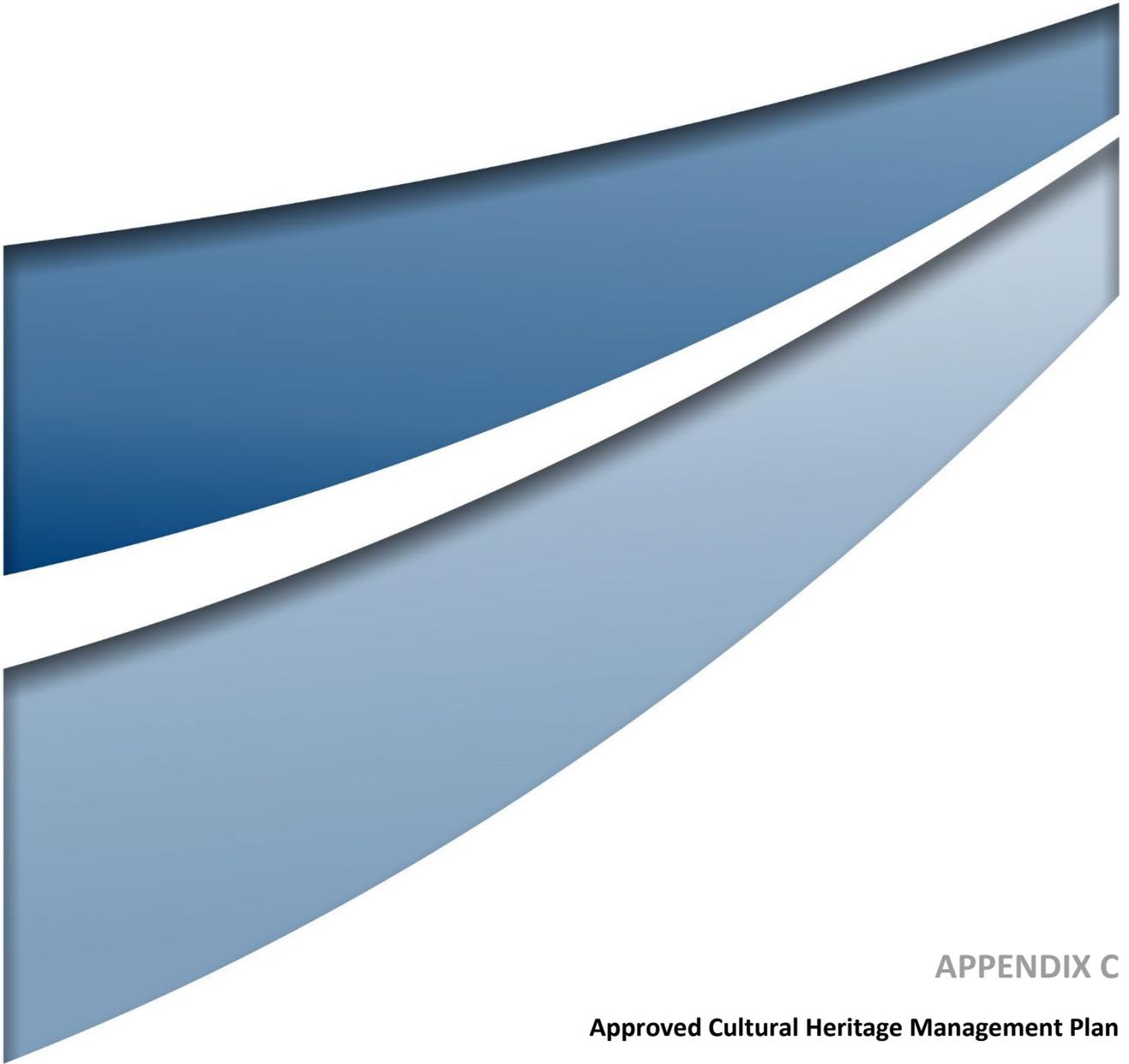


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APPENDIX C

Approved Cultural Heritage Management Plan



Proposed Glenrowan Solar Farm and Underground Cable Route, Glenrowan West: Cultural Heritage Management Plan - Desktop, Standard and Complex Assessments

AV Management Plan Number: 17625

Size of Activity: 266.4ha (Large)

Sponsor: ESCO Pacific P/L (ABN 77 608 790 085)

Date: 11th of March 2021

Heritage Advisor: Matthew Barker

Authors: Matthew Barker and Annette Millar

Registered Aboriginal Party: Yorta Yorta Nations Aboriginal Corporation

ABORIGINAL CULTURAL HERITAGE: None

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Title Page

TITLE OF MANAGEMENT PLAN:	Proposed Glenrowan Solar Farm and Underground Cable Route, Glenrowan West
AV CHMP NUMBER:	17625
SIZE OF ACTIVITY AREA:	266.4ha (Large)
LEVEL OF ASSESSMENT:	Desktop, Standard and Complex Assessments
SPONSOR:	ESCO Pacific P/L (ABN 77 608 790 085)
HERITAGE ADVISOR:	Matthew Barker
AUTHORS:	Annette Millar and Matthew Barker
DATE OF COMPLETION:	11 th of March 2021
ABORIGINAL CULTURAL HERITAGE:	None
REGISTERED ABORIGINAL PARTY:	Yorta Yorta Nations Aboriginal Corporation

Acknowledgements

Benchmark Heritage Management Pty Ltd (BHM P/L) wishes to acknowledge the following people for their assistance and participation in the production of this CHMP:

Yorta Yorta Nations Aboriginal Corporation

The Sponsors

ESCO Pacific P/L

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YORTA YORTA NATION ABORIGINAL CORPORATION

Kalitheban Wollithica Moira Bangerang Ulupna Kwat Kwat Yabala Yabala Ngurai-illiam-wurrung

ABN: 55 942 996 311 - ICN: 3279 - RTO: 20994

Catherine O'Riordan
Esco Pacific P/L
Level 4, 13 Cremorne Street
Richmond VIC 3121

12 April 2021

APPROVAL OF CULTURAL HERITAGE MANAGEMENT PLAN: 17625

Proposed Glenrowan Solar Farm and Underground Cable Route

I refer to your application, received 11th of March 2021 for approval of a Cultural Heritage Management Plan (management plan) for the above project.

This management plan meets the standards prescribed for the purposes of s.53 and s.61 of the *Aboriginal Heritage Act 2006* (the Act) and is in the approved format.

Therefore, acting under provisions delegated to me under section s.63(1) of the Act, I approve the Cultural Heritage Management Plan and attach a notice of approval for that purpose.

A copy of the approved management plan and a copy of the approval notice needs to be lodge with the Secretary of DPC. You can submit to vahr@dpc.vic.gov.au

Please contact the Cultural Heritage Unit by telephone on 03-5832 0222 if any further information is required.

Yours Sincerely,

Lance James

Chairperson of Council of Elders

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ABN: 55 942 996 311 - ICN: 3279 - RTO: 20994

Aboriginal Heritage Act 2006

Section 63

Cultural Heritage Management Plan – Notice of Approval

I, **Lance James**, Chairperson Yorta Yorta Nation Aboriginal Corporation, hereby approve the Cultural Heritage Management plan referred to below:

Cultural Heritage Management Plan number: 17625

Sponsor: Esco Pacific P/L

ABN: 77 608 790 085

Cultural Heritage Advisor: Mathew Barker

Author: Mathew Barker and Annette Millar

Date: 11 March 2021

Pursuant to s.63 (1) of the Act, this cultural heritage management plan takes effect upon the granting of this approval. *

Signed:

Lance James

Chairperson of Council of Elders

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Disclaimer

The information contained in this CHMP references information contained in government heritage databases and similar sources and is, to the best knowledge of Benchmark Heritage Management Pty Ltd, true, and correct at the time of report production. While this CHMP contains a summary of information it does not provide, nor does it intend to provide, an in-depth summary and assessment of all available research materials in relation to the Activity Area. Benchmark Heritage Management Pty Ltd does not accept liability for errors or omissions referenced in primary or secondary sources.

Any opinions expressed in this CHMP are those of Benchmark Heritage Management Pty Ltd and do not represent those of any third parties. Benchmark Heritage Management Pty Ltd have undertaken reasonable efforts to consult with Registered Aboriginal Parties and representatives of Aboriginal community groups who are, to the best of our knowledge and advice, the legal and proper representatives of the local Aboriginal community relevant to the Activity Area. However, Benchmark Heritage Management Pty Ltd will not be held responsible for opinions or actions which may be expressed by dissenting persons or organisations. This CHMP has been prepared to comply with the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018*.

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Abbreviations

ACHP: Aboriginal Cultural Heritage Place
AV: Aboriginal Victoria
BA: Bachelor of Archaeology
BHM P/L: Benchmark Heritage Management Pty Ltd
CHMP: Cultural Heritage Management Plan
DPGS: Differential Global Positioning System
EVC: Ecological Vegetation Community
GDA: Geocentric Datum of Australia
LDAD: Low Density Artefact Distribution
OH&S: Occupational Health and Safety
PAD: Potential Archaeological Deposit
PAS: Potential Archaeological Sensitivity
PH: Potential of Hydrogen
RAP: Registered Aboriginal Part
S: Section
TL: Thermo-luminescence Dating
VAHR: Victorian Aboriginal Heritage Register
YYNAC: Yorta Yorta Nations Aboriginal Corporation

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Executive Summary

Compliance requirements are set out in Part 1 of the Cultural Heritage Management Plan.

Activity, Location and Level of Assessment Undertaken

This CHMP has been prepared for the proposed Glenrowan Solar Farm and Underground Cable Route, Glenrowan West, Rural City of Benalla, and Rural City of Wangaratta, being 17 Glenwest Lane, Glenrowan West (Lot 1 TP345760 and Lot 1 TP381841) and 38 Glenrowan West Rd, Glenrowan West (Lot 5 on LP 134007; Lot 6 on LP 134007 Vol 8323 Fol 455; Lot 1 on TP 142462; and Lots 1,2,3,4,5,6 on TP329902) and the southern road reserve of Winton-Glenrowan Road herein referred to as the Activity Area. The Activity Area is located in MGA Zone 55. All coordinates presented in this CHMP are referenced to GDA94/MGA55. The Activity Area is 266.4ha in size and is situated within Glenrowan West, which lies approximately 230km northeast of the Melbourne CBD (see Maps 1-2). This CHMP comprises a Desktop, Standard and Complex Assessment (see Sections 7.1-7.3 for more detail). A Glossary of Terms is shown in Appendix 3.

Results of Assessment: Desktop

There are 4 registered Aboriginal Cultural Heritage Places within the geographic region (with 4 components). (Table 5). The difference between the number of ACHP and number of ACHP component types is because several ACHP contain two or more ACHP component types. No Aboriginal Historical References were identified within the geographic region. None of these ACHPs were located in the Activity Area.

Results of Assessment: Standard

The Standard Assessment was conducted on the 9th of December 2020 and was undertaken by Mathew Barker (who also supervised the Standard Assessment) of Benchmark Heritage Management. Michael Clarke and Janarli Bux from the YYNAC also participated. Effective ground surface coverage was estimated to be less than 10% due to dense grass. No ACHPs were located during Standard Assessment. The YYNAC representatives requested that a Complex Assessment be undertaken within 200m of Eleven Mile Creek in the road reserve of Winton-Glenrowan Road for the proposed cable route.

Results of Assessment: Complex

The Complex Assessment was conducted on the 1-2nd of February 2021 was undertaken by Annette Millar (supervisor) and Jo Wilson of Benchmark Heritage Management; with Janarli Bux and Mackenzie Joachim of the YYNAC. The excavation of 2 1x1m Test Pits and 10 Shovel Test Pits was undertaken (Tables 6-7, Maps 6-7). No Aboriginal cultural heritage was identified in Test Pits 1 & 2 or Shovel Test Pits 1-10. No dating samples of cultural deposits or stratigraphic layers were obtained due to the absence of Aboriginal cultural heritage in Test Pits 1 & 2 or Shovel Test Pits 1-10. In general, the Complex Assessment revealed that the Activity Area is of low potential sensitivity for Aboriginal cultural deposits.

Aboriginal Cultural Heritage

No Aboriginal cultural heritage was located during the Standard or Complex Assessments.

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Part 1 -Cultural Heritage Management Conditions

1.0 Management Conditions

These conditions become compliance requirements once the Cultural Heritage Management Plan (CHMP) is approved. Failure to comply with a condition is an offence under Section 67A of the *Aboriginal Heritage Act 2006*. The CHMP must be readily accessible to the Sponsor and their employees and contractors when carrying out the activity.

No Aboriginal cultural heritage was located therefore, specific cultural heritage Management Conditions are not required.

1.1 General Management Conditions

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Management Condition 1

The following Management Condition is required during to the implementation of the activity.

A hard copy of the approved CHMP must be kept on-site during construction works associated with the activity so that it can be referred to if required.

Management Condition 2: Construction Management

1. Clear chain of command must be established for site personnel to report identification of Aboriginal Cultural Heritage to the Sponsor, their representative and a HA; and
2. If any in situ Aboriginal cultural material is discovered during the construction, the provisions outlined in the Contingency Plans presented in Section 2 must be followed.

Management Condition 3: Cultural Awareness Training

Cultural awareness training must be undertaken by employees who are supervising works during the activity in relation to earthmoving or ground disturbance works. The cultural awareness training can take place on site or at the YYNAC office. All ground disturbance works must be supervised by a person who has undertaken the cultural awareness training. It is the responsibility of the Sponsor to ensure that the training be undertaken prior to the commencement of works to:

1. Familiarise employees and contractors with local Aboriginal traditions and culture;
2. Familiarise employees and contractors with Aboriginal places and objects (particularly stone artefacts and features such as hearths and shell midden lenses) so that they may recognise Aboriginal cultural heritage that may be exposed during works. Information sheets to assist in the identification of Aboriginal cultural heritage should be provided during this training;
3. Promote a knowledge and understanding of and respect for Aboriginal tradition and culture;
4. Assist with compliance with relevant Commonwealth and State cultural heritage legislation; and
5. Foster good relationships between the sponsor and all relevant Aboriginal stakeholders.

Management Condition 4: Compliance Inspection

This condition must be completed during the activity.

A RAP compliance inspection must occur, following ground stripping for the solar farm. If this comprises more than one stage a YYNAC representative must inspect each stage.

The YYNAC must be notified in a minimum of two weeks in advance before these points are reached during the construction works.

A Worker Request Form must also be submitted at least two weeks in advance of each of the inspections.

A YYNAC representative will conduct the RAP compliance inspection(s). If the RAP inspections reveal suspected non-compliance with the CHMP, then the procedure for non-compliance outlined in Section 2.6 will be initiated. If the inspections reveal a suspected breach of the Victorian *Aboriginal Heritage Act 2006* then these actions must be reported to Aboriginal Victoria (AV) wherein Authorised Officers and Aboriginal Heritage Officers may be called out immediately to investigate and assess the breach after which a Stop Order may be issued by AV.

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2.0 Contingency Plans

The contingency procedures contained in Section 2 of this report form part of the CHMP. A copy of this CHMP must be held on site at all times.

The approved format for a CHMP states that, in accordance with *Clause 13(1) Schedule 2 of the Aboriginal Heritage Regulations 2018*, a CHMP must also include specific contingency plans for:

- (a) the matters referred to in Section 61 of the *Aboriginal Heritage Act 2006*;
- (b) the resolution of any disputes between the Sponsor and relevant registered Aboriginal parties in relation to the implementation of the plan or the conduct of the activity;
- (c) reviewing compliance with the CHMP and mechanisms for remedying non-compliance;
- (d) the management of Aboriginal cultural heritage found during the activity; and
- (e) the notification, in accordance with the Act, of the discovery of Aboriginal cultural heritage during the carrying out of the activity.

Contingency plans are required, even in-situations where it has been assessed that there is a low probability of ACHPs being located within an Activity Area.

2.1 Permitted Uses

If the activity is a subdivision referred to in r.49, a CHMP must also include specific contingency plans [*Clause 13(2) Schedule 2 of the Aboriginal Heritage Regulations 2018*] for:

- (a) how each lot is intended to be used or developed by the Sponsor; or
- (b) if a lot is not intended to be used or developed by the Sponsor; the use or development of the lot permitted by the relevant planning scheme.

2.2 Section 61 Matters

Section 61 of the *Aboriginal Heritage Act 2006* is concerned with the avoidance and/or minimisation of harm to Aboriginal cultural heritage, and any specific measures required for the management of Aboriginal cultural heritage during and following the activity. Section 61 matters pertaining to undiscovered cultural heritage that may become exposed during the activity are discussed in Section 2.4.

2.3 Dispute Resolution

In the event of a dispute between the Sponsor and the Registered Aboriginal Party during the implementation of this CHMP, the following process must be implemented:

1. The parties must agree to use their best endeavours to resolve the dispute in good faith.
2. Initially the parties must identify the nature of the matter in dispute. The parties should agree in writing as to the nature of the matter in dispute within five working days of the dispute arising, with reference to the specific conditions or requirements in the CHMP.
3. Once the nature of the dispute is identified, the parties should meet within five working days to discuss any options or remedial actions that may resolve the matter/s in dispute.

4. If agreement can be reached between the parties in relation to remedial actions, this agreement should be recorded in writing and include a programme for the implementation of the action. In these circumstances, the Registered Aboriginal Party agree that it will use its best endeavours to ensure there are no avoidable delays to the schedule for the works.
5. If an agreement cannot be reached in relation to remedial actions, the parties agree to appoint (at a shared cost) an independent mediator to oversee a meeting between the parties.
6. The mediation meeting should be scheduled as soon as practicable.
7. The parties must attend the mediation meeting in good faith and use their best endeavours to resolve the dispute.
8. If agreement can be reached at the mediation meeting, this agreement should be recorded in writing and include a programme for the implementation of any remedial actions. In these circumstances the Registered Aboriginal Party agree that it will use its best endeavours to ensure there are no avoidable delays to the schedule for the works.
9. In the event that a mediated solution cannot be reached between the parties, any matter of non-compliance may be pursued under the *Aboriginal Heritage Act 2006*.

