current name:** Queen Victoria Market.

**Proposed name:** No change.

## BACKGROUND

### DESCRIPTION

The Queen Victoria Market comprises two blocks separated by a roadway. The western rectangular block, known as the Upper Market, is bound by Franklin, Peel, Victoria and Queen Streets while the eastern triangular block, known as the Lower Market, is bound by Queen, Victoria, Elizabeth and Therry Streets. The Market comprises the Meat Market (1869), Sheds A-F (1878), Sheds H and I (1878), Sheds K and L (1923), Elizabeth Street Shops, Victoria Street Shops (1887, 1891, and 1923), Dairy Produce Hall (1928), Franklin Street Stores (1929-1930), M Shed (1936), John Batman Memorial (1881), and the site of the Old Melbourne Cemetery (1837-1917).

### HISTORY

In 1839, ten acres of land bound by Peel, Fulton, Queen and Franklin Streets was gazetted for the purposes of a cemetery for the growing township of Melbourne. It eventually comprised eight sections for Presbyterian, Episcopalian, Roman Catholic, Wesleyan, Jewish, Independent, Society of Friends (Quaker) and Aboriginal burials. The cemetery closed in 1854, following the opening of the Melbourne General Cemetery but those who had claims on family plots continued to be interred until 1917. In March 1859, the Melbourne Town Council was granted the eastern triangular block for use as a market. In 1874 the site began operating as a retail market, and Sheds H and I were built for use by fruit and vegetable growers. The market was expanded in 1877 and was officially opened as the 'Queen Victoria Market' in 1878. Additional sheds were constructed in following years and in 1884 and 1887 respectively, two-storey terrace shop buildings were constructed along Elizabeth and Victoria Streets. In 1917 the remainder of the cemetery land was acquired for market purposes. Developments during the 1920s included the construction of Sheds K and L in the Upper Market in 1923 and construction of the Dairy Produce Hall in the Lower Market in 1928. The Market Square development of 1929-1930 on the Upper Market site provided storage for market traders and merchants and enclosed the market site along Franklin Street. In recent years some of the buildings have been renovated to accommodate the changing needs of market stall holders and shoppers.

### WHO ARE THE TRADITIONAL OWNERS/REGISTERED ABORIGINAL PARTY(IES) FOR THIS PLACE?

There is currently no Registered Aboriginal Party for this area. The place is important to the traditional owners and other Aboriginal groups from across Victoria and other States and Territories. There are likely to be Aboriginal people from Victoria and elsewhere buried in the cemetery.

## STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

### WHAT IS SIGNIFICANT?

Queen Victoria Market including the land, buildings and structures (including the exteriors and interiors), roads, trees and historical archaeology.

### HOW IS IT SIGNIFICANT?

The Queen Victoria Market is of historical, archaeological, social, architectural and aesthetic significance to the State of Victoria.

#### Criterion A

Importance to the course, or pattern, of Victoria's cultural history.

#### Criterion C

Potential to yield information that will contribute to an understanding of Victoria's cultural history.

#### Criterion D

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

#### Criterion G

Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.

### WHY IS IT SIGNIFICANT?

The Queen Victoria Market is of historical significance as one of the great nineteenth century markets of Victoria and the only one surviving from a group of important central markets built by the corporation of the City of Melbourne. It has been in continual operation as a retail market since the 1870s. The Queen Victoria Market is of historical significance as the site of Melbourne's first official cemetery, which was in use between 1837 and 1854, and intermittently from 1854 until its final closure in 1917. [Criterion A]

The former cemetery site is of archaeological significance because it contains an estimated 6,500 to 9,000 burials. The site has the potential to yield information about the early population of Melbourne, including Aboriginal and European communities, and their burial practices and customs. [Criterion C]

The Queen Victoria Market is of architectural significance as a notable example of the class of produce market. It is a remarkably intact collection of purpose built nineteenth and early twentieth century market buildings, which demonstrate the largely utilitarian style adopted for historic market places combined with the later attempt to create a more appealing 'public' street frontage through the construction of rows of nineteenth century terrace shops along Elizabeth Street and Victoria Street. [Criterion D]

The Queen Victoria Market is of social significance for its ongoing role and continued popularity as a fresh meat and vegetable market, shopping and meeting place for Victorians and visitors alike. [Criterion G]

## PROPOSED PERMIT POLICY

### Preamble

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to a registered place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering questions the owner may have and aid any decisions regarding works to the place.

