

Final Report

Dry Stone Wall Assessment and Management Plan for Willatook Wind Farm, Victoria

Client

Willatook Wind Farm Pty Ltd

05 February 2026

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Ecology and Heritage Partners Pty Ltd

Author

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- Willatook Wind Farm Pty Ltd;
- Heritage Victoria; and
- Moyne Shire Council.

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ABBREVIATIONS

Acronym	Description
The Act	<i>Heritage Act 2017</i>
CHL	Commonwealth Heritage List
CHMP	Cultural Heritage Management Plan
CMA	Catchment Management Authority
DEECA	Department of Energy, Environment and Climate Action (Victoria)
DELWP	Department of Environment, Land, Water and Planning (Victoria); replaced by DEECA in January 2023
DCCEEW	Department of Climate Change, Environment, Energy and Water (Commonwealth)
DPC	Department of the Premier and Cabinet (Victoria)
EES	Environment Effects Statement
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
FP – SR	First Peoples-State Relations
HA	Heritage Advisor
HHA	Historical Heritage Assessment
HO	Heritage Overlay
HV	Heritage Victoria
MSC	Moyne Shire Council
NES	National Environmental Significance
NHL	National Heritage List
NTR	National Trust Register (Victoria)
PMST	Protected Matters Search Tool
RNE	Register of the National Estate
SLV	State Library of Victoria
VHI	Victorian Heritage Inventory
VHR	Victorian Heritage Register
VWHI	Victorian War Heritage Inventory
WHL	World Heritage List

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CONTENTS

1	INTRODUCTION	1
1.1	Background and Scope of Works	1
1.2	Project Description	1
1.3	Study Area.....	3
1.4	Desktop Assessment	3
1.4.1	Fieldwork and Reporting	4
1.5	Report Production Team.....	4
1.6	Report Review and Distribution	5
1.7	Heritage Legislation	6
1.8	Local Council	6
1.9	Cadastral Details	6
2	BACKGROUND REVIEW	8
2.1	Dry Stone Walling and the Western Districts of Victoria	8
2.2	Fencing Specifications	9
2.3	Historical Context.....	10
2.3.1	Regional History	10
2.3.2	Local History.....	14
2.4	Aerial and Satellite Imagery Interpretation.....	15
3	DATABASE SEARCHES	20
3.1	Victorian Heritage Register	20
3.2	Victorian Heritage Inventory	20
3.3	Local Council	20
3.3.1	Moyne Planning Scheme.....	20
4	FIELD ASSESSMENT AND RESULTS	22
4.1	Aims and Objectives.....	22
4.2	Methodology of the Survey	22
4.2.1	Construction Technique	22
4.2.2	Impacts or Potential Impacts	23
4.3	Limitations of the Survey	24

4.3.1	Survey – Summary of Results and Conclusions	24
5	DRY STONE WALLS.....	25
5.1	DSW-1	25
5.2	DSW-2	27
5.3	DSW-3	29
5.4	DSW-4	31
5.5	DSW-5	33
5.6	Conclusions	35
6	SIGNIFICANCE ASSESSMENT	36
6.1	Significance Assessment	36
6.1.1	Historical Cultural Significance	36
6.1.2	Significance Criteria.....	36
7	IMPACT ASSESSMENT.....	39
7.1	Potential Impacts	39
8	MANAGEMENT PRINCIPLES	41
8.1	Management Recommendations.....	41
8.2	Working Close to the Retained Wall	42
8.3	Other Issues	42
8.4	Standard of Construction	43
	MAPS	44
	REFERENCES.....	49
	APPENDICES	52
	Appendix 1: Heritage Legislation	53
	Appendix 2: Significance Assessment	58
	Appendix 3: Glossary.....	62

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Tables

Table 1: Summary of Proposed Development's Main Features	2
Table 2: Cadastral Details of the Study Area	6
Table 3: Dry Stone Wall Assessment Criteria (Vines 1990)	22
Table 4: Criteria Used for Preservation Assessment (Vines 1990)	23
Table 5: Proposed Impacts to DSW portions	39
Table 6: Summary of Potential Impacts to DSW-1 to -5.....	40