2.4 Discovery of Aboriginal cultural heritage during works

2.4.1 Unexpected discovery of Human Remains.

If any suspected human remains are found during any activity, works must cease. The Victoria Police and the State Coroner's Office should be notified immediately. If there are reasonable grounds to believe the remains are Aboriginal, the Coronial Admissions and Enquiries hotline must be contacted immediately on 1300 888 544. This advice has been developed further and is described in the following 5-step contingency plan.

Any such discovery at the Activity Area must follow these steps.

1) Discovery:

- If suspected human remains are discovered, all activity in the vicinity must stop; and,
- The remains must be left in place and protected from harm or damage.

2) Notification:

- If suspected human remains have been found, the State Coroner's Office and the Victoria Police must be notified immediately;
- If there is reasonable grounds to believe the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be immediately notified on 1300 888 544;
- All details of the location and nature of the human remains must be provided to the relevant authorities;
- If it is confirmed by these authorities the discovered remains are Aboriginal Ancestral Remains, the person responsible for the activity must report the existence of them to the Victorian Aboriginal Heritage Council in accordance with Section 17 of the *Aboriginal Heritage Act 2006*.

3) Impact Mitigation or Salvage:

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- The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult with any Aboriginal person or body with an interest in the Aboriginal Ancestral Remains, will determine the appropriate course of action as required by Section 18(2)(b) of the *Aboriginal Heritage Act 2006*;
- An appropriate impact mitigation or salvage strategy as determined by the Victorian Aboriginal Heritage Council must be implemented by the Sponsor.

4) Curation and further analysis:

- The treatment of salvaged Aboriginal Ancestral Remains must be in accordance with the direction of the Victorian Aboriginal Heritage Council.

5) Reburial:

- Any reburial site(s) must be fully documented by an experienced and qualified archaeologist, clearly marked and all details provided to Aboriginal Victoria;
- Appropriate management measures must be implemented to ensure the Aboriginal Ancestral Remains are not disturbed in the future.

2.4.2 Unexpected discovery of other Aboriginal cultural heritage: During the Activity or During Compliance Inspections

There is potential for previously unknown Aboriginal cultural heritage to be uncovered during the proposed activity. The Sponsor must at all times avoid unlawful harm to Aboriginal cultural heritage. The following contingency must be followed by the Sponsor if previously unrecorded Aboriginal cultural heritage is identified during the activity.

If suspected Aboriginal cultural heritage is identified during the activity the following process applies:

- a) The Site Supervisor must be immediately notified;
- b) All works within 10m of the location of suspected Aboriginal cultural heritage must be immediately suspended and the extent of the suspected Aboriginal Place isolated from further disturbance by safety webbing and star pickets. No-go signage must be attached to the temporary fencing around any Aboriginal cultural heritage at all times. The no-go signage must be visible at all times. The suspected Aboriginal cultural heritage must not be removed;
- c) Work may continue in other parts of the Activity Area, away from the 10m buffer around the suspected Aboriginal Place; however, if further suspected Aboriginal cultural heritage is identified, these works must also be suspended;
- d) A Heritage Advisor must be notified within 24 hours of the discovery of suspected Aboriginal cultural heritage;
- e) The YYNAC must be contacted within 48 hours. The Heritage Advisor must facilitate the involvement of the YYNAC. This must include an on-site investigation and assessment of the significance of the cultural heritage;
- f) A Heritage Advisor and a representative(s) of the YYNAC must inspect the suspected Aboriginal

cultural heritage as soon as is practical. First and foremost, it will be necessary to determine if the suspected Aboriginal cultural heritage is indeed Aboriginal cultural heritage. If the suspected Aboriginal cultural heritage is determined not to be Aboriginal cultural heritage by the Heritage Advisor and the representative(s) of the YYNAC works may recommence;

- g) If the suspected Aboriginal cultural heritage is determined to be Aboriginal cultural heritage by the Heritage Advisor and the representative(s) of the YYNAC; the Heritage Advisor must determine if it is part of an already known site or should be registered as a new site and update and/or complete site records as appropriate and advise on possible management strategies for the Aboriginal cultural heritage;
- h) Section (S) 61 matters relating to harm avoidance or minimisation measures must be explored by the Heritage Advisor in consultation with the representative(s) of the YYNAC and the Sponsor. Harm must be avoided as a priority;
- i) The Sponsor must attempt to avoid harm to the Aboriginal Cultural Heritage Place. Relocating the activity to avoid any Aboriginal Cultural Heritage Place must be considered and adopted where possible. Where this is not achievable attempts must be made to minimise harm to Aboriginal cultural heritage;
- j) Within a period of 3 working days a decision must be made by the Heritage Advisor, in consultation with the representative(s) of the YYNAC and the Sponsor, as to the management of the Aboriginal cultural heritage;
- k) Possible Management Conditions may include, but are not limited to – avoidance of harm to Aboriginal cultural heritage (priority); minimisation of harm to Aboriginal cultural heritage; retention of potentially artefact bearing topsoil in the Activity Area; archaeological salvage (either by machine or hand); surface collection of artefacts; a combination of one or more of the aforementioned; or no action required;
- l) Aboriginal Victoria must be notified of the discovery and decision in relation to the management of the newly identified Aboriginal cultural heritage through the submission of the appropriate Victorian Aboriginal Heritage Registry forms and (if applicable) an amended CHMP or salvage excavation report;
- m) Spatial data and a place inspection form for any salvage works must also be lodged with the VAHR within 30 days. Depending on the extent and Complexity of the salvage excavation, a report for a small salvage excavation must be finalised within 90 days while for a large and Complex one this may be up to six months.
- n) The Heritage Advisor may advise the Site Supervisor when suspended construction works can proceed. In general, works may recommence:
 - When the appropriate protective measures have been taken;
 - Where the relevant Aboriginal cultural heritage records have been updated and/or completed;
 - Where all parties agree there is no prudent or feasible course of action;
 - Once any relevant dispute has been resolved.

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- o) Custody of any Aboriginal cultural heritage material identified during the activity must be ascribed to the YYNAC.

The Heritage Advisor and the Sponsor must ensure that the above steps are followed, and that legal obligations and requirements are complied with at all times.

2.4 Reporting discovery of Aboriginal cultural heritage during works

The project manager must appoint a qualified Heritage Advisor for the duration of the project, who will be available to advise and act on the discovery of suspected Aboriginal cultural heritage. The Heritage Advisor will need to:

- Be available to visit the site and inspect any items of suspected Aboriginal cultural heritage that may be found during any development.
- Document any items of Aboriginal cultural heritage that are found during any development and report the sites to AV by means of completing an AV site card and registering the site.
- Complete the ACHP documentation in association with a representative of the YYNAC.
- Treatment or salvage of any Aboriginal cultural heritage will be advised upon by the YYNAC and the HA.
- Provide adequate reporting on the treatment of any Aboriginal cultural heritage to Standards required by AV.

2.5 Custody and Management of Aboriginal Cultural Heritage Discovered During Works

In any case where previously unrecorded Aboriginal cultural material is located during the assessment, it will be the responsibility of the Heritage Advisor to:

- Catalogue the Aboriginal cultural heritage;
- Label and package the Aboriginal cultural heritage with reference to provenance;
- With the YYNAC representative, arrange storage of the Aboriginal cultural heritage in a secure location with copies of the catalogue and assessment documentation; and
- Custody of any Aboriginal cultural heritage material identified during the activity must be ascribed to the YYNAC.

2.6 Reviewing Compliance with the CHMP

Under Section 67A of the *Aboriginal Heritage Act 2006* the Sponsor must comply with approved CHMP. The Sponsor of an approved CHMP is guilty of an offence under Section 67A; Parts 1, 3 and 5 with the corresponding penalties listed under Parts 2, 4 and 6:

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- (1) The Sponsor of an approved CHMP is guilty of an offence if—
 - (a) the Sponsor by an act or omission fails to comply with the conditions of the approved CHMP; and
 - (b) at the time of the act or omission the Sponsor knew that the act or omission failed to comply with the conditions of this CHMP.
- (2) A Sponsor of an approved CHMP who is guilty of an offence under subsection (1) is liable to a penalty not exceeding—
 - (a) in the case of a natural person, 600 penalty units;
 - (b) in the case of a body corporate, 3000 penalty units.
- (3) The Sponsor of an approved CHMP is guilty of an offence if—
 - (a) the Sponsor by an act or omission fails to comply with the conditions of the approved CHMP; and
 - (b) at the time of the act or omission the Sponsor was reckless as to whether the act or omission failed to comply with the conditions of this CHMP.
- (4) A Sponsor of an approved CHMP who is guilty of an offence under subsection (3) is liable to a penalty not exceeding—
 - (a) in the case of a natural person, 300 penalty units;
 - (b) in the case of a body corporate, 1500 penalty units.
- (5) The Sponsor of an approved CHMP is guilty of an offence if—
 - (a) the Sponsor by an act or omission fails to comply with the conditions of the approved CHMP; and
 - (b) at the time of the act or omission the Sponsor was negligent as to whether the act or omission failed to comply with the conditions of this CHMP.
- (6) A Sponsor of an approved CHMP who is guilty of an offence under subsection (5) is liable to a penalty not exceeding—
 - (a) in the case of a natural person, 60 penalty units;
 - (b) in the case of a body corporate, 300 penalty units.

The Sponsor must ensure that compliance with this Cultural Heritage Management Plan is reviewed. A review process must be incorporated in the Environmental Management Plan or similar document for the project. It is recommended that each of the management actions recommended above be listed in the Environmental Management Plan. There must be a mechanism included in the CHMP (such as a checklist or database) to indicate when the recommended actions for Aboriginal cultural heritage have been carried out. The project manager must be responsible for maintaining this list. Any associated documentation which accompanies the actions must be recorded on the checklist or database.

The record of compliance must be maintained by the project manager at all times and must be available for inspection by Authorised Officers and Aboriginal Heritage Officers.

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It is illegal to harm cultural heritage outside of the Conditions contained within this CHMP. Authorised Officers and Aboriginal Heritage Officers from Aboriginal Victoria and the YYNAC may conduct CHMP compliance audits.

A checklist is provided below in Table 1 that specifies what measures will be undertaken to review compliance with the CHMP. The site manager must verify that the measures specified below have been undertaken.

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Table 1: Checklist for Reviewing Compliance with this CHMP.

CHECKLIST FOR REVIEWING COMPLIANCE WITH THIS CHMP		
	Yes	No
Prior to works occurring		
1: Has a cultural awareness induction taken place in accordance with Management Condition 3?		
During Works		
1: Is a hard copy of the approved CHMP available on site and accessible to all project staff as per Management Condition 1?		
2: Has a RAP compliance inspection taken place in accordance with Management Condition 4?		
If Possible Aboriginal Cultural Heritage has been Discovered		
1: Has the site supervisor been notified in accordance with Contingency 2.4.2 (a)?		
2: Has all construction activity within 10m of the Aboriginal cultural heritage stopped in accordance with Contingency 2.4.2 (b)?		
3: Has the Aboriginal cultural heritage been protected (e.g., with fencing) in accordance with Contingency 2.4.2 (b)?		
4: Has the cultural heritage been left undisturbed in accordance with Contingency 2.4.2 (b)?		
5: Has a Heritage Advisor been contacted within 24 hours in accordance with Contingency 2.4.2 (d)?		
6: Has the YYNAC been contacted in accordance with Contingency 2.4.2 (e)?		
7: Has the Aboriginal cultural heritage been inspected by the Heritage Advisor and YYNAC in accordance with Contingency 2.4.2 (f)?		
8: If cultural heritage is discovered, has it been evaluated and recorded by a Heritage Advisor and a new site record or an existing registration updated and submitted to the VAHR in accordance with Contingency 2.4.2 (g)?		
9: Have S61 matters in relation to the Aboriginal cultural heritage been considered in accordance with Contingency 2.4.2 (h)?		
10: Have all options to avoid harm been explored in accordance with Contingency 2.4.2 (i)?		
11: Has a decision on how to manage the cultural heritage been made with 3 working days? In consultation with the Sponsor and YYNAC in accordance with Contingency 2.4.2 (j)?		
12: Has Aboriginal Victoria been notified of the discovery and decision in		

relation to the management of the newly identified Aboriginal cultural heritage through the submission of the appropriate Victorian Aboriginal Heritage Registry forms and (if applicable) an amended CHMP or salvage excavation report in accordance with Contingency 2.4.2 (l)?		
13: Has the Heritage Advisor informed the site supervisor that works can recommence in accordance with Contingency 2.4.2 (n)?		
Discovery of Human Remains		
1: In relation to suspected human remains, have the State Control Centre and Victoria Police been notified? Has the Coronial Admissions and Enquiries hotline been contacted on 1300 888 544?		
2: Have all works stopped within the Activity Area?		
3: Have the remains been protected with above ground fencing and no-go signage?		
4: If the remains are Aboriginal Ancestral Remains, has the Victorian Aboriginal Heritage Council been notified?		
5: Has the Victorian Aboriginal Heritage Council determined an appropriate mitigation/salvage strategy?		
6: Have the mitigation/salvage works been implemented?		
7: Have the salvaged finds/remains been treated in accordance with the direction of the Victorian Aboriginal Heritage Council?		
Reburial Procedure: Human Remains		
1: Has a suitably qualified archaeologist been engaged to fully document the reburial site?		
2: Has the reburial site been clearly marked?		
3: Have all details been provided to AV?		
4: Have appropriate Management Conditions been implemented to ensure the Aboriginal Ancestral Remains are not disturbed in the future?		
Changes to Activity		
1: Has statutory approval been obtained for any changes to the activity?		

Review of this CHMP can be undertaken at any time by project delegates representing the Sponsor, or an agreed independent reviewer, to ensure that all parties are complying with the terms of this CHMP.

To ensure compliance with the terms of this CHMP the site manager must verify that the measures specified in the above checklist have been undertaken. If any of the following breaches occur the site manager must action the relevant remedy (Table 2). The aim of this process must be to resolve non-compliance issues by immediately actioning processes to remedy non-compliance through consultation with the YYNAC representatives, and the Heritage Advisor.

If mechanisms for remedying non-compliance are not actioned and resolution cannot be reached then ultimately, the Minister may order a cultural heritage audit to be carried out. Details of cultural heritage audits can be obtained from Part 6, Division 1 of the *Aboriginal Heritage Act 2006*.

Table 2: Potential Breaches and Remedies

Potential Breach	Remedy
------------------	--------

Prior to works occurring	
1: A cultural awareness induction has not taken place in accordance with Management Condition 3.	Stop works and organise the cultural awareness induction within 1 working day.
During Development	
1: A hard copy of the approved CHMP is not available on site as per Management Condition 1.	Immediately ensure the CHMP is available within 1 working day.
2: A RAP compliance inspection has not taken place in accordance with Management Condition 4.	Stop works and organise within 1 working day.
2: Activity has not ceased within 10m if Aboriginal cultural heritage has been located.	Activity must cease immediately within 10m of the find and the YYNAC notified within 48 hours. A Heritage Advisor must immediately be notified to assess the find.
3: The YYNAC has not been notified of any Aboriginal cultural heritage.	Notify the YYNAC and AV within 24 hours
<p>4: Harm to Aboriginal cultural heritage has occurred?</p> <p style="text-align: center;">ADVERTISED PLAN</p>	<p>Work must cease immediately. The Sponsor must notify the Secretary within 48 hours. The Sponsor must immediately notify a Heritage Advisor and the YYNAC to assess the level of harm. The Sponsor and the YYNAC must undertake the following process:</p> <ul style="list-style-type: none"> • Details of the harm must be documented by the Sponsor, the Heritage Advisor and YYNAC representatives; • A meeting must be held within 48 hours to attempt to mitigate further harm; • The understanding of the issue by both parties must be clearly stated by the Heritage Advisor and YYNAC representatives during the course of the meeting; • The parties must reach a resolution; • The objective of the meeting must be to discuss and arrive at an understanding of the matter being disputed and reach a negotiated settlement of the dispute. This may include a formal protocol between the Sponsor and YYNAC representatives; and • The resolution to the dispute must be recorded in writing and signed off on by both parties.

5. Activity has not ceased if potential Aboriginal Ancestral Remains have been located.	All work within the Activity Area must cease immediately. The Sponsor must immediately action the procedure outlined in Contingency 2.4.1.
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The Project Manager and any personnel involved with supervision of future construction must read the CHMP and be aware of the legal requirements of the CHMP and contingency procedures concerning Aboriginal heritage within the Activity Area. The Project Manager (or other relevant supervisory staff) must be responsible for implementing any conditions contained in the CHMP.

The Project Manager must set in place internal processes of communication, which ensure that they are notified prior to any contractors conducting works (including archaeological contractors) at any of the ACHPs on the property.

Contact Details for Developer

ESCO Pacific P/L
Contact Name: Catherine O' Riordan
Postal Address Level 4, 13 Cremorne Street, Richmond, Vic 3121
Business Number: 03 85952406
Email Address: catherine@ESCOpacific.com.au

Contact details for the Yorta Yorta Nations Aboriginal Corporation

Wade Morgan
Ph: (03) 58320 222

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Part 2 - Assessment

3.0 Introduction

This Cultural Heritage Management Plan (CHMP) has been prepared for the proposed Glenrowan Solar Farm and Underground Cable Route, Glenrowan West; herein referred to as the Activity Area (see Maps 1-2).

The purpose of the CHMP is to identify and assess the nature, extent, and significance of Aboriginal Cultural Heritage Places within the Activity Area. The CHMP provides mitigation, protection, and contingency procedures for the management of cultural heritage values before, during and after development of the land.

3.1 Reasons for Preparing the Cultural Heritage Management Plan

This CHMP is mandatory as the following conditions have been triggered under the *Aboriginal Heritage Regulations 2018* (r.7);

- a) all or part of the Activity Area for the activity is within an area of cultural heritage sensitivity; and
- b) all or part of the activity is a high impact activity.

Specifically, the Activity Area is located within an area of cultural heritage sensitivity which, in this case, is defined as:

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r.26 Waterways

The Activity Area is located within an area of cultural heritage sensitivity which, in this case, is defined as land within 200m of Eleven Mile Creek.