**The extent of registration of the Queen Victoria Market in the Victorian Heritage Register affects the whole place shown on Diagram 734 including the land, all buildings (exteriors and interiors), roads, trees and other features.** Under the *Heritage Act 2017* a person must not remove or demolish, damage or despoil, develop or alter or excavate, relocate or disturb the position of any part of a registered place or object without approval. It is acknowledged, however, that alterations and other works may be required to keep places and objects in good repair and adapt them for use into the future.

If a person wishes to undertake works or activities in relation to a registered place or registered object, they must apply to the Executive Director, Heritage Victoria for a permit. The purpose of a permit is to enable appropriate change to a place and to effectively manage adverse impacts on the cultural heritage significance of a place as a consequence of change. If an owner is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.

Permits are required for anything which alters the place or object, unless a **permit exemption** is granted. Permit exemptions usually cover routine maintenance and upkeep issues faced by owners as well as minor works or works to the elements of the place or object that are not significant. They may include appropriate works that are specified in a conservation management plan. Permit exemptions can be granted at the time of registration (under s.38 of the *Heritage Act*) or after registration (under s.92 of the *Heritage Act*). It should be noted that the addition of new buildings to the registered place, as well as alterations to the interior and exterior of existing buildings requires a permit, unless a specific permit exemption is granted.

### Archaeology

Ground disturbance may affect the archaeological significance of the place and, subject to the exemptions stated in this document, requires a permit.

### Conservation management plans

All works should ideally be informed by the Queen Victoria Market Conservation Management Plan (Allom Lovell & Associates, 2003, updated by Lovell Chen in 2011 and 2017) prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.

### Aboriginal cultural heritage

Part of the Queen Victoria Market is included in the Victorian Aboriginal Heritage Register. If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the *Aboriginal Heritage Act 2006*. If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the *Aboriginal Heritage Act 2006*.

### Other approvals

Please be aware that approval from other authorities (such as local government) may be required.



## Cultural heritage significance

### Overview of significance

The cultural heritage significance of the Queen Victoria Market lies in the architectural, archaeological and historical significance of the place as evidence of the use of the place as the Old Melbourne Cemetery and its continued use as a retail market since the 1870s.

The following diagram replaces the existing extent of registration diagram. There are no changes apart from the addition of Queen Street. Buildings of primary cultural heritage significance are indicated in red.



## EXECUTIVE DIRECTOR RECOMMENDATIONS FOR EXEMPTED WORKS OR ACTIVITIES (PERMIT EXEMPTIONS)

It should be noted that Permit Exemptions can be granted at the time of registration (under s.38 of the Heritage Act). Permit Exemptions can also be applied for and granted after registration (under s.92 of the Heritage Act).

Under s.38 of the *Heritage Act 2017* the Executive Director may include in his recommendation categories of works or activities which may be carried out in relation to the place or object without the need for a permit under Part 5 of the Act. The Executive Director must not make a recommendation for any categories of works or activities if he considers that the works or activities may harm the cultural heritage significance of the place or object. The following permit exemptions are not considered to cause harm to the cultural heritage significance of the place.

### General Condition 1

All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

### General Condition 2

Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

### General Condition 3

All works should ideally be informed by the Queen Victoria Market Conservation Management Plan (Allom Lovell & Associates, 2003, updated by Lovell Chen in 2011 and 2017) prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.

### General Condition 4

Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.

### General Condition 5

Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the relevant responsible authority, where applicable.

### Specific Permit Exemptions

The following works do not require a permit provided they do not harm the cultural heritage significance of the place.

#### **Old Melbourne Cemetery Site**

The land associated with the Old Melbourne Cemetery is situated between D Shed to the north, Franklin Street to the south, Peel Street to the west and Queen Street to the east. Between 6,500 and 9,000 bodies remain interred in the former cemetery, under the Sheds A-F, Sheds K, L and M, the market carpark and Franklin Street Stores.

The guiding principle for development should be avoiding disturbance to burials. Increased interpretation of the site is encouraged. The Conservation Management Plan, with particular reference to Appendix D, and

the report Conservation Policy for the Former Old Melbourne Cemetery at the Queen Victoria Market (Austral Archaeology, 2000) can guide any development proposals for the Old Melbourne Cemetery site.

All sub-surface works (being works which are greater than 20cm below ground level) will require approval from the Executive Director, Heritage Victoria. This is due to the high potential for human remains, and associated artefacts, to be located at shallow depths across the site of the Upper Market.

#### *All works*

Surface and above-surface works to the former cemetery site which do not include sub-surface disturbance greater than 20cm depth from current surface, or the installation of new ground based structures.

#### **All areas outside the Old Melbourne Cemetery site**

The ongoing operation of the Queen Victoria Market within its purpose-built buildings and structures is strongly encouraged.

The report Queen Victoria Market - Guidelines for refrigerated storage within the Open Sheds, (Allom Lovell & Associates, 2002) can assist in proposed alterations to refrigeration in the open sheds. The Queen Victoria Market Guidelines for Food stalls in Sheds A, B, H and I (October 2011) may also be consulted.

The report Dairy Produce Hall, Queen Victoria Market, Melbourne, Guidelines for Tenancy Works (Allom Lovell & Associates, 2000) can assist in proposed alterations to the Dairy Hall.

#### *Generally*

- Subsurface works involving the installation, removal or replacement of existing services such as water, drainage, electrical and communications services.
- Repair and maintenance of hard surfaces including paving, paths, steps, gutters and road surfaces where fabric, design, size, form and method of fixing is repaired or replaced like for like.
- Maintenance and repairs buildings or structures not of primary cultural heritage significance within their existing envelope.

#### *Landscape*

- The process of gardening including pruning, disease and weed control and the removal and replacement of dead plants.
- The pruning of trees to manage their growth and health.
- The removal or pruning of dead or dangerous trees to maintain safety and to protect buildings and structures and for the management of the trees. The Executive Director must be notified within seven days of commencement works.
- Management of possums and vermin.

#### *Signage*

- The erection of temporary non-illuminated signage for the purpose of ensuring public safety and wayfinding.
- Removal or replacement of external directional signage provided the size, location and material remains the same.

#### *Maintenance and works – Buildings and structures (interiors and exteriors) of Primary cultural heritage significance*

- Minor patching, repair and maintenance which replaces like with like without large-scale removal of or damage to the existing fabric or the large-scale introduction of new materials. Repairs must maximise

protection and retention of fabric and include the conservation of existing details or elements. Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.

- Removal of extraneous items such as external lighting, air conditioning units, pipework, ducting, flues, wiring, antennae, aerials, fly screens etc. and making good.
- Repainting of painted surfaces in the same colour, type and quality of finish provided the works don't remove all existing paint finishes.
- Works to the internal tenancy retail areas (which do not involve a subsurface component) of both the Meat Market building and Franklin Street Stores at 154-190 Franklin Street.
- Maintenance and repair of light fittings.

#### *Events*

- Any works associated with short term events including:
  - The introduction of temporary structures provided that structures will be erected and used for a maximum period of three months after which they are removed.
  - The introduction of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety for a maximum period of three months after which they will be removed.

#### *Trading and Market Operations*

- The use of temporary micro tenancies such as food trucks, market stalls, mobile storage units and the like.
- Temporary works, line marking and the like for operational purposes.
- The display, installation and removal of temporary promotional elements such as banners, billboards, flagpoles in existing locations.
- Permit exempt works as defined in the Guidelines for Food Stalls in Sheds A, B, H and I (QVM October 2011).

#### *Safety and security*

- Works or activities, including emergency stabilisation, necessary to secure safety where a structure or part of a structure has been irreparably damaged or destabilised and poses a safety risk to its users or the public. It is acknowledged that in some instances additional damage to significant fabric may be required to stabilise and make safe. In these instances every attempt must be made to conserve and retain as much significant fabric as possible. The Executive Director, Heritage Victoria, must be notified within seven days of the commencement of these works or activities.
- Installation of bollards and other hostile vehicle mitigation devices to the extremities of the site.

#### *Queen Street and Deli Lane roadways*

- All works to maintain the existing roadway and road safety including road, pavement and footpath maintenance, kerb and channel repairs, road marking, the installation of pedestrian crossings, non-illuminated traffic signs and fire hydrants.
- Installation of City of Melbourne/Queen Victoria Market specific public furniture, including seats, bins, signage, bollards, lights, planter boxes, temporary free-standing street trading café screens and drinking fountains.