And

The proposed activities are high impact activities (*Aboriginal Heritage Regulations 2018*, Division 1, 6(b)). The high impact activities defined in relation to the current Activity Area are:

r46 Buildings and works for specified uses.

(1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—

- (a) would result in significant ground disturbance; and
- (b) is for, or associated with, the use of the land for any one or more of the following purposes—

(xxvii) a utility installation, other than a telecommunications facility, if—

(B) the works are a linear project that is the construction of a pipeline with a length exceeding 500 metres.

And

(xxx) land used to generate electricity, including a wind energy facility.

In accordance with Section 61 of the *Aboriginal Heritage Act (2006)*, the following mandatory matters are considered by this CHMP:

- Whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage;
- If it does not appear to be possible to conduct the activity in a way that avoids harm to Aboriginal cultural heritage, whether the activity will be conducted in a way that minimises harm to Aboriginal cultural heritage;
- Any specific measures required for the management of Aboriginal cultural heritage likely to be affected by the activity, both during and after the activity;
- Any contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity; and
- Requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity.

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3.2 Notice of Intention to Prepare a CHMP

A Notice of Intent (NOI) to prepare this CHMP, as required by Section 54 of the Act was submitted to the Secretary, Aboriginal Victoria (AV) on the 7th of December 2020. A copy of the NOI is attached as Appendix 1. AV replied to the NOI on the 7th of December 2020 and allocated this project with the CHMP Number 17625.

The RAP with responsibility for the Activity Area is the Yorta Yorta Nations Aboriginal Corporation (YYNAC). The YYSAC responded in writing on the 7th of December 2020 to the Notice of Intent outlining their intentions to evaluate the CHMP (Appendix 2).

3.3 Location of the Activity Area and the Current Landowner

This CHMP has been prepared for the proposed Glenrowan Solar Farm and Underground Cable Route, Glenrowan West, Rural City of Benalla, and Rural City of Wangaratta being 17 Glenwest Lane, Glenrowan West (Lot 1 TP345760 and Lot 1 TP381841) and 38 Glenrowan West Rd, Glenrowan West (Lot 5 on LP 134007; Lot 6 on LP 134007 Vol 8323 Fol 455; Lot 1 on TP 142462; and Lots 1,2,3,4,5,6 on TP329902) and the southern road reserve of Winton-Glenrowan Road herein referred to as the Activity Area herein referred to as the Activity Area. The Activity Area is located in MGA Zone 55. All coordinates presented in this CHMP are referenced to GDA94/MGA55. The Activity Area is 266.4ha in size and is situated within Glenrowan, which lies approximately 230km northeast of the Melbourne CBD (see Maps 1-2).

The Activity Area is located in MGA Zone 55. All coordinates presented in this CHMP are with reference to GDA94/MGA Zone 55. A more detailed description of the location and extent of the Activity Area, including cadastral details, is included in Section 5 of this CHMP.

3.4 Sponsor for the CHMP

The Sponsor for this CHMP is ESCO Pacific P/L (ABN 77 608 790 085)

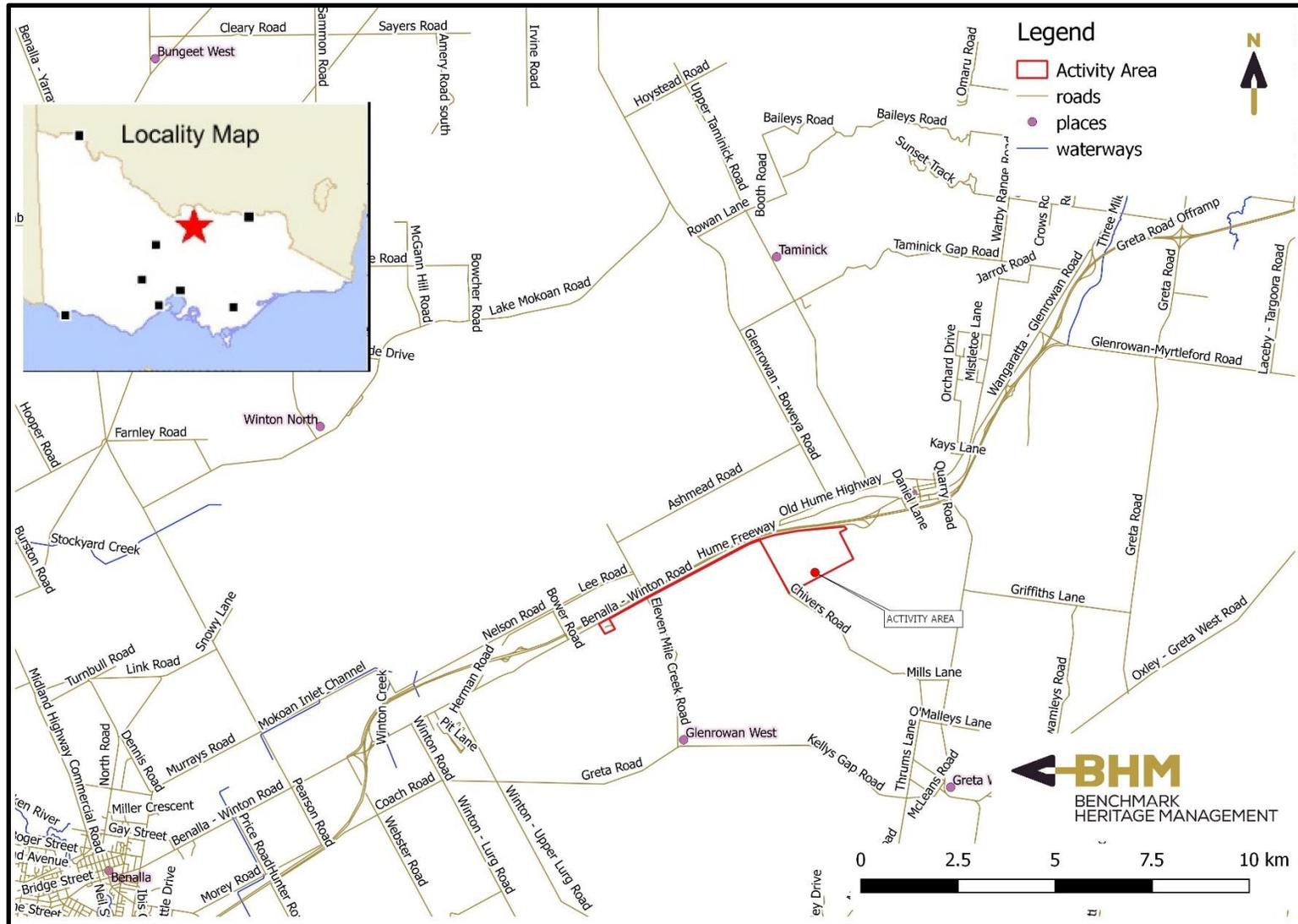
3.5 Name, Qualifications and Experience of the Heritage Advisor

The Heritage Advisor (HA) who has undertaken this CHMP is Matthew Barker. Matthew (supervisor) has a Bachelor of Archaeology (2004) with Honours (2005) in Archaeology from La Trobe University and has been working in the field of Aboriginal archaeology for fourteen years. Matthew was assisted in the field by Annette Millar. Annette co-authored this CHMP.

3.6 Registered Aboriginal Party (RAP) with Responsibility for the Activity Area

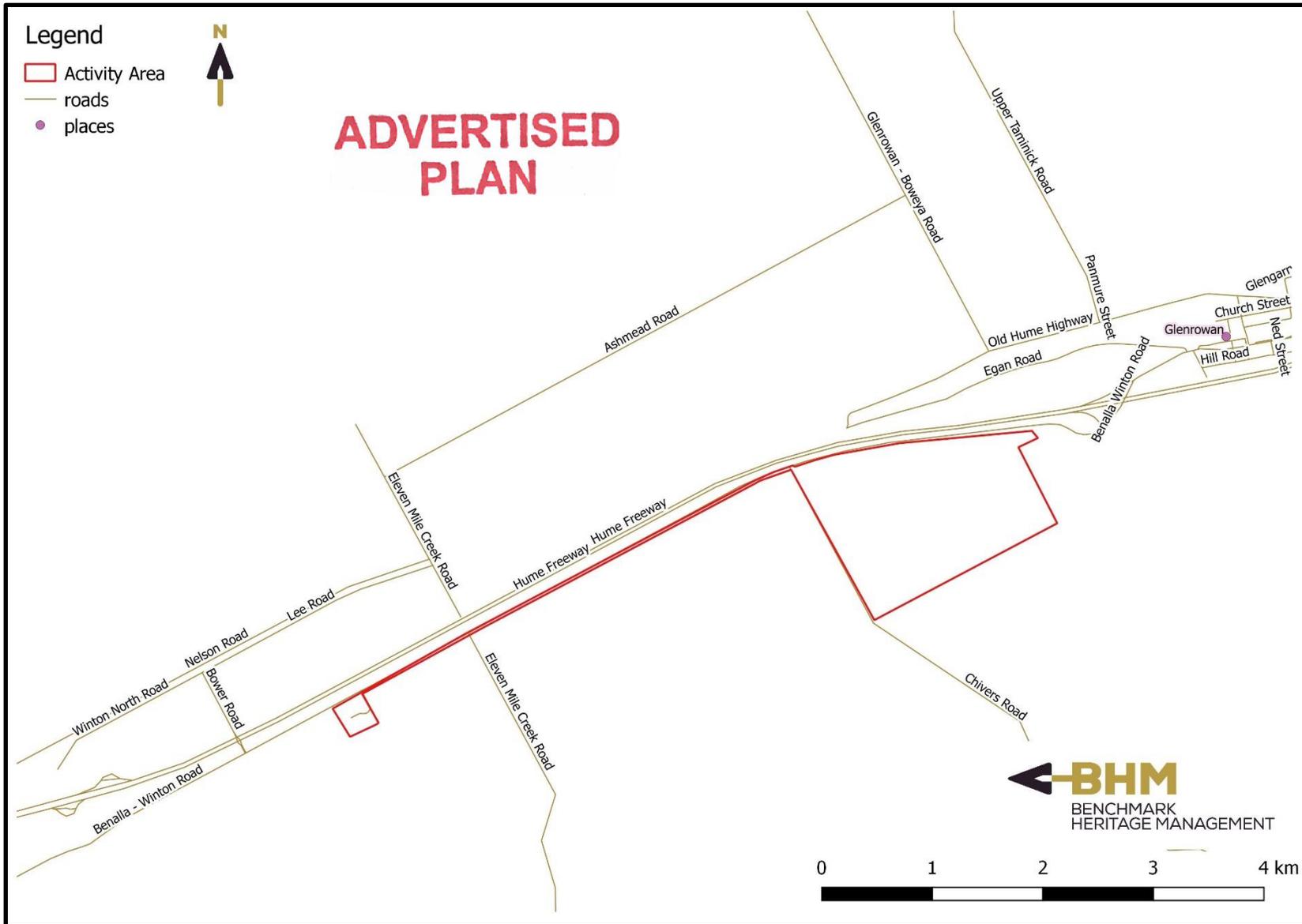
The RAP with responsibility for the Activity Area is the YYNAC. The YYNAC responded in writing on the 7th of December 2020 to the Notice of Intent outlining their intentions to evaluate the CHMP (Appendix 2).

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Map 1: Activity Area Location: Regional View

17 Glenwest Lane, Glenrowan West (Lot 1 TP345760 and Lot 1 TP381841) and 38 Glenrowan West Rd, Glenrowan West (Lot 5 on LP 134007; Lot 6 on LP 134007 Vol 8323 Fol 455; Lot 1 on TP 142462; and Lots 1,2,3,4,5,6 on TP329902) and the southern road reserve of Winton-Glenrowan Road



Map 2: Activity Area Location: Local View

4.0 Activity Description

The proposed activity is the Glenrowan solar farm and underground cable route, Glenrowan West (see Figure 1).

The Activity includes the development, construction and operation of a solar PV electricity generation facility, which comprises the installation of PV solar panels and associated infrastructure on the site. The project will connect to the Ausnet 66kV electricity distribution network that originates at the Glenrowan 220kV/66kV Terminal Station.

The project comprises the following key components:

- A network of PV solar panel arrays;
- Electrical collection systems, switchyard and control room;
- Construction of Operations and Maintenance (O&M) compound to include substation and maintenance buildings;
- Parking and internal access roads;
- Connection infrastructure to the Glenrowan Terminal Station;
- A temporary laydown area to accommodate the laydown of construction materials and infrastructure; and
- The Activity may also include the installation of battery and energy storage devices within the development footprint, depending on technologies available.

Construction associated with the Activity will include the following impacts on the ground surface and former buried surfaces within the Activity Area:

1. Site access and establishment work on the main solar farm which will include grass and vegetation removal comprising impacts on the ground surface to the upper 100mm.
2. Civil works on the main solar farm including limited grading and compaction works, installation of access tracks and stormwater drainage.
3. Construction of Operations and Maintenance (O&M) compound to include substation and maintenance buildings.
4. Installation of the mounting structures: rows of driven piles to 3m in depth will be pneumatically driven into the ground using specialist equipment, steel mounting structures would then be attached to the piles.
5. Installation of high voltage electrical cables along the southern side of the Glenrowan-Winton road reserve to connect the solar farm to the Glenrowan substation. Three 33kV cables will be laid approximately 1.6m apart to a depth of approximately 1200mm. A specialist trencher will be utilized to open a narrow trench, lay the cable and backfill the trench.
6. Landscaping/revegetation works will also occur according to the design of the Sponsor.

A summary of typical trench widths and depths of excavation of each construction activity is provided below in Table 3:

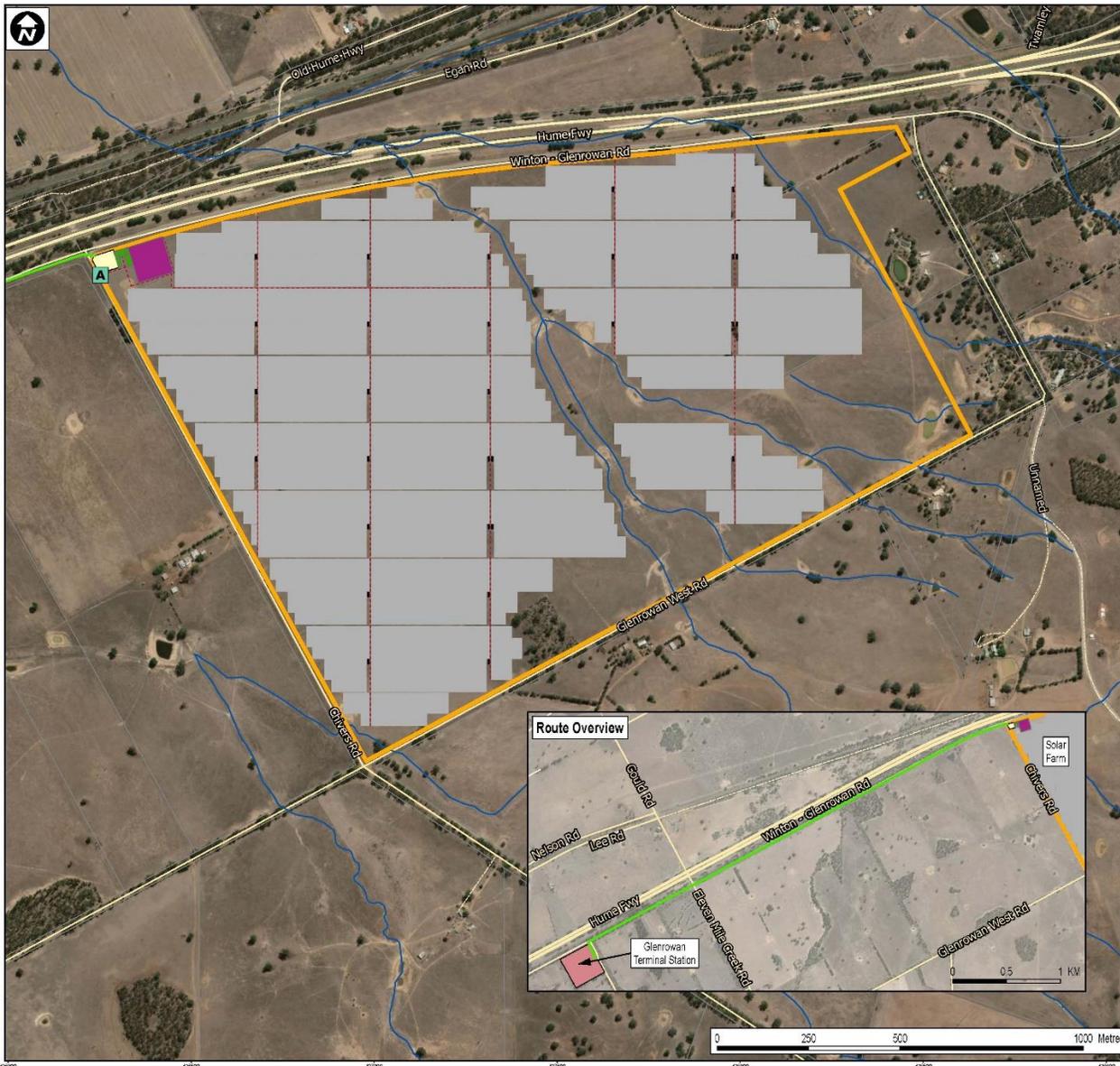
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Table 3: Typical Activity Depths

Activity	Width of Trench (m)	Depth Range (m)
Grass/vegetation removal	n/a	0.1
Roads/carparks	5.0	0.4
Civil works	n/a	0.1 - 0.5
Building foundations	n/a	0.5 – 1.5
Piling works	n/a	0.5 - 3.0
Cable laying	0.1-0.6	1- 1.2

All of these activities have some potential to impact Aboriginal cultural heritage if it is present within the Activity Area.