## RELEVANT INFORMATION

<b>Local Government Authority</b>	City of Melbourne
<b>Heritage Overlay</b>	HO 496 (Queen Victoria Market) HO7 (Queen Victoria Market Precinct)
<b>Heritage Overlay Controls</b>	HO 496 (Queen Victoria Market) External Paint: No Internal Alteration: No Tree: No HO7 (Queen Victoria Market Precinct) External Paint: Yes Internal Alteration: No Tree: No
<b>Other Overlays</b>	DDO14-A17 DDO14-A18
<b>Victorian Aboriginal Heritage Register</b>	Yes
<b>Other Listings</b>	National Trust of Australia (Victoria) B2282

### HISTORY

In 1837, ten acres of land bound by Peel, Fulton, Queen and Franklin Streets were set aside for the purposes of establishing a cemetery for the growing township of Melbourne. The Melbourne Cemetery was surveyed by Robert Hoddle and was officially gazetted in 1839. It eventually comprised eight sections for Presbyterian, Episcopalian, Roman Catholic, Wesleyan, Jewish, Independent, Society of Friends (Quaker) and Aboriginal burials. The Aboriginal section was sanctioned prior to the execution of Aboriginal men, Tunnerminnerwait (Jack) and Maulboyheenner (Bobby) in 1842.

Concerns about the cemetery's proximity to the increasingly populated areas of the city, led to its closure in 1854, following the opening in the previous year of the Melbourne General Cemetery in Carlton. Despite the closure those who had claims on family plots continued to be interred in the Cemetery until 1917. Between 1837 and 1917, an estimated 8,000 to 10,000 people were buried at the site.

In March 1859, the Melbourne Town Council was granted the eastern triangular block for use as a market. The earliest surviving building is the wholesale Meat Market building, constructed in 1869. In 1874 the site began operating as a meat and produce retail market, and Sheds H and I were built for use by fruit and vegetable growers. The market was granted permission to take over some of the cemetery land under legislation in 1877, and following the exhumation of 45 burials, Sheds A-F were constructed in 1878. The market was officially opened as the 'Queen Victoria Market' in March of that same year. Sheds A-E were open on all sides with each divided by a service roadway, and Shed F was constructed with a brick wall on its southern side which divided the market from the remainder of the cemetery. Two-storey terrace shop buildings were constructed along Elizabeth and Victoria Streets in 1884 and 1887 respectively and provided a 'public' face to the market. Additional shops were also constructed on Victoria Street between 1890 and 1905. In 1917 legislation allowed for the remainder of the cemetery land to be acquired for market purposes. The final burial took place in 1917, and as part of the transition from cemetery to market, 914 bodies are known to have been exhumed and relocated from 1920 to 1922 including the remains of John Batman who was buried in the cemetery in 1839 and relocated to Fawkner Cemetery. A memorial to John Batman was erected by public subscription in 1881 and survives in the north-east of the carpark (not its original location). Developments during the 1920s included the construction of Sheds K and L in the Upper Market in 1923 and construction of the Dairy Produce Hall in the Lower Market in 1928 which provided dairy producers with dedicated accommodation. The Market Square development of 1929-1930 on the Upper

Market site provided storage for market traders and merchants in two rows of sixty brick stores. This development, of which only the Franklin Street Stores survive, enclosed the market site along Franklin Street, and resulted in the market taking over the last of the former cemetery land. Shed M was constructed in 1936 on the Upper Market site. In recent years some of the buildings have been renovated to accommodate the changing needs of market stall holders and shoppers.

### **PHYSICAL DESCRIPTION**

The Queen Victoria Market comprises two blocks separated by a roadway. The western rectangular block, known as the Upper Market, is bound by Franklin, Peel, Victoria and Queen Streets while the eastern triangular block, known as the Lower Market, is bound by Queen, Victoria, Elizabeth and Therry Streets. The Market comprises the Meat Market (1869), Sheds A-F (1878), Sheds H and I (1874), Sheds K and L (1923), Elizabeth Street Stores, Victoria Street Shops (1887, 1891, and 1923), Dairy Produce Hall (1928), Franklin Street Stores (1929-1930), M Shed (1936), John Batman Memorial (1881), and the site of the Old Melbourne Cemetery (1837-1917).

### **Objects integral**

None.

### **Archaeology**

Ground disturbance may affect the archaeological significance of the place and, subject to the exemptions stated in this document, requires a permit.

### **INTEGRITY/INTACTNESS**

Intactness – The intactness of the place is excellent. The place has undergone changes but buildings, sheds and structures and archaeological features remain intact from all periods of the development of the place (June 2019).

Integrity – The integrity of the place is excellent. The cultural heritage values of the place as a nineteenth century meat and produce market can be read through the survival of buildings, structures and sheds and the connecting spaces between them. (June 2019).

### **CONDITION**

The condition of the place varies but most area are in very good/good condition. (June 2019).

## ADDITIONAL IMAGES



2019, Queen Street looking north.



2019, Queen Street, northern end.

Name: Queen Victoria Market  
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2019, Queen Street Plaza (southern end)



2019, Queen Street during the Night Market



## **ATTACHMENT 1**

### **EXISTING REGISTRATION DETAILS**

### **TO BE SUPERSEDED BY THE FOREGOING RECOMMENDATION**

### **EXISTING CATEGORY OF REGISTRATION**

Heritage place/Archaeological place

### **EXISTING EXTENT OF REGISTRATION**

1. All the land marked L1 on Diagram 734 held by the Executive Director being all of Crown Allotments 5, 6, and 7, Section F Parish of Melbourne North, Township of Melbourne at West Melbourne.

2. All of the buildings marked as follows on Diagram 734 held by the Executive Director:

B1 Meat Market

B2 Shops at 507-523 Elizabeth Street

B3 Dairy Hall

B4 Shops at 65-81 Victoria Street (between Elizabeth and Queen Streets)

B5 Shops at 83- 159 Victoria Street (between Queen and Peel Streets)