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PROJECT Glenrowan Solar Farm		
MAP TITLE Development Plan		
LEGEND Indicative Solar Farm Layout ■ Site access point — Cable route (Proposed - See inset map for full route) - - - Internal access track Solar farm layout (indicative) Power conversion Unit Solar farm boundary Ancillary Infrastructure Switchyard Lot (indicative location and footprint) Battery storage (indicative location) Site office and Operations and Maintenance building (indicative location)		
<small>DISCLAIMER: This plan was prepared for the purpose and exclusive use of ESCO Pacific Pty Ltd and its subsidiaries and is not to be used for any other purpose. This map is not guaranteed to be free from error or omission. The origin of features should not be relied on as exact field locations. Date: 25/02/2021 Drawn by: G. Dickins</small>		
DATE 25/02/2021	SCALE 1:10,000	Page Size A3
STATUS DRAFT	PRODUCED G. Dickins	APPROVED C. O'Riordan
MAP No. 0013_GLW_DP_GIS001_v0	REV 013_GLW_DP_01A	

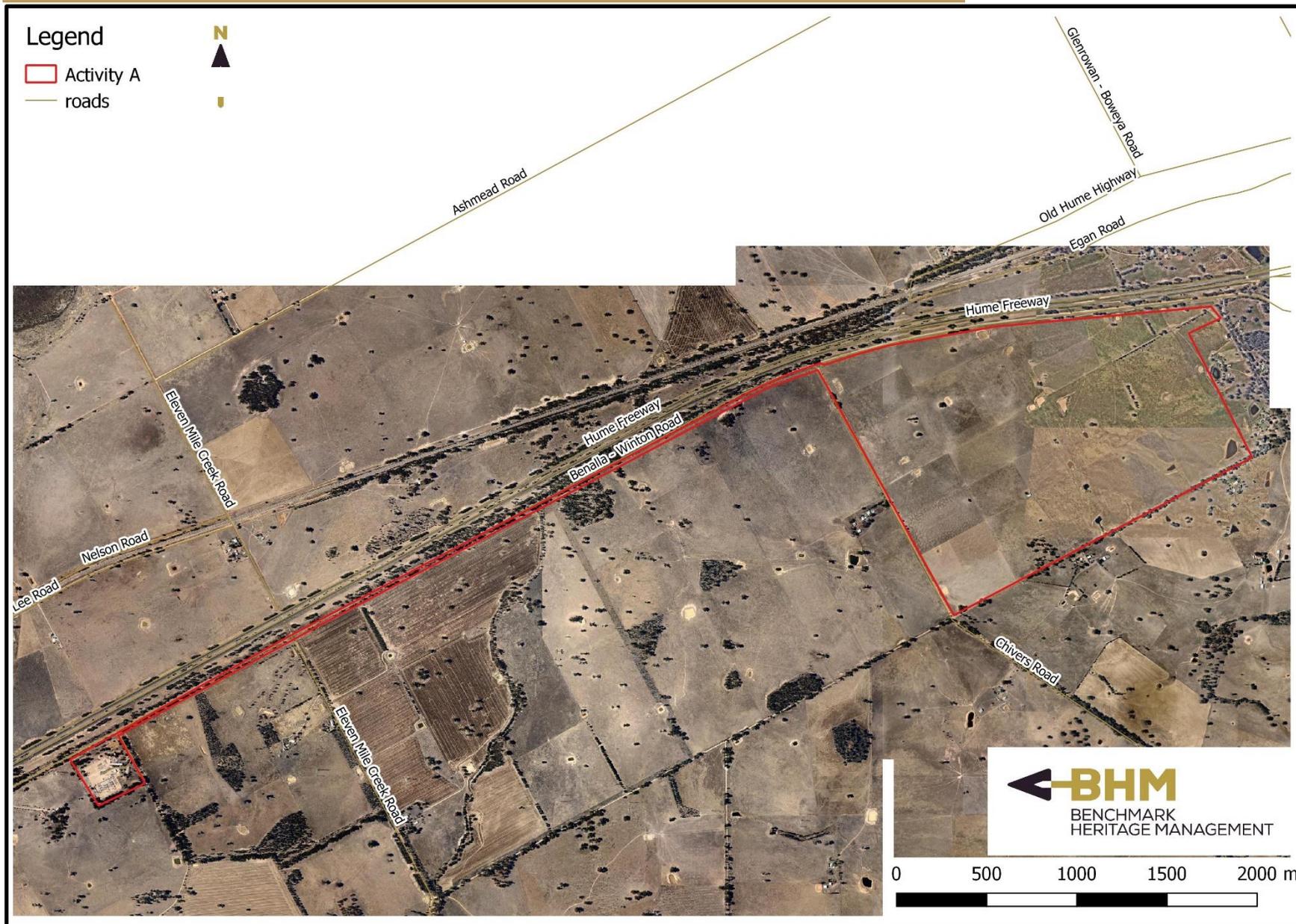
Figure 1: Indicative Development Plan

5.0 Extent of the Activity Area Covered by the Cultural Heritage Management Plan

This CHMP has been prepared for the proposed Glenrowan Solar Farm Underground Cable Route, Glenrowan West, Rural City of Benalla, and Rural City of Wangaratta, being part 36 Eleven Mile Creek Road Glenrowan West (Lot 1 LP210716) and part 38 Glenrowan West Rd, Glenrowan West (Lot 1 on TP142462) and the southern road reserve of Winton-Glenrowan Road herein referred to as the Activity Area. The Activity Area is located in MGA Zone 55. All coordinates presented in this CHMP are referenced to GDA94/MGA55. The Activity Area is 266.4ha in size and is situated within Glenrowan, which lies approximately 230km northeast of the Melbourne CBD. The existing conditions of the Activity Area are shown in Map 3.

The Activity Area is located in MGA Zone 55. All coordinates presented in this CHMP are with reference to GDA94/MGA Zone 55.

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Map 3: Activity Area Location: Aerial

6.0 Documentation of Consultation

This section outlines the consultation which was undertaken in relation to this CHMP and includes references to all relevant documentation submitted for this project.

Consultation was undertaken by BHM P/L on behalf of the Sponsor and comprised:

- 1: A project inception meeting.
- 2: A Standard and Complex Assessment results; and Management Conditions meeting.

Documentation of consultation is shown in Table 4.

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Table 4: Documentation of Consultation

Name and Organisation	Participants	Date	Type of Communication	Discussion
BHM P/L	Matthew Barker: BHM P/L	7 th of December 2020	Email	Submission of Notice of Intent to Prepare a CHMP
AV		7 th of December 2020	Email	AV replied to the Notice of Intent to Prepare a CHMP and assigned the project number 17625.
BHM P/L	Matthew Barker: BHM P/L	7 th of December 2020	Email	Forward the NOI to the YYNAC.
YYNAC	Tyrone Miller: YYNAC	7 th of December 2020	Email	YYNAC response to the NOI
BHM P/L / YYNAC	Matthew Barker: BHM P/L Tyrone Miller: YYNAC	9 th of December 2020.	Meeting	Inception meeting with the YYNAC
BHM P/L /YYNAC	Matthew Barker: BHM P/L YYNAC field representatives Michael Clarke and Mackenzie Joachim Catherine O' Riordan - ESCO Pacific P/L	9 th of December 2020	Standard Assessment	Following the Standard Assessment, the results were discussed in terms of the findings.
BHM P/L YYNAC	Matthew Barker: BHM P/L	1 st of February 2021	Standard Assessment Meeting	Results of Standard Assessment and proposed Complex Assessment methodology.

BHM P/L YYNAC	Annette Millar and Matthew Barker: BHM P/L YYNAC field representatives Janarli Bux and Mackenzie Joachim	1 st and 2 nd of February 2021	Complex Assessment	Following the Complex Assessment, the results were discussed in terms of number of excavated pits and disturbance.
BHM P/L / YYNAC	Matthew Barker: BHM P/L Tyrone Miller: YYNAC	18 th of February 2021	Meeting	Complex Assessments; Management Conditions

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6.1 Consultation in Relation to the Assessment

The Standard Assessment was undertaken by Matthew Barker of Benchmark Heritage Management P/L on the 9th of December 2020, with YYNAC representatives Michael Clarke and Janarli Bux.

The Complex Assessment was by Annette Millar and Jo Wilson of Benchmark Heritage Management P/L on the 1st and 2nd of February 2021.

YYNAC representatives Michael Clarke and Janarli Bux participated in the survey (Standard Assessment). YYNAC representatives Makenzie Joachim and Janarli Bux participated in the excavation of the Test Pits and Shovel Test Pits. The YYNAC representatives also participated in the excavation recording and were also consulted in regard to the findings of the Complex Assessment.

1. Project Inception Meeting

A project inception meeting was held for this CHMP on the 9th of December 2020. The meeting was attended by Matthew Barker (BHM P/L), Catherine O' Riordan (ESCO Pacific P/L) and YYNAC representatives Michael Clarke and Janarli Bux. The representative of the sponsor informed the YYNAC representatives that the Activity Area would be expanded to include the proposed location of the solar farm. The YYNAC representatives requested that the proposed location of the solar farm be subject to Standard Assessment. The main solar farm site was also reviewed by a due diligence undertaken by Jacobs (2018) that found that a mandatory CHMP was not required for the project. ESCO Pacific P/L decided to include the proposed solar farm location as part of this CHMP.

At the meeting Matthew Barker asked if there was any known oral history in relation to the current Activity Area. In response YYNAC representatives Michael Clarke and Janarli Bux stated that there wasn't.

The purpose of this meeting was to address:

1. Proposed Activity;
2. Current conditions within the Activity Area;
3. ACHPs and reports within the geographic region;
4. Cultural heritage likely to be found within the Activity Area;
5. Proposed Standard Assessment methodology.

2. Standard Assessment

The Standard Assessment was conducted on the 9th of December and undertaken by Matthew Barker, who also supervised the Standard Assessment and with YYNAC field representatives Michael Clarke and Janarli Bux. Effective ground surface coverage was estimated to be less than 10% due to grass. No ACHPs were located during Standard Assessment. The YYNAC representatives requested that a Complex Assessment be undertaken within 200m of Eleven Mile Creek in the road reserve of Winton-Glenrowan Road for the proposed cable route.

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3. Standard Assessment Results

A standard assessment results meeting was held for this CHMP on the 1st of February 2021. The meeting was attended by Annette Millar and Jo Wilson (BHM P/L) and Mackenzie Joachim and Janarli Bux of the YYNAC. Mackenzie Joachim and Janarli Bux (YYNAC) asked for the following to be undertaken:

- Two 1x1m Test Pits must be excavated to assess the stratigraphy;
- A series of Shovel Test Pits must be excavated east and west of Eleven Mile Creek;
- Site extents must be excavated to double negatives.

4. Complex Assessment

The Complex Assessment was conducted on the 1st and 2nd of February 2021 of July and was undertaken Annette Millar and Jo Wilson (BHM P/L) with YYNAC field representatives Janarli Bux and Mackenzie Joachim. The proposed methodology was discussed during a meeting with YYNAC representatives Janarli Bux and Mackenzie Joachim prior to the commencement of fieldwork and during the Complex Assessment.

The excavations yielded no Aboriginal cultural heritage.

5. Complex Assessment Results and Conditions

A results and Management Conditions meeting was held for this CHMP on the 16th of February 2021. The meeting was attended by Matthew Barker (BHM P/L) and Tyrone Miller of the YYNAC. The following conditions were proposed by Tyrone Miller (YYNAC) on the 16th of February 2021.

- A hard copy of the approved CHMP must be kept on-site during construction works associated with the activity so that it can be referred to if required.
- Cultural awareness training must occur prior to works occurring.
- A compliance inspection must occur of the following excavations for the solar panel arrays.

6.2 Summary of Outcomes of Consultation

- Three meetings were held between BHM P/L and the YYNAC.
- The YYNAC provided input regarding the background information, excavation results and conditions contained in this CHMP.

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7.0 Aboriginal Cultural Heritage Assessment

7.1 Desktop Assessment

The aim of the Desktop Assessment was to produce an ACHP prediction model, which would assist in the design of the fieldwork, the interpretation of the fieldwork results, the assessment of cultural significance and the design of the Management Conditions. The Desktop Assessment involved a review of:

- Standard ethnographic sources to identify the likely traditional owners and a review of any written and oral local history regarding Aboriginal people in the geographic area;
- Environmental resources available to Aboriginal people within the region of the Activity Area;
- The Victorian Aboriginal Heritage Register (VAHR) at Aboriginal Victoria (AV) and previous archaeological studies, to identify any previously registered ACHPs either within or surrounding the Activity Area and the results of previous archaeological assessments;
- The land-use history of the Activity Area, particularly evidence for the extent and nature of past land disturbance; and
- The landforms or geomorphology of the Activity Area and identification and determination of the geographic region of which the Activity Area forms a part that is relevant to the Aboriginal cultural heritage that may be present in the Activity Area.

This information was used to produce an ACHP prediction model (Section 7.1.9). The site prediction model assists in determining the type of ACHPs which may potentially occur within the Activity Area, the possible contents of these sites, the possible past use of the landscape by Aboriginal people and the likely extent of ground disturbance to ACHPs. The information provided by the site prediction model is used constructively in designing the survey strategy, by, for example, allowing the field team to target areas which have a high probability of containing ACHPs. No obstacles were encountered during the preparation of this Desktop Assessment.

7.1.1 Search of the Victorian Aboriginal Heritage Register

The VAHR on-line database maintained by Aboriginal Victoria was searched to identify any previously registered Aboriginal Cultural Heritage Places (ACHPs) within the Activity Area and surrounding geographic region, as well as the results of previous archaeological assessments. The Victorian Aboriginal Heritage Register was searched on 8th of December 2020 by Matthew Barker

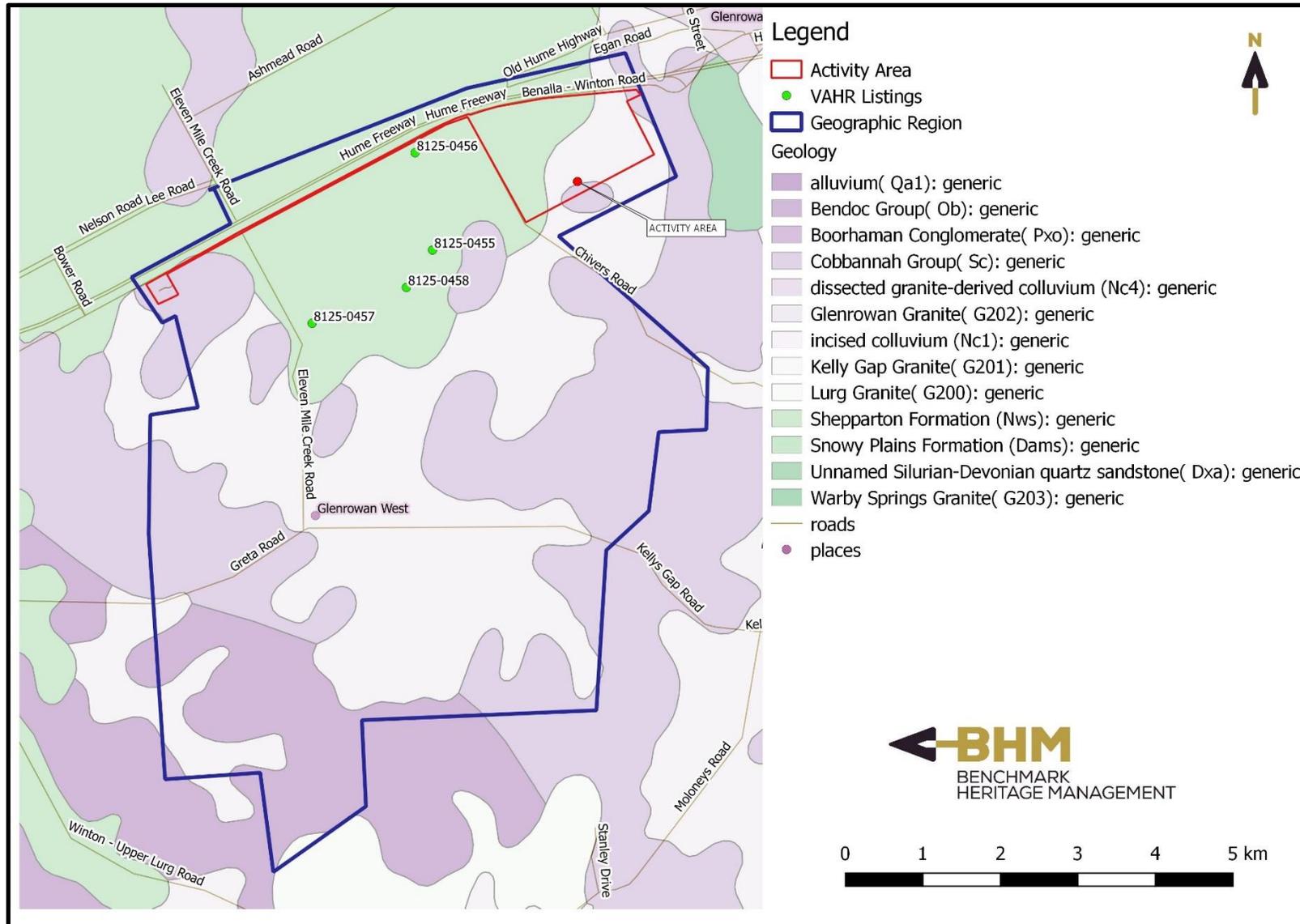
There has been previous archaeological assessment of part of the Activity Area; Edwards and Strickland undertook a CHMP 15292 which included the road reserve of Winton-Glenrowan Road. The search indicated that there are is one previously recorded ACHP within 200m of the Activity Area (Map 4) which comprises a scarred tree located 131m south of the Activity Area; VAHR 8125-0456.

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7.1.2 The Geographic Region

The geographic region in which the Activity Area is located is defined for the purposes of this CHMP, as the extent of Glenrowan West (Map 4). This area had been identified as the geographic region for the purposes of this CHMP as it is considered to be of relevance to predicting the nature, extent and significance of any Aboriginal cultural heritage located in the Activity Area. Specifically, the geographic region as defined, samples a variety of landforms, environmental determinants, and resources that likely influenced Aboriginal occupation of, and places near to, the Activity Area.