B6 Shed A

B7 Shed B

B8 Shed C

B9 Shed D

B10 Shed E

B11 Shed F incorporating former cemetery wall

B12 Shed H

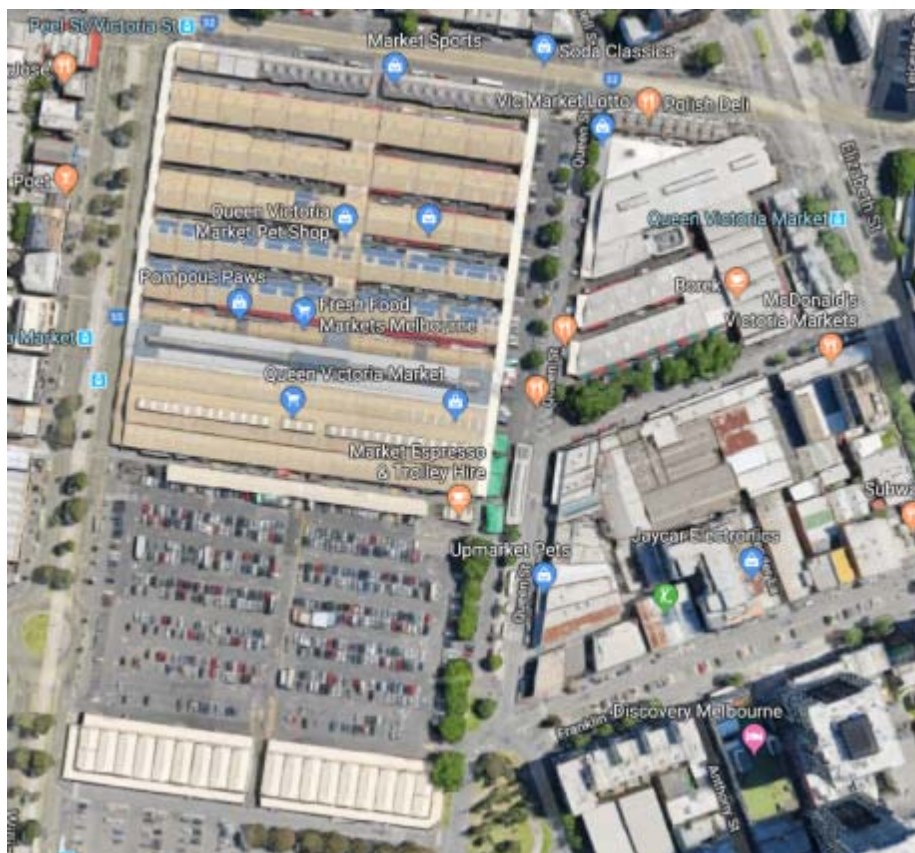
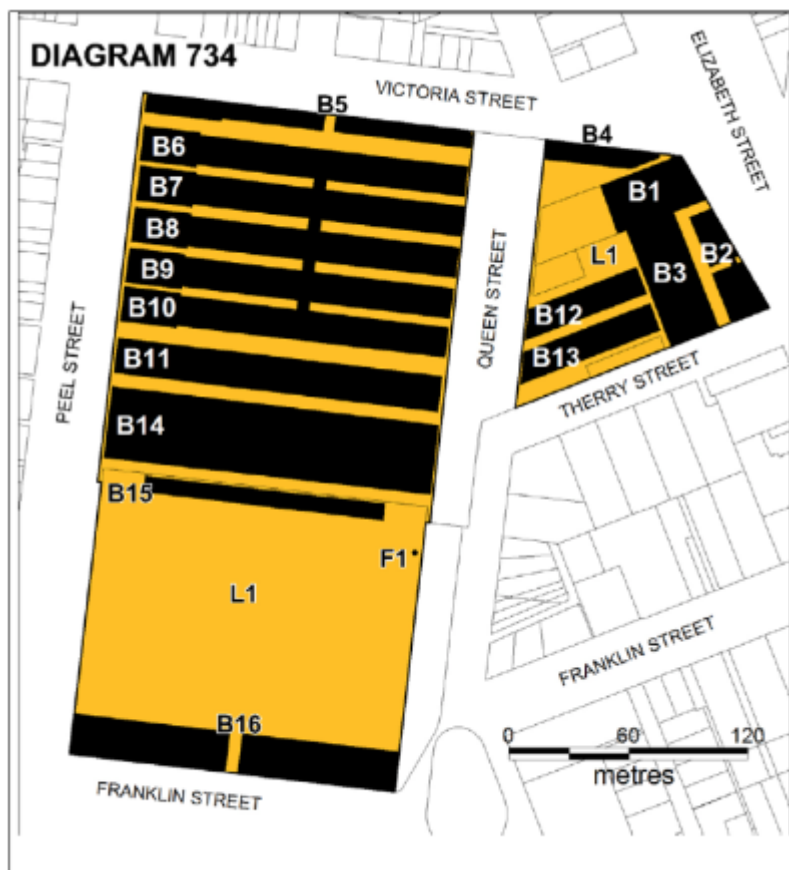
B13 Shed I

B14 Sheds K and L

B15 Shed M

B16 Franklin Street Stores at 154-190 Franklin Street

F1 John Batman Memorial



## EXISTING STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

### WHAT IS SIGNIFICANT?

The Queen Victoria Market comprises two separate blocks: a western rectangular block bound by Franklin, Peel, Victoria and Queen Streets, known as the Upper Market; and the eastern triangular block bound by Queen, Victoria, Elizabeth and Therry Streets, known as the Lower Market. The market began operating in 1859, and progressively acquired the Old Melbourne Cemetery site to allow for its expansion.

The Market comprises the Meat Market (1869), Sheds A-F (1878), Sheds H and I (1878), Sheds K and L (1923), Elizabeth Street Stores, Victoria Street Shops (1887, 1891, and 1923), Dairy Produce Hall (1928), Franklin Street Stores (1929-1930), M Shed (1936), John Batman Memorial (1881), and the site of the Old Melbourne Cemetery (1837-1917).

In 1837, ten acres of land bound by Peel, Fulton, Queen and Franklin Streets were set aside for the purposes of establishing a cemetery for the growing township of Melbourne; the Melbourne Cemetery was officially gazetted in 1839. The cemetery site was surveyed by Robert Hoddle, and divided into seven sections: Presbyterian, Episcopalian, Roman Catholic, Wesleyan, Jewish, Independent, and the Society of Friends. The Society of Friends' (Quaker) section was soon divided in half, to accommodate a section for Aboriginal burials. Concerns about the cemetery's proximity to the increasingly populated areas of the city, led to its closure in 1854, following the opening in the previous year of the Melbourne General Cemetery in Carlton. Despite the closure those who had claims on family plots continued to be interred in the Cemetery until 1917. An estimated 8,000 to 10,000 people were buried at the site from 1837 to 1917.

In March 1859, the Melbourne Town Council was granted the eastern triangular block for use as a market. The earliest surviving building is the wholesale Meat Market building. In 1874 it also began operating as a meat and produce retail market, and Sheds H and I were built for use by fruit and vegetable growers. The market was granted permission to take over some of the cemetery land under legislation in 1877, and following the exhumation of 45 burials, Sheds A-F were constructed in 1878. The market was officially opened as the 'Queen Victoria Market' in March of that same year. Sheds A-E were open on all sides with each divided by a service roadway, and Shed F was constructed with a brick wall on its southern side which divided the market from the remainder of the cemetery.

Two-storey terrace shop buildings constructed along Elizabeth and Victoria Streets in 1884 and 1887 respectively, provided a 'public' face to the market. Additional shops were also constructed on Victoria Street between 1890 and 1905.

Legislation in 1917 provided for the remainder of the cemetery land to be acquired for market purposes. The final burial took place in 1917, and as part of the transition from cemetery to market, 914 bodies are known to have been exhumed and relocated from 1920 to 1922.

Developments from this time included the construction of Sheds K and L in the Upper Market in 1923 and in the Lower Market the Dairy Produce Hall in 1928 which provided dairy producers with dedicated accommodation. On the Upper Market site, the Market Square development of 1929-1930 provided storage for market traders and merchants in two rows of sixty brick stores. This development, of which only the Franklin Street Stores survive, enclosed the market site along Franklin Street, and resulted in the market taking over the last of the former cemetery land. Shed M was constructed in 1936 on the Upper Market site.

The John Batman Memorial, in the north-east of the carpark, was erected by public subscription in 1881. While no longer in its original location, the memorial recognises John Batman who was buried in the cemetery in 1839, with his remains relocated to Fawkner Cemetery in 1922.

In more recent years some of the buildings have been renovated to accommodate the changing needs of market stall holders and shoppers.

### **HOW IS IT SIGNIFICANT?**

The Queen Victoria Market is of historical, archaeological, social, architectural and aesthetic significance to the State of Victoria.

#### **Criterion A**

Importance to the course, or pattern, of Victoria's cultural history.

#### **Criterion C**

Potential to yield information that will contribute to an understanding of Victoria's cultural history.

#### **Criterion D**

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

#### **Criterion E**

Importance in exhibiting particular aesthetic characteristics.

#### **Criterion G**

Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.

### **WHY IS IT SIGNIFICANT?**

The Queen Victoria Market is of historical significance as one of the great nineteenth century markets of Victoria and the only one surviving from a group of important central markets built by the corporation of the City of Melbourne. It is also of historical significance for remaining in operation from the 1870s.

The Queen Victoria Market is of historical significance as the site of Melbourne's first official cemetery, which was in use between 1837 and 1854, and intermittently from 1854 until its final closure in 1917.

The former cemetery site is of archaeological significance because it contains an estimated 6,500 to 9,000 burials. The site has the potential to yield information about the early population of Melbourne, including the Aboriginal and European communities, and their burial practices and customs.

The Queen Victoria Market is of social significance for its ongoing role and continued popularity as a fresh meat and vegetable market, shopping and meeting place for Victorians and visitors alike.

The Queen Victoria Market is of architectural significance for its remarkably intact collection of purpose built nineteenth and early twentieth century market buildings, which demonstrate the largely utilitarian style adopted for historic market places.

The Elizabeth Street and Victoria Street terraces are of aesthetic significance for their distinctive demonstration of an attempt to create a more appealing 'public' street frontage and increase revenue by enclosing the market and concealing the stalls behind a row of nineteenth century shops.



## EXISTING PERMIT POLICY

The site has had two distinct uses, being the Old Melbourne Cemetery and the Queen Victoria Market. Each is significant in its own right, and the whole of the site is integral to the significance of the place. The Old Melbourne Cemetery occupied land between Franklin Street and D Shed, and it is estimated that between 6,500 and 9,000 burials remain under the carpark and other market structures. The Queen Victoria Market site comprises two sections: the Lower Market and the Upper Market, both of which contain buildings dating from the nineteenth and twentieth centuries.