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Map 4: Geographic Region

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7.1.3 Registered ACHPs in the Geographic Region

Part of the activity area has been subject to previous archaeological assessment and no Aboriginal Cultural Heritage Places are located on the property, however many ACHPs have been recorded in the surrounding geographic region. There are 4 registered Aboriginal Cultural Heritage Places within the geographic region (with 4 components), and the majority of these comprise artefact scatters and scarred trees.

Table 5: Site types in the region of the Activity Area

Site Type	Frequency (No)
Scarred Tree	3
Aboriginal Cultural Place	1

7.1.4 Previous Works in the Geographic Region Relevant to the Activity Area

A summary of these works offers a basis on which to form a site prediction model for the current Activity Area by providing an indication of the most sensitive landforms and soils in the region. The information garnered from past studies also assists in focusing the methodology for the Standard and Complex Assessments. Overall, the studies suggest that rises overlooking creeks and the presence of silty and alluvial soils comprise the areas which are most sensitive to the presence of Aboriginal sites. The studies which are most relevant to the Activity Area are outlined and summarised below.

Regional Investigations

Several regional studies have been undertaken of the wider Murray River region which have some relevance to the current assessment. A summary of these studies is provided below.

Thompson (1996) carried out an eight-week survey within the north east region of Victoria, sampling 20 km of landforms along the Ovens River between the Ranges and the Murray River basin. Various landforms were sample surveyed, defining the current activity area landform as Plains / Channel country.

A total of 41 Aboriginal places including scarred trees (n=11, 26%) and stone artefact scatters (n=12, 29%) were recorded as a result of the survey. Two thirds of these were identified within 500 m of a permanent water source and most of these were situated within 100 m of the source.

Scarred trees were the most common place type and the majority of these were recorded on Grey Box, which Thompson (1996: 3) suggested implies that all extant mature Grey Box stands must be considered highly sensitive for the presence of Aboriginal scars. The highest concentrations of Aboriginal places occurred near permanent swamps and the lowest frequency of places occurred in the Plains / Channel country where only three stone artefact scatters were located (although the survey only covered 0.06% of this landscape unit). Thompson suggested that the small surface stone artefact scatters, comprising diffuse stone artefacts, likely indicate the presence of larger places which have either been partially destroyed or were only partially exposed. Thompson concluded that while all parts of the north east Victorian landscape were utilised by Aboriginal people in the past, a relatively high concentration of Aboriginal places were identified in the lowland valleys, suggesting a concentration of subsistence

activities in these areas. Thompson stressed the impact of European land use on Aboriginal places, stating that agricultural clearing and grazing have both destroyed and obscured Aboriginal places.

Atkinson and Berryman (1983) wrote a multi-disciplinary desktop assessment of traditional and post contact Aboriginal culture in the Murray Valley. It was observed that limited archaeological work had been done in the Murray Valley and most of this had been salvage excavations, localised surveys, and random site recordings.

Pardoe (1988) wrote an overview of prehistoric Aboriginal Cemeteries along the Murray River; no particular surveys or excavations were described, although rough indications of cemetery locations were provided on a basic map. Pardoe suggests that cemeteries were symbolic markers for Aboriginal group territories along the river Murray. Cemeteries dating back 13,000 years were still in use after European contact. Aboriginal cemeteries are rarely found outside the immediate Murray River region. This suggests that there are specific conditions required for cemetery burial practices.

Clark's (1997) special investigation chapter on Aboriginal Associations within the Box-Ironbark investigation area identified the countries of eight primary Aboriginal language groups. The investigation area stretches from Hamilton in the south-west, heads north-east up to Horsham, to Koondrook on the Murray River, following the river east to Wodonga, and then heading southwest to Mansfield, then to Ballarat and back to Hamilton. The investigation area comprises 4,201 Aboriginal sites, comprising 15 of the 23 site types found in Victoria: mound (n= 252), artefact scatter (n=145), scarred tree (n= 558), rock shelter (n= 49), art site (n= 92), isolated artefact (n= 184), quarry (n= 4), burial (n= 14), exposure in bank (n= 5), fish trap, grinding rock, hearth (n= 4), shell midden (n= 110), rock arrangement (n= 1) and rockwell (n= 14). No specific sites are mentioned or described. The chapter goes on to detail artefacts, and post-contact historic and ethnographic observations.

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Southern Murray Basin Aboriginal Sites Survey (Long 1996)

Long (1996) undertook a field assessment which included the area of Barmah, situated on the Murray. This is of likely relevance to the current study area as the assessment contains similar landforms.

The Murray section of the survey recorded a total of 125 Aboriginal Places comprising 98 scarred trees, seven artefact scatters, 13 isolated artefacts, four mounds and three hearths. Long made the following site prediction model based on the results of the survey:

- Stone artefact assemblages predominately comprised quartz lithics, with silcrete and chert also present.
- The majority of the stone artefacts representing these Aboriginal Places were small waste flakes and cores;
- Sites of greatest artefact density occurred along Broken Creek and Moodie Swamp;
- Scars were found almost exclusively on Grey Box with a small number on Red Gum and Yellow Box;
- The Aboriginal mounds were located on the bank of the creek within the Barmah quadrant a total of 61 Aboriginal places were identified, represented by 41 scarred trees, four artefact scatters, three isolated artefacts and 13 mounds. Long concluded:
- Most scars are located on grey box with scars located on black box trees in low-lying areas, and a small number of scars on yellow and red gum trees;

- Stone artefact assemblages are relatively small predominated by quartz and chert with some silcrete present;
- Majority of stone artefact consist of waste flakes and cores, and generally occur on elevated ground adjacent to water sources;
- Mound sites have been recorded along low banks of permanent creeks and along the backwaters of the Murray River along gentle slopes that define the edge of the localised floodplain;
- Mounds dimensions are small with the standard shape being round to slightly oval;
- Mound sites are often highly disturbed by animal burrowing or construction activities.

Smaller Scale Investigations

Matthews et al (2005) conducted a cultural heritage assessment for the north to south corridor, Melbourne to Albury passing lane rail project (ACHRIS report 3513) along six sections of track. Most relevant to the present activity area is the Euroa and Benalla passing lane sections. Although they did not include the present activity area they traversed similar terrain nearby. The Euroa desktop identified waterways, swamps, and high points as areas of sensitivity. The survey identified one new place (VAHR 8024-0043). Elevated land adjacent to a swamp was identified as an area of sensitivity. The Benalla desktop identified no particular areas of sensitivity but noted the general lack of investigations in the region. No new places were identified during the survey. Six areas of moderate to high sensitivity were identified comprising elevated rises on ridges and hills overlooking natural waterways.

Robb, Berelov and Wood (2012) conducted a complex assessment (CHMP 12152) for the proposed sewerage scheme in Glenrowan, located c. 6 kilometres to the east of the present Activity Area. The results of the standard assessment indicate that much of the Activity Area has been subjected to varying levels of disturbance due to the construction of railways, roads, bridges, and pathways as well as landscaping within the townships. One scarred tree, Glenrowan-Lacey Road 1 (VAHR 8125-0358), was recorded on the floodplain of Fifteen Mile Creek, Glenrowan. A complex assessment involving one 1 x 1 metre test pit and eight 40 x 40 centimetre shovel probes were excavated on adjacent to Fifteen Mile Creek. No Aboriginal cultural heritage was identified during the complex assessment.

Murphy and Morris (2014) conducted a complex assessment (CHMP 12778) for the proposed Violet Town to Glenrowan gas pipeline, located c. 280 metres to the north of the present Activity Area. One Aboriginal cultural heritage place was located within their activity area. This was scarred tree VAHR 8124-0010. There were two places within 200 metres of their activity area boundary. No Aboriginal cultural heritage was identified during the standard assessment; however, some areas of archaeological potential were identified. These areas included land adjacent to creek banks and elevated land within the plains landscape. One new Aboriginal place was identified during the complex assessment. This was a low density artefact distribution (LDAD) (VAHR 8024-0066) which was located within 100 metres of a waterway. No further archaeological investigation or salvage was recommended for the LDAD as the lack of scientific values of the place means the artefacts would likely make no further contribution to the archaeological knowledge of the place and its place within the landscape. It was recommended that the scarred tree be fenced off during proposed works.

A further CHMP (13221) was undertaken by Murphy and Morris (2015) for the gas pipeline from Glenrowan to 1.5 kilometres northeast of Chiltern, located c. 1 kilometre to the north of the present Activity Area. The standard assessment identified one Aboriginal place within the activity area, a quartz core (VAHR 8125-0412) that was located within the bed on an unnamed creek. A total of 183 stone artefacts were identified during the complex assessment, which were registered as five LDADs (VAHR

8125-0412 through to 8125-0416) and two stone artefact scatters (VAHR 8125-0411 & 8225-0274). Closest to the present Activity Area (c. 3 kilometres to the northeast) was LDAD VAHR 8125-0412 that consists of three quartz flakes, one silcrete core, one quartz core and one chert core distributed over an area of approximately 170 metres by 30 metres at a depth of 0.4 metres. This site was interpreted to be low density discard behaviour resulting from occasional stone tool use and discard. The complex assessment found that the soil profiles within the Glenrowan aspect of the activity area consists of the Warby Ranges landform. Soil profiles within this landform comprise silts and sands of varying depths (between 40 and 90 centimetres), overlying hard cemented, culturally sterile weathered granite or sandy clays.

In 2017 Edwards and Strickland undertook a CHMP (15292) for the proposed Glenrowan West Sun Farm, Glenrowan West, Victoria. The CHMP was amended in 2019 by William Truscott. Their Activity Area encompassed the which included the road reserve of Winton-Glenrowan Road section of the current Activity Area. Four Aboriginal places, all scarred trees, were identified and recorded within the Activity Area (VAHR 8125-0455 to 0458) All four of these places are situated on alluvial fans and aprons geomorphology (GMU 4.3). This agreed with the Desktop Assessment which identified this geomorphology most likely to contain Aboriginal places. As these places were all trees that have a clearly defined presence within the landscape, the consultants considered that no Complex Assessment was required to determine their extent, nature, and significance of each place. Three areas of archaeological potential were identified in the Activity Area during the Standard Assessment. However, as the proposed Activity did not impact these areas of potential, a Complex Assessment was not required for those areas or the remainder of the Activity Area.

7.1.5 Historical and Ethno-historical Accounts of the Geographic Region

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No specific oral history has been provided in relation to the Activity Area from the YYNAC.

The Desktop Assessment must include a review of historical and ethnohistorical accounts of Aboriginal occupation in the geographic region (*r.61 (1) (d)*). Therefore, a review of the historical and ethnohistorical accounts of Aboriginal occupation within the geographic region has been undertaken.

There is very little recorded ethnographic information available for region general, Aboriginal society in the northeast of Victoria was based around local Clans which were either of matrilineal or patrilineal descent. The Clans were divided into smaller groups, in reference to various family associations and were associated with tracts of land for which they had physical and spiritual associations and responsibilities. The social ties between the clans enabled them to exploit the resources contained within each other's tracts of land.

Aboriginal groups mapped natural features as boundaries for their ranges, estates, and economic territories. The Waveroo held land south of the Murray River including Wodonga, Baranduda, Tallangatta and as far south as Benalla (Wesson, 2000). Land ownership and access rights or responsibilities centred on the smaller named groups that formed the broader language grouping. These groups are often called 'clans' or 'local descent groups', however as (Wesson, 2000, p. 8) reasons, they are better described as 'named groups', as the membership structure of these groups, and their degree of division from other groups, could vary. In most instances, primary allegiance was owed to this named group, although this could vary according to context and location. Commonly, named groups were led by senior elders who exercised internal political and religious authority, as well as being recognised as their spokesperson when dealing with other groups (Atkinson & Berryman, 1983). Particularly influential group leaders could also

assume authority over the leaders of other culturally affiliated groups (Wesson, 2000). The named group who occupied the Activity Area were the Pallengoillum. This clan occupied land at Fifteen Mile Creek and land between Broken River and the Hume (Wesson, 2000, p. 70).

The first white contact with Aboriginal people in the study area is thought to have occurred in January 1838 when Joseph Hawdon and Charles Bonney passed through the Shepparton area en-route to Adelaide.

Primary sources of information for the area are the journals of George Augustus Robinson, Chief Protector of Aborigines from 1839 to 1849, and Edward Curr (1883), and Howitt (1904) whose writings are based on personal observation and/or information received from Aboriginal informants. Whilst little information has been recorded, a valuable account of the lifeways of the Yorta Yorta people at the time of colonisation was written by Edward Curr, who established the 'Tongala' Station on the Lower Goulburn in 1841. According to Curr, the Yorta Yorta people numbered approximately 1,200 in 1841, comprised of fifteen clans speaking related dialects (Clark 1990: 398; Curr 1883: 234).

As a result, the Goulburn Aboriginal Protectorate started a centre for the protection of local Aborigines in Murchison 1839, which operated to approximately 1850, when the system of protection was abolished (Massola 1969). Similar centres opened in NSW with David Mathews establishing a mission in 1874 at his Maloga property on the banks of the Murray, where many Aboriginal people from the surrounding regions resettled. In 1883 the NSW government established the Cummerajunga Protectorate, adjacent to Maloga mission and in 1889 the majority of the Maloga residents moved into the new Protectorate. Here they enjoyed comparative freedom and there was a great deal of movement between Cummerajunga, as people visited relatives or established new homes. However, this independence was significantly curtailed in 1909/1915 when NSW enacted legislation virtually identical to earlier amendments to the Victorian Aboriginal Act – which brought into effect a new policy of assimilation, particularly of those considered of mixed blood or half castes. During this period 150 people were dismissed from the mission, with most of them moving south into the Barmah region and eventually dispersing through a number of Victorian towns. (Massola 1969).

In 1939 following a period of organised protest against the antagonistic management and plans to lease mission land to white farmers there was a mass migration away from Cummerajunga back across the border mostly into Mooroopna, Shepparton, Echuca, and other smaller centres. Many of the people who moved into Mooroopna lived in tin sheds on a bend of the Goulburn River known as the Flats, this part of the river regularly flooded often forcing the residents to move to high ground (LCC 1983). It was not until 1957 that the Victorian Welfare Board established a housing estate at Rumbalara near Mooroopna.

The majority of the members of the current Rumbalara Aboriginal Co-operative at Mooroopna are Yorta Yorta people, descendants of the people who walked off Cummerajunga Mission Station in 1939 to live on the River Flats (Du Cros & Associates 1998). The YYNAC was incorporated under the Commonwealth Aboriginal Councils and Associations Act 1976 on 27 November 1998. The organisation was created to represent all Yorta Yorta Family Groups including those representing the, Kailtheban, Wollithiga, Moira, Ulupna, Kwat Kwat, Yalaba Yalaba, Nguaria-iiliam-wurrung and Pangerang clans (Seidel & Heteyey 2004).

George Augustus Robinson, Chief Protector of Aborigines in the Port Phillip District made several journeys to northeast Victoria. He concluded that at least five tribal groups occupied the region: the Bangerang, Duduroa, Jaitmathang, Waveroo and Kwat Kwat (Robinson 1840-7, cited in Clark 1990: 157). Associating the Waveroo tribe with the Ovens River, Robinson described them as consisting of four clans: the Ballingo-

yallum (whose lands encompassed the Study Area), the Tarrer-mittung, the Worarer-mittung and the Peer.ing.ile (Clark 1990: 157).

Like other Victorian Aboriginal groups, north eastern Victorian Aboriginal people suffered significant population decline after the arrival of European people. This is thought to be mainly due to the spread of diseases such as smallpox and influenza. Conflict with European settlers was not uncommon. From an estimated 1628 people in the 1840's, only 37 Aboriginal people were recorded in the north east of Victoria in 1877 (Wesson 2000: 59).

In July 1841, Edward Curr settled on the Tongala Station (Albrecht 2012), south east of the present township of Echuca (Curr 1883, 83). During his time in the area, Curr met with and observed the local Aboriginal people, including people from the Bangerang Aboriginal group. He called his station Tongala, which he said was the Bangerang name for the River Murray (Curr 1883, 83, Albrecht 2012). Curr also mentions the Moira area as being a favourite place of the Bangerang Aboriginal people, and was very resource rich (Albrecht 2012). Curr's brother, Richard, made the following observations of this area:

"In a flying visit made to it some short time previous, he had found that, under water for several months of the winter and spring, it abounded in summer in excellent sheep feed, in the shape of couch grass, young reeds...and was usually as green as an emerald from November till march, when other pastures were withered and dry...it abounded beyond all belief in unusually fat fish, swarmed with leeches and snakes, and the ducks were so numerous that I cannot tell now how many he bowled over at one shot. As we learned afterwards, its extensive reed-beds were the great stronghold of the Bangerang Blacks..." (Curr 1883, 166).

Curr made the following observations of local Aboriginal burial practices:

"The dead were rolled up in their opossum-rugs, the knees being drawn up to the neck with strings, when the corpse was interred in a sitting posture, or on its side, generally in a sandhill, in which a grave about four feet deep had been excavated. A sheet of bark was then placed over the corpse, the sand filled in, and a pile of logs about seven feet long and two feet high was raised over all. Round about the tomb it was usual to make a path, and not unfrequently a spear, surmounted by a plume of emu feathers, stuck at the head of the mound, marked the spot where rested the remains of the departed. Women were interred with less ceremony" (Curr 1883, 286).

After the mid-1850s, large townships such as Echuca and Cobram became established within the Murray River region. When he first settled in the region. Curr (Albrecht 2012) observed how the local Aboriginal people began to die from diseases that had been brought to the area by the European settlers:

...a large and steady decrease took place in their numbers, so that at the end of ten years, I doubt whether as many as eighty of the original two hundred were left. This falling off I attribute to diseases – which had originated with the whites, and been passed on from tribe to tribe – having made their appearance amongst the Bangerang a year or two prior to my squatting in their country...There was, however, no doubt, a tendency to disease consequent on the partial abandonment of their traditional ways of life for others less healthy, for, after my settlement in their country, the Bangerang gave up in great measure their wholesome and exhilarating practices of hunting and fishing, and took to hanging about our huts in a miserable objectless frame of mind and underfed condition, begging and doing trifling services of any sort. To this course they were mainly led by their desire to obtain from the newcomers various

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commodities, such as iron tomahawks, tobacco, and especially flour, mutton, sugar, and other articles of food...” (Curr 1883, 235).