The purpose of the Permit Policy is to assist when considering or making decisions regarding works to the place. This policy encourages the conservation of the nineteenth and twentieth century buildings, form and planning of the market; and the appropriate management of the Old Melbourne Cemetery site. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering any questions the owner may have and aid any decisions regarding works to the place. Works to the registered place (including subsurface work) may also require the approval under legislation outside of the Heritage Act 1995. This can include the Aboriginal Heritage Act 2006, Coroners Act 2008 (Vic), Cemeteries and Crematoria Act 2003, and Food Act 1984.

Any alterations, aside from those identified below as permit exempt, are subject to permit application. The purpose of this requirement is not to prevent further development or change to this site, but to enable control of possible adverse impacts on heritage significance during the process of change.

The Queen Victoria Market Conservation Management Plan (Allom Lovell & Associates, 2003, updated 2011) can provide guidance in relation to the consideration of any alterations to the Market's buildings and structures, and the site of the Old Melbourne Cemetery.

The different phases of the Queen Victoria Market's historic use and activity are reflected in the diversity of site fabric. As a result, a range of management responses are required. Separate Permit Policies for the Old Melbourne Cemetery site, the Market buildings and structures, and the Market Operations are detailed below.

### Permit Policy for the Old Melbourne Cemetery site

The land associated with the Old Melbourne Cemetery is situated between D Shed to the north, Franklin Street to the south, Peel Street to the west and Queen Street to the east. Between 6,500 and 9,000 bodies remain interred in the former cemetery, under the Sheds A-F, Sheds K, L and M, market carpark and Franklin Street Stores.

The guiding principle for development should be avoiding disturbance to burials. Increased interpretation of the site is encouraged. The Conservation Management Plan, with particular reference to Appendix D, and the report Conservation Policy for the Former Old Melbourne Cemetery at the Queen Victoria Market (Austral Archaeology, 2000) can guide any development proposals for the Old Melbourne Cemetery site.

All sub-surface works (being works which are greater than 20cm below ground level) will require approval from the Executive Director, Heritage Victoria. This is due to the high potential for human remains, and associated artefacts, to be located at shallow depths across the site of the Upper Market.

### Permit Policy for the Market Buildings and Structures

The Queen Victoria Market site comprises buildings and structures which date from the nineteenth and twentieth centuries. The retention of elements which reflect the market's establishment in the nineteenth century, and evolution into the twentieth century, will assist in maintaining evidence of the form, planning and development of the market as a whole. The Conservation Management Plan provides guidance on the conservation and management of these buildings and structures.

### Permit Policy for Market Operations

The ongoing operation of the Queen Victoria Market within its purpose-built buildings and structures is strongly encouraged.

The report Queen Victoria Market - Guidelines for refrigerated storage within the Open Sheds, (Allom Lovell & Associates, 2002) can assist in proposed alterations to refrigeration in the open sheds. The Queen Victoria Market Guidelines for Food stalls in Sheds A, B, H and I (October 2011) may also be consulted.

The report Dairy Produce Hall, Queen Victoria Market, Melbourne, Guidelines for Tenancy Works (Allom Lovell & Associates, 2000) can assist in proposed alterations to the Dairy Hall.

## **EXISTING PERMIT EXEMPTIONS**

General Conditions 1: All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

General Conditions 2: Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

General Conditions 3: If there is a conservation policy and plan, all works shall be in accordance with it. Note: It may not be necessary to obtain a heritage permit for certain works specified in the management plan.

General Conditions 4: Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions.

General Conditions 5: Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable.

### Minor Works:

Note: Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works must submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.

Specific Exemptions:

Alterations to the non-registered buildings or structures on the registered land are permit exempt however any additions or construction of new structures will require a permit.

Surface and above-surface works to the former cemetery site (which do not include subsurface disturbance or the installation of new structures) are permit exempt.

Works to the internal features (which do not involve a subsurface component) of both the Meat Market building and Franklin Street Stores at 154-190 Franklin Street are permit exempt.

Permit exempt works as defined in the Guidelines for Food Stalls in Sheds A, B, H and I (QVM October 2011).