In addition, the loss of traditional lands led to the breakdown of social units and food resource areas. As a result, the Goulburn Aboriginal Protectorate started a centre for the protection of local Aborigines in Murchison 1839, which operated to approximately 1850, when the system of protection was abolished (Massola 1969). Similar centres opened in NSW with David Mathews establishing a mission in 1874 at his Maloga property on the banks of the Murray, where many Aboriginal people from the surrounding regions resettled. In 1883 the NSW government established the Cummerajunga Protectorate, adjacent to Maloga mission and in 1889 the majority of the Maloga residents moved into the new Protectorate. Here they enjoyed comparative freedom and there was a great deal of movement between Cummerajunga, as people visited relatives or established new homes. However, this independence was significantly curtailed in 1909/1915 when NSW enacted legislation virtually identical to earlier amendments to the Victorian Aboriginal Act – which brought into effect a new policy of assimilation, particularly of those considered of mixed blood or half castes. During this period 150 people were dismissed from the mission, with most of them moving south into the Barmah region and eventually dispersing through a number of Victorian towns. (Massola 1969).

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Descendants of the Jodajoda tribe now live throughout the Murray River region and are represented by the Registered Aboriginal Party; the Yorta Yorta Nation Aboriginal Corporation. The Yorta Yorta Nation identified the entire area along the Murray River as of cultural significance, as it is part of creation for the Yorta Yorta Aboriginal people (Albrecht 2012).

7.1.6 The Landforms and Geomorphology of the Activity Area

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The geomorphological units on which the Activity Area is located consists of the Alluvial fans and aprons (Burnt Creek, Seven Creek, Broken River, Katamatite, Raywood, & aprons around Korong, Dookie Hills) second tier geomorphological unit 4.3 and Outlying ridges and hills (Warby Range, Lurg Hills, Howe Range, Mt Dandenong) third tier geomorphological unit 1.4.6.

The Activity Area is located on the physiographic feature known as the Riverine Plain. This elevated alluvial plain is a geological feature consisting of an extensive series of low relief floodplains and associated rivers, tributaries, lake systems, ephemeral channels, palaeochannels and prior streams (Pels 1971).

The region is comprised of extensive alluvial plains which contain numerous prior and ancestral stream channels. The sediments that comprise the plains were deposited by an older river system ('prior stream' system) as alluvium in the Quaternary period; from approximately 1.6 million years ago to recent geological times (Cochrane et al 1995:77). Aeolian deposits (i.e., windblown deposits) are also found within the Shepparton Formation and comprise fine calcareous soil materials which spread over much of Northern Victoria during drier climatic periods. The Shepparton Formation deposits vary from about 50 to 125 metres in depth across much of the Northern Victorian plains and cover the older alluvial (Tertiary) and marine (Ordovician) sediments (DEDJTR 2019a-b). The alluvial plain through which the Goulburn River flows is a geological feature of incised or terraced alluvium deposited by prior river courses, and comprises an extensive series of low relief floodplains, associated rivers, tributaries, lake systems, ephemeral channels, palaeo-channels, and prior streams (Pels 1971). The extremely low gradients within these river systems have created the Lower Goulburn's meandering course, extensive floodplain and complex of surrounding wetlands, billabongs, and flood paths (Bowler 1978).

Soils are red, weakly developed calcareous and red-brown earths. Closer to watercourses these soils grade into red-brown and grey clays (Bowler 1986).

7.1.7 The Environmental Determinants of the Activity Area

The Desktop Assessment included a review of the physical context and natural resources present within the geographic region. These environmental variables can determine how people used the landscape in the past. This information is used to gain an understanding of past human behaviours and provides an indication of where ACHPs and heritage places may be located within the landscape. These environmental factors are summarised below.

- **Climate**

Temperature averages at Benalla indicate a cold to hot maximum average of 6.8°C in July to 22.9°C in February. Minimum average temperatures throughout the year range from 6.8°C in July to 13.9°C in February. The annual average rainfall for the area is 687mm. These climate conditions would have placed no restrictions on Indigenous or European occupation of the area (LCC 1991).

- **Water Sources**

Eleven Mile Creek traverses the route of the cable that will connect the Glenrowan Solar Farm to the Glenrowan Terminal substation.

The desktop assessment included a review of the physical context and natural resources present within the Activity Area. These environmental variables can determine how people used the landscape in the past. This information is used to gain an understanding of past human behaviours and provides an indication of where archaeological sites and heritage places may be located within the landscape. These environmental factors are summarised below.

Sources of fresh water would have existed in close proximity to the present Activity Area. The Goulburn River is a significant feature of the region; however, the underlying geology (Shepparton Formation) is also characterised by channels and depressions. The surrounding area has a mature red gum (*Eucalyptus camaldulensis*) overstorey.

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- **Description of Existing and Pre-Contact Vegetation**

Ecological Vegetation Classes (EVC's) are the basic mapping units used for biodiversity planning and conservation assessment at landscape, regional and broader scales in Victoria. According to the current EVC mapping data one ecological vegetation class; Plains Grassy Woodland (EVC 55) is present on the Activity Area.

Plains Grassy Woodland (EVC55) is an open eucalypt woodland to 15m. The understorey comprises a few sparse shrubs over a species rich grassy and herbaceous ground layer. Creepline Grassy Woodland (EVC68) has a similar vegetative regime; however, the understorey is more densely populated by grasses and sedges. The tree canopy is dominated by *Eucalyptus camaldulensis* (River Red-Gum), *Eucalyptus macrocarpa* (Grey Box) and *Eucalyptus melliodora* (Yellow Box). Plains Woodland/Herb-rich Gilgai Wetland Mosaic (EVC235) is similar open woodland which forms along alluvial plains and ephemeral drainage lines. The soils form gilgai crests, or a series of mounds or depressions resulting from shrinking and swelling of clayey soils. This EVC is dominated by *Eucalyptus camaldulensis* (River Red-gum), *Eucalyptus macrocarpa* (Grey Box) and *Allocasuarina luehmannii* (Buloke).

The Activity Area supports very little fallen timber with understorey and ground strata vegetation retracted to a few scattered native species, weeds, or heavily grazed pasture. There have been some shelter belts planted in the region, but the ability for these fragments to be of biodiversity value depends on plantings selected, width of plantations and linkages within the landscape. The significant modification of vegetation cover has resulted in the loss of habitat for many species, to the extent that only transient birds and introduced mammals now largely occupy the region. (Morrison and McLeod 2008).

Plant foods were extensively exploited and included berries, fungi, roots, tubers, bulbs, leaves, and pith from fleshy plants, seeds and sap. Gum was also collected from the wattle and stored in known locations for seasons when food was less abundant (Thomas cited in Sullivan 1981: 25). The existing vegetation with the Activity Area bears no resemblance to the above.

- **Information on Fauna and Flora Within the Region of the Activity Area**

The Activity Area would have contained a large number and great variety of fauna, many of which would have congregated within the dense vegetation along adjacent swamps and within the drainage lines. Prior to post-settlement activities of clearing and drainage works, the streams within the Activity Area are unlikely to have had a clearly defined course other than in times of peak flows. The drainage lines were most likely part of an extensive wetland that expanded and contracted with runoff/water level conditions. The abundance of fauna along creeks and around wetlands in the region would have been seasonal, with the greatest concentrations occurring during the summer periods.

Fauna native to the region would have provided Indigenous inhabitants with a potential source for food and clothing, among other things. It is generally accepted that the Goulburn River and the extensive former swamps would be the focus of Aboriginal exploitation within the region. Within this ecological zone, there would have been variation in staple species diversity and abundance, and this would have in turn influenced site location. Seasonal congregations would have provided the highest food potential, such as eels, nesting birds and their eggs within wetland areas with larger mammals such as kangaroos would have frequented the drier lands.

- **Stone Resources**

No stone resources and outcrops suitable for the manufacture of stone tools are found within the Activity Area. Sources of greenstone and chert are known to have quarried at Dookie located 69km southwest.

7.1.8 Land Use History Relevant to the Activity Area

The Desktop Assessment must include a review of the history of the use of the Activity Area (r.61(1) (f)). Therefore, a review of the history of the use of the Activity Area was undertaken. Colonial exploration of north eastern Victoria was undertaken in 1824 by Hamilton Hume and William Hovell. They passed 14 miles (22.5 km) east of present day Wangaratta whilst traversing through the area from New South Wales to Port Phillip, shortly prior to their crossing of the local Ovens River in the same year. Subsequently, Major Thomas Livingstone Mitchell was the first European explorer to pass through the Wangaratta district in 1836, leaving wagon tracks which were later to become known as 'Major's Line'. Mitchell, greatly impressed with what he saw in the region, published reports describing the fertile soils of the area (Whittaker 1963). The three year drought of 1837-39 prompted a need to seek new pastures south of the Murray River and this, coupled with Mitchell's favourable reports, lead to the swift and widespread European settlement of the area.

Glenrowan is a rural locality and township on the route between Melbourne and Albury.

Motorists on the old Hume Highway and train travellers pass through the township, but the Hume Freeway bypasses it (1988). Glenrowan was named after pioneer pastoralists James and George Rowan who occupied pastoral stations between 1846 and 1858 in the area between Winton and Glenrowan.

North of the township are the Warby Ranges, which provide run-off for some agricultural pursuits and for the filling of Lake Mokoan east of Glenrowan. The lake, artificially formed in 1970, was formerly several swamps. Its shallowness caused heavy evaporation, and its return to a wetland began in 2009.

The railway line through Glenrowan was opened in 1873, two years before town allotments were put up for sale and three years before the primary school was opened. In 1880 Glenrowan was the site of the siege of the Kelly gang at Jones Hotel. The gang's leader, Ned Kelly, had calculated that police would be sent to the area by train, because of a recent murder, but the school teacher escaped from Jones Hotel and signalled the train to stop before it came to the part of the railway line which had been torn up so as to wreck it. In the siege which followed, three of the four gang members were killed, and Ned Kelly was captured and brought to trial. Glenrowan thus acquired the reputation of being part of the Kelly Country, and has since opened two museums devoted to that subject along with a tourist centre. The siege site (Church, Burns, Hill Streets and Beaconsfield Parade) is a registered heritage precinct.

Glenrowan was described in the *Australian handbook*, 1903:

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GLENROWAN (36° 28' S. lat., 146° 15' E. long.), a post township, with a telegraph and money-order office, savings bank, and station on the North-Eastern line of railway, 135 $\frac{3}{4}$ miles NE. of Melbourne; fares, single, 24s. 6d. and 16s. 5d. It is situated in a gap of the Futter's Ranges which extend in a NW. and SE. course, 747 feet above sea-level, and is in the county of Delatite, electorate of Delatite, police district and shire of Benalla. The nearest places are Wangaratta, 9 miles NE., Beechworth, 36 miles NE., Greta, 6 miles SSE., and Winton, 9 miles SW. There are Anglican and Roman Catholic churches, a State school (No. 1,742), the Railway Hotel, three general stores, and creamery, several tradesmen's shops, and a public park. The water supply is from a reservoir constructed by the Benalla shire, and carried by pipes to the township. The district is a farming and grazing one. Fruit culture and vine planting are also receiving much attention. This little township gained a world-wide notoriety by the desperate encounter that took place here on June 27 and 28, 1880, between the four members of the Kelly Gang and the police. "Morgan's Look-Out" is a point of interest. Population, 159; district, 500.

Land in Glenrowan township, which is located north of the activity area, was initially sold in 1857 and the township itself was proclaimed in 1861. Like much of the land in neighbouring parishes, land in the activity area was selected under the 1869 Land Act, and subsequent land acts, following the construction of the north-eastern railway line. As noted in Section 2.3 of this report, wine growing, and quarrying were early industries while the township also gained notoriety as the location of Ned Kelly's final siege and capture. In the late 1960s and early 1970s the State Rivers and Water Supply Commission diverted water from the Broken River into the existing Winton swamp to create Lake Mokoan. In recent years Lake Mokoan has been decommissioned and will be restored as a wetland.

Disturbance

The land use history of the Activity Area shows that the Activity Area has been subject to previous ground disturbance to some degree and includes:

- Removal of native vegetation. As the Activity Area was in an EVC in which eucalypts were the dominant species, the removal of this native vegetation would have caused a great deal of ground disturbance. Impacts to the land will have involved burning, clearing, and grubbing of the original vegetation and associated disturbance of the upper soil layers, and erosion following vegetation clearance.
- The location of the solar farm Activity Area is currently used for grazing stock.
- A substation is located within the southern part of the Activity Area.
- NextGen assets, a cable duct and a third party duct, are located within the road and road reserve of the Winton-Glenrowan Road.
- The Activity Area traverses three constructed roads; Glenwest Road, Elven Mile Creek Road and Chivers Road.

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7.1.9 Conclusions from the Desktop Assessment

The conclusions from the Desktop Assessment and the basis for the Aboriginal Cultural Heritage Place prediction model are as follows:

- Part of Activity Area has not been subject to previous archaeological assessment;
- There are 4 registered Aboriginal Cultural Heritage Places within the geographic region (with 4 components);
- Low Density Artefact Distribution and Artefact Scatters are the most likely ACHP types to be located with the Activity Area;
- The distribution ACHPs in the geographic region is also associated with proximity to rivers and creeks;
- There still exists a potential for sub-surface archaeological deposits in areas that have experienced minimal disturbance; and
- There would have been a range of plant, animal, and mineral resources available for Aboriginal people living in, or in the region.

The following ACHP prediction model has been developed based on the available information:

- Stone artefact deposits (Artefact Scatters or Low Density Artefact Distributions are the most likely ACHP types to be present;
- Stone artefact deposits are most likely to be in a sub-surface context, within a depth range of 0-400mm in silty loam deposits;
- Scarred trees may not be present due to land clearance and the absence of remnant vegetation in the modern urban environment; and
- The impact of land clearance, construction of roads, bridges, and services is likely to have a severe impact on the topsoils and any Aboriginal cultural heritage; reducing the potential archaeological sensitivity of the Activity Area.

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7.2 Standard Assessment

7.2.1 Justification for Survey

R.62 of the *Aboriginal Heritage Regulations 2018* states that a Standard Assessment is required if the results of a Desktop Assessment show that it is reasonably possible that Aboriginal cultural heritage is present in the Activity Area. As the results of the Desktop Assessment show that it is likely that Aboriginal cultural heritage is located in the Activity Area it was necessary to proceed to a Standard Assessment.

7.2.2 Aims of Standard Assessment

The aims of the Standard Assessment (archaeological survey) were to:

- Attempt to identify Aboriginal cultural heritage;
- Undertake consultation with representative(s) of the YYNAC;
- Identify any areas of potential archaeological sensitivity deposit (that may require sub-surface testing) and;
- Document the extent of significant ground disturbance in the Activity Area.
- To assess the location of the proposed solar farm and cable route.

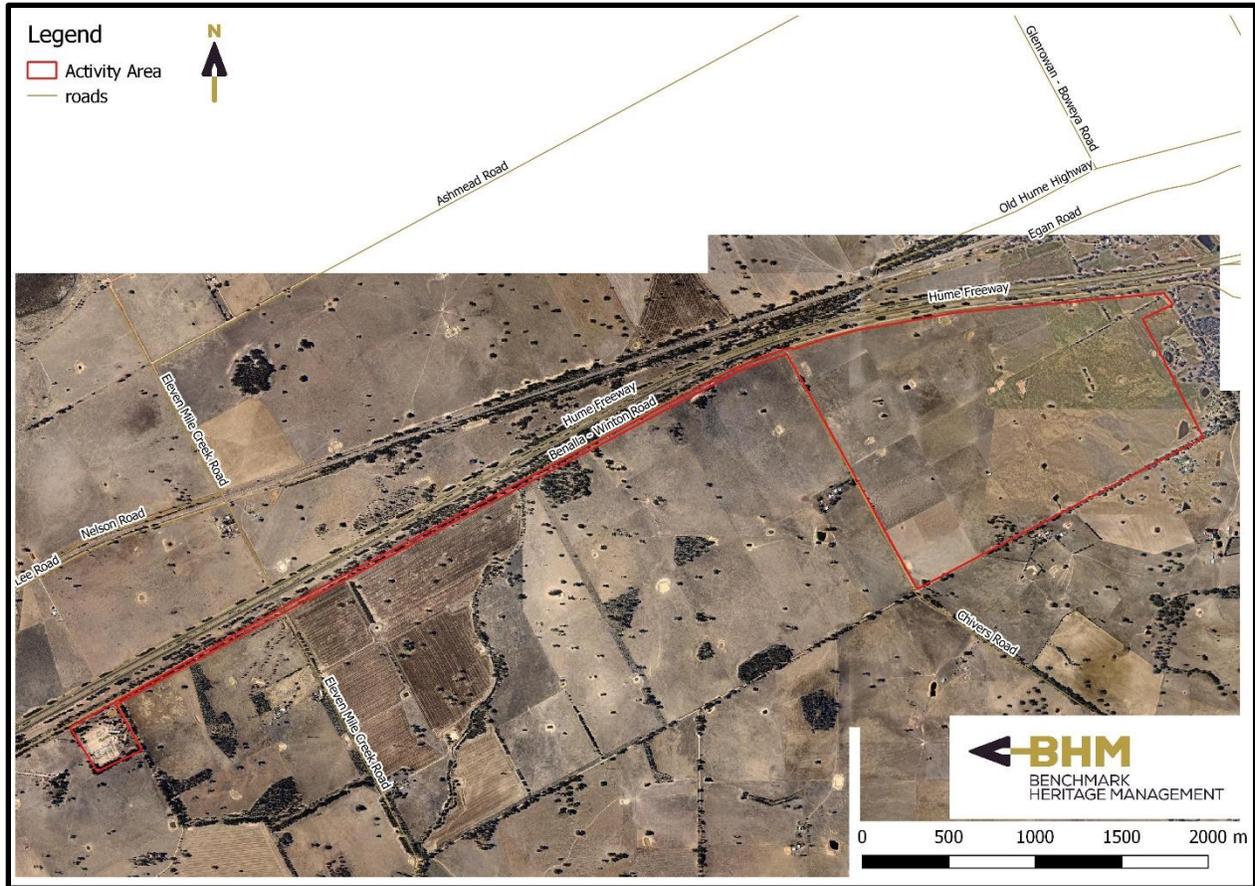
7.2.3 Standard Assessment Methodology

The Standard Assessment was undertaken under the supervision of Matthew Barker of Benchmark Heritage Management P/L with Michael Clarke and Janarli Bux from the YYNAC on the 9th of December 2020; and assessed the location of the proposed solar farm and cable route.

Owing to the dense grass coverage observed upon arrival the decision was made, in consultation with the YYNAC representatives, to survey the Activity Area on an opportunistic basis rather than walking linear transects (see Map 5).

Focus was concentrated on areas of high ground surface visibility. All mature trees were inspected to determine if they were culturally scarred. Areas of potential archaeological sensitivity/deposits (PAS and PAD) and significant ground disturbance were recorded near to the structures. Ground surface visibility and surface exposure was recorded in order to determine the effective ground survey coverage. A measure with 20cm increments was included in all photographs (Plates 1-6).

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Map 5: Standard Assessment Map

7.2.4 Results of Standard Assessment

7.2.5 Standard Assessment Constraints

Significant constraints were encountered during the Standard Assessment comprising:

- The Activity Area was almost entirely covered by grass and vegetation, the existing sub-station, and associated infrastructure resulting in an average ground surface visibility of less than 10%. The above prevented effective archaeological assessment.
- Stock prevented access to parts of the proposed location of the solar farm.

7.2.6 Land Disturbance

It is also likely ground disturbance within the Activity Area includes:

- Vegetation clearance in either the 19th Century for agriculture would have contributed to soil erosion and the movement of any Aboriginal cultural material that may have existed on the ground surface; thus, the removal of topsoils and the destruction of any surface or near surface Aboriginal cultural materials. Vegetation clearance is not considered to be significant ground disturbance.

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- Construction of the existing substation and infrastructure.
- Construction of the existing services in the road reserve of Winton-Glenrowan Road.
- Construction of existing roads.

7.2.7 Ground Surface Visibility and Effective Survey Coverage

Effective coverage is quantified to account for ground surface visibility and exposure limitations to survey coverage and gives a good estimate of the actual proportion of the Activity Area investigated.

Ground surface visibility is a measure of factors which may obscure archaeological materials and can be defined as how much of the surface is visible and what other factors (such as vegetation, gravels, or leaf litter) may limit the detection of archaeological materials (Burke and Smith 2004). The higher the level of ground surface visibility, the more likely it is that Aboriginal cultural material can be identified; therefore, a good level of ground surface visibility enables a better representation of places than areas where the ground surface is obscured (Ellender and Weaver 1994).

Ellender and Weaver (1994) attempted to quantify ground surface visibility for a 1m² area:

- 0-5%: Unable to see soil;
- 5-10%: Occasional glimpse of soil;
- 10-20%: Occasional patch of bare ground;
- 20-50%: Frequent patches of bare ground;
- 50-70%: About half the ground bare; and
- 75-100%: More than half the bare ground; ploughed fields.

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Ground surface visibility (Plates 1-6) was low (0-10%) across the Activity Area; therefore, there was a possibility of identifying Aboriginal cultural heritage on the surface. It is estimated that the effective survey coverage was less than 10%, due to poor ground surface visibility, and it is not considered adequate for effective field assessment.

7.2.8 Aboriginal Cultural Heritage Identified

No artefact scatters, scarred trees, caves, cave entrances or rock shelters were noted.

7.2.9 Conclusions of the Standard Assessment

The YYNAC representatives considered it possible that buried former ground surfaces may be present within 200m of Eleven Mile Creek.

The field representatives of the YYNAC agreed that the sub-surface soils within 200m of Eleven Mile Creek was of potential archaeological sensitivity and agreed to establish the potential for Aboriginal cultural heritage by Complex Assessment to test the ACHP prediction model.

Due to a lack of ground surface visibility and the potential for buried ACHPs within the Activity Area, the Standard Assessment has determined that there is a requirement to undertake a further Complex Assessment within 200m of Eleven Mile Creek, prior to the preparation of a CHMP document. In accordance with *r.64*, it was decided that a Complex Assessment of the Activity Area was required and was therefore undertaken.

Plate 1: View of southwestern end of the alignment along Seven Creek facing south (M. Barker 9/12/20)



Plate 2: View of road reserve showing exposed silty loams and sparse grass facing southwest (M. Barker 9/12/20).



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Plate 3: View of bridge over Elven Mile Creek facing northeast (M. Barker 9/12/20).



Plate 4: View of eastern bank of Elven Mile Creek facing southwest (M. Barker 9/12/20).



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Plate 5: View of western bank of Elven Mile Creek facing north (M. Barker 9/12/20).



Plate 6: View of northern extent of the alignment and location of the solar farm with dense grass (M. Barker 9/12/20) facing northeast



7.3 Complex Assessment

7.3.1 Justification for Sub-Surface Testing

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R.64 of the *Aboriginal Heritage Regulations 2018* states that a Complex Assessment is required if the Desktop Assessment or Standard Assessment shows that Aboriginal cultural heritage is, or is likely to be, present in the Activity Area; and it is not possible to identify the extent, nature, and significance of the Aboriginal cultural heritage in the Activity Area unless a Complex Assessment is carried out.

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7.3.2 The Sub-Surface Testing Aims

The aims of the Complex Assessment were to:

- Determine if Aboriginal cultural heritage is located in the Activity Area and if so, establish the extent, nature, and significance of said Aboriginal cultural heritage;
- Test the ACHP prediction model developed in the Desktop Assessment and refined in the Standard Assessment;
- Record the sub-surface stratigraphic composition of the landform and investigate a representative sample of sub-surface sediments;
- Identify any undisturbed (in-situ) sub-surface deposits;
- Use Shovel Test Pit excavation to provide improved sample size and investigate the extent of sub-surface disturbance; and
- Enable an accurate scientific significance assessment to be made.

A Complex Assessment comprising hand excavation was carried out as part of this CHMP. The aim of the sub-surface testing/excavation was to establish if the proposed activity is likely to cause harm to Aboriginal cultural heritage. The Complex Assessment was conducted on the 1-2nd of February 2021 was undertaken by Annette Millar (supervisor) and Jo Wilson of Benchmark Heritage Management; with Janarli Bux and Mackenzie Joachim of the YYNAC.

7.3.3 Sub-surface Testing Methodology

Excavation of Test Pit

As required by the *Aboriginal Heritage Regulations 2018 r65(4)*, a Test Pit was first excavated to determine the soil stratigraphy (see Maps 6-7, Table 6).

Test Pit 1 & 2 were excavated in order to examine the soil stratigraphy within the property and determine whether there were sub-surface deposits of cultural materials.

Controlled excavation was undertaken in accordance with the guidelines set out in Burke and Smith (2004). The Test Pit was excavated by context using a flat edged shovel with a 30cm blade, trowels and 30cm hand shovels. Excavation was undertaken on a stratigraphic basis by context and ceased when a new soil layer was encountered. Hand excavated deposits were initially excavated in arbitrary 10cm spits. As clear stratigraphic units became apparent, excavation continued according to the stratigraphic unit (context).

The depth of each context is shown in Table 6. A soil section was drawn of the northern section of the Test Pit once excavation was completed. A photographic record of the surface, base of each context and the soil section was made. Measures with increments of 1cm was included in all photographs of

excavation. Soil descriptions and other natural and cultural features were recorded on Standard excavation forms. PH levels were taken of each context and a Munsell Chart was consulted to provide soil colour descriptions.

All of the excavated soil was passed through a sieve with 5mm mesh. In the event that any cultural material was recovered, the procedure was to place the artefacts in bags with labels identifying the context of the artefacts, and that, with agreement with the YYNAC representatives, any artefacts recovered from the excavation were to be retained for later analysis at the office of BHM P/L.

The centre of each of the Test Pits were spatially recorded using a Topcon GRS-1 DGPS with sub one metre accuracy as per the AV (2008) target standard for recording Aboriginal heritage places.

The excavated Test Pits locations are shown in Maps 6-7. A stratigraphic section of Test Pit 1 is shown in Table 6. GDA94/MGA55 co-ordinates are shown in Table 6.

Excavation of Shovel Test Pits

The excavation of ten 50cm x 50cm Shovel Test Pits was undertaken during sub-surface testing (Table 7, Maps 6-7).

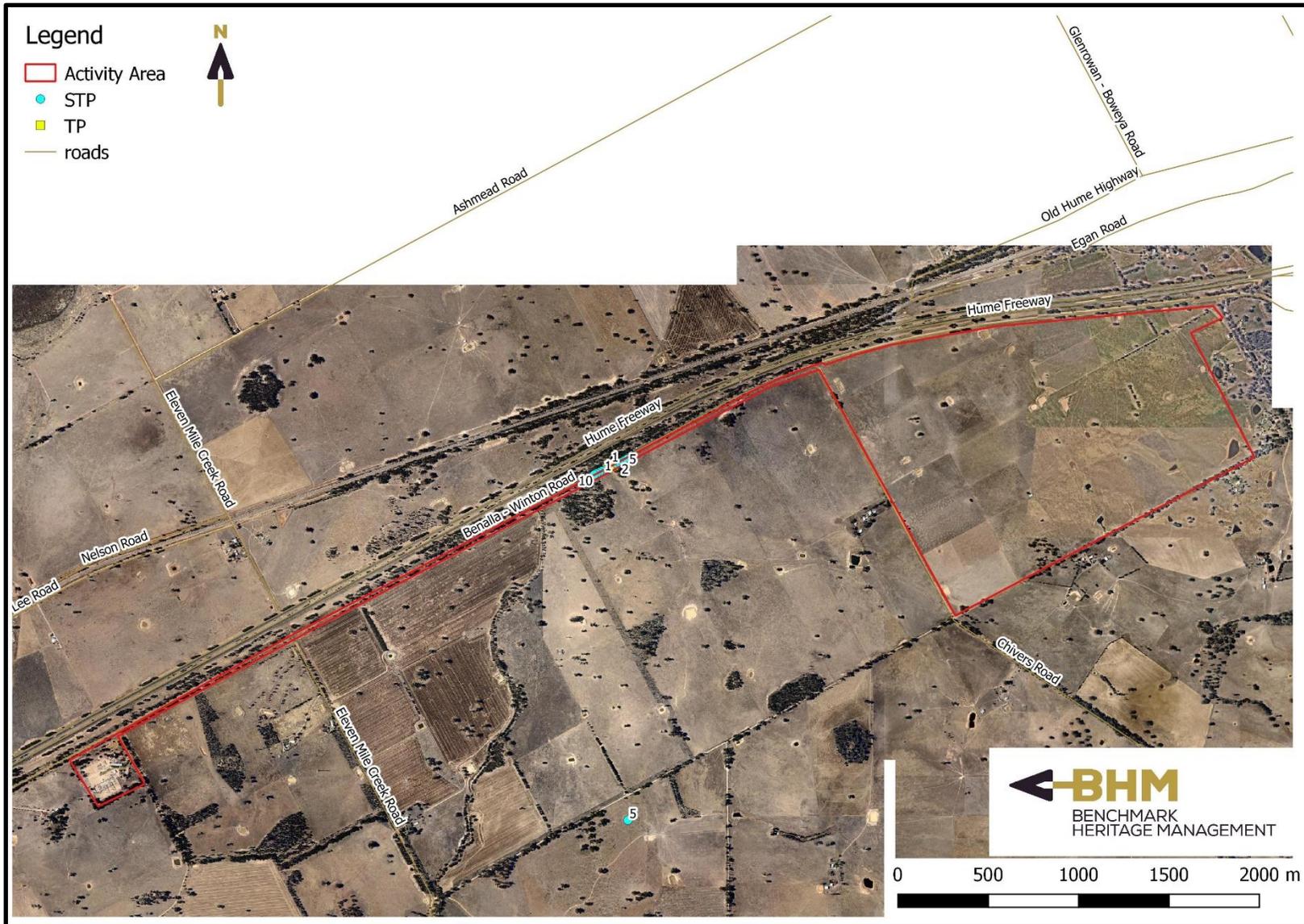
Shovel Test Pits were undertaken to examine the general stratigraphy; changes in stratigraphy and to provide improved sample size and investigate the extent of sub-surface disturbance within the Activity Area.

The Shovel Test Pits were excavated using a shovel with a 30cm blade. Initially, the grass and surface soil was stripped off each hole to a depth of approximately 5cm. Soil within the Shovel Test Pit hole was then excavated in increments of 10cm until the basal layer was reached.

The soil from each Shovel Test Pit was sieved by the field team using hand sieves with a 5mm mesh. Soil data and the location of any cultural materials were recorded on field forms. A section of the vertical soil profile of each Shovel Test Pit was recorded. A range pole with increments of 20cm and a measure with 1cm increments (vertical) was included in all photographs of excavation. The outlined procedure for dealing with cultural materials, if found, was to place any cultural material in bags with labels identifying their context. A photographic record of each Shovel Test Pit was also made. The centre of each Shovel Test Pit was spatially recorded using a Topcon GRS-1 DGPS with sub one metre accuracy as per AV (2008) target standard for recording Aboriginal heritage places.

The excavated Shovel Test Pit locations are shown in Maps 6-7. The stratigraphy of the Shovel Test Pits is shown in Table 7. GDA94/MGA 55 co-ordinates are shown in Table 7.

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Map 6: Sub-surface Testing Locations, Test Pits 1-2, and Shovel Test Pits 1-10

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Map 7: Sub-surface Testing Locations, Enhanced View - Test Pits 1-2, and Shovel Test Pits 1-10

7.3.4 Results of the Sub-surface Testing

Excavation of Test Pit 1

As required by the *Aboriginal Heritage Regulations 2018*, a Test Pit was initially excavated to determine the soil stratigraphy (see Plate 7, Maps 6-7, and Table 6).

Test Pit 1 was located east of Eleven Mile Creek that appeared on the ground surface to be relatively undisturbed.

No Aboriginal cultural heritage was identified in Test Pit 1. No dating samples of cultural deposits and or stratigraphic layers were obtained due to the lack of Aboriginal cultural heritage located in Test Pit 1. The provenance and stratigraphic data from the Test Pit is contained in Table 6. The location of the Test Pit can be found in Maps 6-7. A photograph of the Test Pit 1 is shown in Plate 7.

The soil profile is considered representative of the typical soil profile described in Section 7.1.6 which describe soils comprising sodic duplex soils (fertile silty clay-loams), with a shallow A horizon. All members of the field team agreed that the base of Context 3 – was a natural clay base and an archaeologically sterile deposit and agreed excavation could cease.

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Table 6: Summary excavation data from Test Pit 1

GDA 94/MGA55 Coordinates	425090.116e, 5962661.407n
Size	1x1m
Stratigraphy	
Context 1	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6
Context 2	20-160mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6
Context 3	160-180mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6
Depth of Excavation	180mm
Plate 7: Photo by A. Millar (1/2/21) after excavation showing stratigraphic profile of Test Pit 1 facing north. Measures with 20cm increments	

Excavation of Test Pit 2

Test Pit 2 was located west of Eleven Mile Creek in an area clear of trees and that appeared on the ground surface to be relatively undisturbed.

No Aboriginal cultural heritage was identified in Test Pit 2. No dating samples of cultural deposits and or stratigraphic layers were obtained due to the lack of Aboriginal cultural heritage located in Test Pit 1. The provenance and stratigraphic data from the Test Pits is contained in Table 7. The location of the Test Pit can be found in Maps 6-7. A photograph of the Test Pit 2 is shown in Plate 8.

The soil profile is considered representative of the typical soil profile described in Section 7.1.6 which describe soils comprising sodic duplex soils (fertile silty clay-loams), with a shallow A horizon. All members of the field team agreed that the base of Context 3 – was a natural clay base and an archaeologically sterile deposit and agreed excavation could cease.

Table 7: Summary of excavation of Test Pit 2

GDA 94/MGA55 Coordinates	425050.608e, 5962643.522n
Size	1x1m
Stratigraphy	
Context 1	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6

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Context 2	20-230mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6
Context 3	230-280mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6
Depth of Excavation	280mm
Plate 8: Photo by A. Millar (2/2/21) after excavation showing stratigraphic profile of Test Pit 2 facing north. Measures with 20cm increments	

Shovel Test Pits

Ten 50cm x 50cm Shovel Test Pits were excavated (Maps 6-7, Table 8). Shovel Test Pits were excavated to:

1. Further assess the likelihood of Aboriginal cultural material being located within the Activity Area.
2. To determine the extent of ground disturbance caused by land clearance.

The stratigraphic data from the Shovel Test Pits is contained in Table 8.

Table 8: Stratigraphic Details: Shovel Test Pits 1-10

STP	GDA 94/MGA 55 Co-ordinates Easting	GDA 94/MGA 55 Co-ordinates Northing	Stratigraphy	Presence of Cultural Material
1	425107.389	5962669.728	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-270mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 270-300mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
2	425124.95	5962676.146	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-280mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6	Np

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			280-340mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	
3	425137.303	5962685.146	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-280mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 280-300mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
4	425150.022	5962692.265	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-190mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 190-290mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
5	425168.137	5960703.331	0-30mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 30-100mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 100-150mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
6	425036.881	5962636.354	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-270mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 270-300mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
7	425022.776	5962632.923	0-30mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 30-260mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 260-340mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
8	425009.535	5962625.417	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-260mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 260-300mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No

9	424993.897	5962619.364	0-30mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 30-230mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 230-270mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No
10	424981.505	5962612.27	0-20mm is described as brown humic loam with grass root inclusions. Munsell 10YR 5/8 and pH 6 20-290mm presented as light brown compact, cemented silty loam. Munsell 10YR 5/8 and pH 6 290-310mm was considered the basal layer with light brown mottled orange clay. Munsell 10YR 5/8 and pH 6	No

7.3.5 Complex Assessment Constraints and Limitations

The major constraints encountered during the Complex Assessment comprised:

- The locations of the trees and Eleven Mile Creek in the area of potential sensitivity within 200m of Eleven Mile Creek; which could not be assessed.

7.3.6 Conclusions of the Sub-Surface Testing

Two 1x1m Test Pit and ten 50x50cm Shovel Test Pits were excavated, to establish the soil stratigraphy of the Activity Area and to assess the likelihood of Aboriginal cultural material being located within the Activity Area.

No Aboriginal cultural heritage was identified in Test Pit 1 & 2 or Shovel Test Pits 1-10. No dating samples of cultural deposits or stratigraphic layers were obtained due to the absence of Aboriginal cultural heritage in Test Pit 1 & 2 or Shovel Test Pits 1-10. In general, the Complex Assessment has revealed that the Activity Area is of low potential sensitivity for Aboriginal cultural deposits.

Possible reasons for the absence of Aboriginal cultural material in the Activity Area include:

- Vegetation clearance;
- The ephemeral nature of Eleven Mile Creek; and
- The Activity Area may not have been a favourable location to camp.

The excavation results indicated the following:

- Soil types located within the Activity Area did not vary greatly and generally comprised a thin layer of brown silty loam overlying sticky dark brown/orange mottled clay.

Comparison with the Aboriginal Heritage Place Prediction Model

The archaeological research undertaken in preparation of the CHMP was comprehensive and has resulted in an overall understanding of the nature of Aboriginal cultural heritage within the Activity Area.

Point 4 of the Aboriginal heritage place prediction model stated that:

“The impact of land clearance, construction of the buildings, sheds, access tracks, dam, and services is likely to have a severe impact on the topsoils and any Aboriginal cultural heritage; reducing the potential archaeological sensitivity of the Activity Area”.

It is considered that the results of the complex assessment generally support the Aboriginal heritage place prediction model stated in Section 7.1.9.

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8.0 Details of Aboriginal Cultural Heritage in the Activity Area

No Aboriginal cultural heritage was identified.

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9.0 Consideration of Section 61 Matters

Section 61 Matters

Section 3(a) of the *Aboriginal Heritage Act 2006* states that the principal objective of the legislation is to recognise, protect and conserve Aboriginal cultural heritage in Victoria.

Section 61 of the *Aboriginal Heritage Act 2006* states that the following matters are to be considered in assessing whether a cultural heritage management plan relating to an activity is to be approved—

- a) whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage;
- b) if it does not appear to be possible to conduct the activity in a way that avoids harm to Aboriginal cultural heritage, whether the activity will be conducted in a way that minimises harm to Aboriginal cultural heritage;
- c) any specific measures required for the management of Aboriginal cultural heritage likely to be affected by the activity, both during and after the activity;
- d) any contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity; and
- e) requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity.

Contingency plans in relation to Points (a) - (e) are included in Section 2 of this CHMP:

- Specific measures required for the management of Aboriginal cultural heritage identified either during and/or after the activity are identified in Section 2.4.
- Contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity are identified in Section 2.3.
- Requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity are identified in Section 2.5.

In case of a dispute arising between the Sponsor and the RAP regarding cultural heritage management in the Activity Area the procedures outlined in Section 2 of this report should be adhered to. Processes to be followed in relation to disputes, delays and other obstacles are outlined in the Management Requirements (below). Procedures are outlined for factors that may affect the conduct of the Activity. These include procedural guidelines in the event that suspected human remains are discovered, and safety requirements.

9.1 Are there particular Contingency Plans that might be necessary?

There are several contingency plans that may be necessary during the project. In particular, it is necessary to have a contingency in place for the unexpected discovery of cultural material and for the unexpected discovery of human remains. These and other contingency plans are discussed in detail in Section 2 of this CHMP.

9.2 What Custody and Management Arrangements might be needed?

Custody of any Aboriginal cultural heritage material identified during the activity must be ascribed to the YYNAC. The custody and management of Aboriginal cultural heritage identified during the activity

is dealt with in Section 2.5 Custody and Management of Aboriginal Cultural Heritage Recovered During Works.

9.3 Cumulative Impact Statement

In terms of Aboriginal cultural heritage, there have been many archaeological investigations within the geographic region.

The cumulative impact of the activity on archaeological sites relates to the harm to be caused by development to Aboriginal cultural heritage located in the geographic region.

While increased and intensive land use such as recreational and residential development have the potential to severely disturb surface and sub-surface deposits, there remains potential, even within highly disturbed contexts, for the remains of Aboriginal Cultural Heritage. The cumulative effect of land use over time means that any areas of less disturbed or undisturbed land containing Aboriginal cultural heritage places become increasingly valuable in a local and regional context and from a cultural and scientific perspective. Impacts to Aboriginal cultural heritage within the geographic region may be closely tied to agro-pastoral land use from the mid-19th century, followed by the subdivision and sale of thousands of acres in the twentieth century.

In the recent years, the need for additional residential land in the region saw the steady encroachment of former agricultural and pastoral land in, with the creation of new residential and industrial areas. While the impact these developments have had to Aboriginal cultural heritage is in part unknown, as many works pre-date the *Aboriginal Heritage Act 2006* and were not subject to archaeological investigation or did not require the preparation of a CHMP under the current legislation, much of the development in the region has occurred in the last 20 years. Given increasing residential, commercial, and industrial expansion in the region, it may be considered that the archaeological record of the area has been and will continue to be impacted; however, large swathes of rural land remain in the surrounding region. Although the majority of recent archaeological investigations have been relatively limited in scope, they have resulted in an increase in known ACHPs. These have primarily been identified along where land is either scheduled for development, or where development has subsequently occurred.

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Appendices

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Notice of Intent to prepare a Cultural Heritage Management Plan for the purposes of the *Aboriginal Heritage Act 2006*

This form can be used by the Sponsor of a Cultural Heritage Management Plan to complete the notification provisions pursuant to s.54 of the *Aboriginal Heritage Act 2006* (the "Act").

For clarification on any of the following please contact Victorian Aboriginal Heritage Register (VAHR) enquiries on 1800-726-003.

SECTION 1 - Sponsor information

Sponsor: Esco Pacific P/L
 ABN/ACN: 77 608 790 085
 Contact Name: Catherine O' Riordan
 Postal Address: Level 4, 13 Cremorne Street, Richmond, Vic 3121
 Business Number: 0400 398 789 Mobile: _____
 Email Address: catherine@escopacific.com.au

Sponsor's agent (if relevant)

Company: _____
 Contact Name: _____
 Postal Address: _____
 Business Number: _____ Mobile: _____
 Email Address: _____

SECTION 2 - Description of proposed activity and location

Project Name: Glenrowan Solar Farm - connection to Glenrowan Substation, Glenrowan
 Municipal district: Benalla Rural City Council

Clearly identify the proposed activity for which the cultural heritage management plan is to be prepared (ie. Mining, road construction, housing subdivision)

Utility installation (not telco)

SECTION 3 - Cultural Heritage Advisor

<u>Matthew Barker</u>	<u>Benchmark Heritage Management</u>	<u>matthew@benchmarkheritage.com</u>
<i>Name</i>	<i>Company</i>	<i>Email address</i>

SECTION 4 - Expected start and finish date for the cultural heritage management plan

Start Date: 07-Dec-2020 Finish Date: 30-Apr-2021

Submitted on: 07 Dec 2020

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SECTION 5 - Why are you preparing this cultural heritage management plan?

- A cultural heritage management plan is required by the Aboriginal Heritage Regulations 2007
What is the high Impact Activity as it is listed in the regulations?
Utility installation (not telco)
Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? Yes
- Other Reasons (Voluntary)
- An Environment Effects Statement is required
- A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs.
- An Impact Management Plan or Comprehensive Impact Statement is required for the activity

SECTION 6 - List the relevant registered Aboriginal parties (if any)

This section is to be completed where there are registered Aboriginal parties in relation to the management plan.
YORTA YORTA Nation Aboriginal Corporation

SECTION 7A - List the relevant Aboriginal groups or Aboriginal people with whom the Sponsor intends to consult (if any)

*This section is to be completed only if the proposed activity in the management plan is to be carried out in an area where there is **no Registered Aboriginal Party**.*

SECTION 7B - Describe the intended consultation process (if any)

*This section is to be completed only if the proposed activity in the management plan is to be carried out in an area where there is **no Registered Aboriginal Party**.*

SECTION 8 – State who will be evaluating this plan (mandatory)

The plan is to be evaluated by:

- Joint - Registered Aboriginal Party AND The Secretary
- A Registered Aboriginal Party
If checked, list the relevant Registered Aboriginal Party Evaluating: YORTA YORTA Nation Aboriginal Corporation
- The Secretary
- Victorian Aboriginal Heritage Council

SECTION 9 – Preliminary Aboriginal Heritage Tests (PAHTs)

List the Reference Number(s) of any PAHTs conducted in relation to the proposed activity:

SECTION 10 - Notification checklist

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Ensure that any relevant registered Aboriginal party/ies is also notified. A copy of this notice with a map attached may be used for this purpose.

(A registered Aboriginal party is allowed up to 14 days to provide a written response to a notification specifying whether or not it intends to evaluate the management plan.)

In addition to notifying the Deputy Director and any relevant registered Aboriginal party/ies, a Sponsor must also notify any owner and/or occupier of any land within the area to which the management plan relates. A copy of this notice with a map attached may be used for this purpose.

Ensure any municipal council, whose municipal district includes an area to which the cultural heritage management plan relates, is also notified. A copy of this notice, with a map attached, may also be used for this purpose.

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Submitted on: 07 Dec 2020

Appendix 2: Response from the YYNAC

Catherine O’Riordan
ESCO Pacific P/L
Level 4, 13 Cremorne Street
Richmond VIC 3121

9th December 2020

NOTICE OF INTENT TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN: 17625

Glenrowan Solar Farm – Connection to Glenrowan Substation

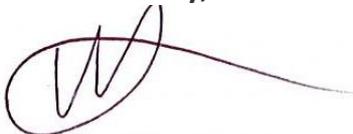
Yorta Yorta Nation Aboriginal Corporation (YYNAC) has received the Notice of Intent (NOI) to prepare a Cultural Heritage Management Plan (CHMP) for the above project which was received 07 December 2020.

The Yorta Yorta Nation Aboriginal Corporation is the Registered Aboriginal Party (RAP) under the *Victorian Aboriginal Heritage Act 2006*. It will evaluate the management plan for the project.

The cost for the evaluation of the management plan is as prescribed in the *Victorian Aboriginal Heritage Regulations 2007*. Costs for consultation with the registered Aboriginal Party are outlined in the Yorta Yorta Nation Aboriginal Corporation’s fees and terms of engagement document.

The Yorta Yorta Nation Aboriginal Corporation request an inception meeting be held with the Project Sponsor and the Cultural Heritage Advisor before any works are to commence.

Yours Sincerely,



Wade Morgan
Cultural Heritage Unit Coordinator

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Appendix 3: Glossary

A

Angular fragment: A piece of stone that is blocky or angular, not flake-like.

Archaeology: The study of the remains of past human activity.

Area of Archaeological Sensitivity: A part of the landscape that contains demonstrated occurrences of cultural material. The precise level of sensitivity will depend on the density and significance of the material.

Artefact scatter: A surface scatter of cultural material. Aboriginal artefact scatters are defined as being the occurrence of five or more items of cultural material within an area of about 100m² (Aboriginal Victoria 1993). Artefact scatters are often the only physical remains of places where people have lived camped, prepared, and eaten meals and worked.

B

BP: Before Present. The present is defined as 1950.

Backed blade (geometric microlith): Backing is the process by which one or more margins contain consistent retouch opposite to the sharp working edge. A backed blade is a blade flake that has been abruptly retouched along one or more margins opposite the sharp working edge. Backed pieces include backed blades and geometric microliths. Backed blades are a feature of the Australian Small Tool Tradition dating from between 5,000 and 1,000 years ago in southern Australia (Mulvaney 1975).

Blade: A stone flake that is at least twice as long as it is wide.

Burial: Usually a sub-surface pit containing human remains and sometimes associated artefacts.

C

Core: A stone piece from which a flake has been removed by percussion (striking it) or by pressure. It is identified by the presence of flake scars showing the negative attributes of flakes, from where flakes have been removed.

E

Ethnography: The scientific description of living cultures.

Exposure: Refers to the degree to which the sub-surface of the land can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by land use practices, such as ploughing or grading. It is generally expressed in terms of the percentage of the sub-surface visible for an observer on foot.

F

Flake: A stone piece removed from a core by percussion (striking it) or by pressure. It is identified by the presence of a striking platform and bulb of percussion, not usually found on a naturally shattered stone.

Formal tool: An artefact that has been shaped by flaking, including retouch, or grinding to a predetermined form for use as a tool. Formal tools include scrapers, backed pieces and axes.

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G

GDA94 or Geocentric Datum of Australia 1994: A system of latitudes and longitudes, or east and north coordinates centred at the centre of the earth's mass. GDA94 is compatible with modern positioning techniques such as the Global Positioning System (GPS). It supersedes older coordinate systems (AGD66, AGD84). GDA94 is based on a global framework, the IERS Terrestrial Reference Frame (ITRF), but is fixed to a number of reference points in Australia. GDA94 is the Victorian Government Standard and spatial coordinates for excavations, transects and places in CHMP documents.

H

Hearth: an organic sub-surface feature; it indicates a place where Aboriginal people cooked food. The remains of a hearth are usually identifiable by the presence of charcoal and sometimes clay balls (like brick fragments) and hearth stones. Remains of burnt bone or shell are sometimes preserved within a hearth.

Holocene, recent, or postglacial period: The time from the end of the Pleistocene Ice Age (c. 10,300 BP) to the present day.

I

In-situ: A description of any cultural material that lies undisturbed in its original point of deposition.

L

Land System: Description for an area of land based on an assessment of a series of environmental characteristics including geology, geomorphology, climate, soils, and vegetation.

M

Midden: Shell middens vary widely in size composition and Complexity. Deposits vary in Complexity, they range from being homogenous to finely stratified deposits. Material which may be found in middens includes different shell species, stone artefacts, hearths, and animal bones.

Q

Quarry (stone/ochre source): A place where stone or ochre is exposed and has been extracted by Aboriginal people. The rock types most commonly quarried for artefact manufacture in Victoria include silcrete, quartz, quartzite, chert and fine-grained volcanics such as greenstone.

Quartz: A mineral composed of silica with an irregular fracture pattern. Quartz used in artefact manufacture is generally semi-translucent, although it varies from milky white to glassy. Glassy quartz can be used for conchoidal flaking, but poorer quality material is more commonly used for block fracturing techniques. Quartz can be derived from waterworn pebble, crystalline or vein.

P

Pleistocene: The dates for the beginning and end of the Pleistocene generally correspond with the last Ice Age. That is from 3.5 to 1.3 million years ago. The period ends with the gradual retreat of the ice sheets, which reached their present conditions around 10,300 BP.

Pre-contact: Before contact with non-Aboriginal people.

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Post-contact: After contact with non-Aboriginal people.

R

Raw material: Organic or inorganic matter that has not been processed by people.

Registered Aboriginal Cultural Heritage Places: These are Aboriginal sites registered on the Victorian Aboriginal Heritage Register (VAHR).

Regolith: The mantle of unconsolidated soil/sediments/weathered rock materials forming the surface of the land that rests upon the bedrock.

S

Scarred trees: Aboriginal derived scars are distinct from naturally occurring scars by their oval or symmetrical shape and occasional presence of steel, or more rarely, stone axe marks on the scar's surface. Other types of scarring include toeholds cut in the trunks or branches of trees for climbing purposes and removal of bark to indicate the presence of burials in the area. Generally, scars occur on River red gums (*Eucalyptus camaldulensis*) or grey box (*E. microcarpa*) trees. River red gums are usually found along the margins of rivers, creeks, and swamps with grey box on near and far floodplains. Size and shape of the scar depended on the use for which the bark was intended. For example, bark was used for a variety of dishes and containers, shields, canoes, and construction of huts.

Significance: The importance of a heritage place or place for aesthetic, historic, scientific, or social values for past, present, or future generations.

Silcrete: Soil, clay or sand sediments that have silicified under basalt through groundwater percolation. It ranges in texture from very fine grained to coarse grained. At one extreme it is cryptocrystalline with very few clasts. It generally has characteristic yellow streaks of titanium oxide that occur within a grey and less commonly reddish background. Used for flaked stone artefacts.

Spit: Refers to an arbitrarily defined strata of soil removed during excavation.

Stratification: The way in which soil forms in layers.

Stratified deposit: Material that has been laid down, over time, in distinguishable layers.

Stratigraphy: The study of soil stratification (layers) and deposition.

Stone Artefact: A piece of stone that has been formed by Aboriginal people to be used as a tool or is a by-product of Aboriginal stone tool manufacturing activities. Stone artefacts can be flaked such as points and scrapers or ground such as axes and grinding stones.

T

Tool: A stone flake that has undergone secondary flaking or retouch.

Transect: A fixed path along which one excavates or records archaeological remains.

V

Victorian Aboriginal Heritage Register: A list of all registered Aboriginal cultural heritage places (Aboriginal Places) in Victoria.

Visibility: Refers to the degree to which the surface of the ground can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by land use practices, such as ploughing or grading. It is generally expressed in terms of the percentage of the ground surface visible for an observer on foot.

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Appendix 4: ACHP Listing Report for the Geographic Region Showing ACHP Components

Place Number	Name	Zone	Number	Type
8125-0455	Glenrowan West 1	55	8125-0455-1	Scarred Tree
8125-0456	Glenrowan West 2	55	8125-0456-1	Scarred Tree
8125-0457	Glenrowan West 3	55	8125-0457-1	Scarred Tree
8125-0458	Glenrowan West 4	55	8125-0458-1	Aboriginal Cultural Place

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