Figures

Figure 1: Land descriptions and depictions of pastoral runs in the study area, dated 1866, (Source: State Library of Victoria [SLV] 2026a).....	12
Figure 2: Pastoral runs' owners within the study area, dated 1854 (Source: Public Record Office Victoria [PROV] 2026).....	13
Figure 3: Topographic map showing the approximate location of the study area (red), dated 1942 (Source: SLV 2026b).....	14
Figure 4: Photograph of Charles Hamilton Macknight (1819-1873), dated 1872. (Source: SLV 2026c).....	15
Figure 5: Historical aerial photography of approximate study area location (red), dated 1950 (Source: DEECA 2026a).....	16
Figure 6: Historical aerial photograph of eastern portion of study area (red), dated 1981 (Source: Geoscience Australia 2026a).	16
Figure 7: Historical aerial photograph of western portion of study area (red), dated 1981 (Source: Geoscience Australia 2026b).....	17
Figure 8: Satellite imagery of study area (pink), dated 2013 (Source: DEECA 2026b).....	18
Figure 9: Satellite imagery of study area (pink), dated 2023 (Source: DEECA 2026c).....	19

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Plates

Plate 1: Corner of DSW-1 facing east (A. Wilkinson 2020).....	26
Plate 2: General aerial view DSW-1 showing the two walls, facing south (A. Wilkinson 2020).....	26
Plate 3: DSW-1 showing collapse at the corner where walls meet facing east (A. Wilkinson 2020).....	26
Plate 4: The East-West aligned part of DSW-1 showing poor bonding (A. Wilkinson 2020).	26
Plate 5: North face of DSW-1 facing south (A. Wilkinson 2020).....	26
Plate 6: West wall showing refined technique of walling facing east (A. Wilkinson 2020).	26

Plate 7: DSW-2 at the northern end of the wall facing east (A. Wilkinson 2020).....	28
Plate 8: View of DSW-2 showing toppling of coping stones (A. Wilkinson 2020).....	28
Plate 9: General view of DSW-2 facing south (A. Wilkinson 2020).....	28
Plate 10: The middle section of DSW-2 showing collapse (A. Wilkinson 2020).....	28
Plate 11: Southern end of DSW-2 showing coping stones (A. Wilkinson 2020).	28
Plate 12: Southern end of DSW-2 showing well-constructed section of wall. (A. Wilkinson 2020).	28
Plate 13: Beginning of DSW-3 at gate, facing east (A. Wilkinson 2020).	30
Plate 14: First 30 m of DSW-3 showing coping stones in place facing east (A. Wilkinson 2020).....	30
Plate 15: DSW-3 showing well-constructed section of wall facing east (A. Wilkinson 2020).	30
Plate 16: View of section of DSW-3 showing vegetation growth on walls (A. Wilkinson 2020).	30
Plate 17: Last 20 m of DSW-3 (A. Wilkinson 2020).....	30
Plate 18: Southern end of DSW-3 (A. Wilkinson 2020).	30
Plate 19: Aerial view of DSW-4 beginning of wall (A. Wilkinson 2020).	32
Plate 20: Aerial view DSW-4 (A. Wilkinson 2020).....	32
Plate 21: Segment 17 (240-255 m) general view of DSW-4 largely collapsed (A. Wilkinson 2020).....	32
Plate 22: View of DSW-4 from the west side where it is covered by grass and trees (A. Wilkinson 2020).	32
Plate 23: End of DSW-4 south-end at Riordans Road (A. Wilkinson 2020).	32
Plate 24: Aerial view of DSW-4 at South end (A. Wilkinson 2020).	32
Plate 25: Beginning of DSW-5 at Riordans Road, aerial view (A. Wilkinson 2020).	34
Plate 26: Beginning of DSW-5 at Riordans Rd disturbed by electricity post facing west (A. Wilkinson 2020)..	34
Plate 27: Segment of DSW-5 aerial view (A. Wilkinson 2020).....	34
Plate 28: General view of segment 18 (260-270 m) showing sections of the wall still standing (A. Wilkinson 2020).....	34
Plate 29: Aerial profile of section of DSW-5 (A. Wilkinson 2020).....	34
Plate 30: End of DSW-5 (A. Wilkinson 2020).....	34

Maps

Map 1: Location of Study Area.....	45
Map 2: Study Area with Proposed Turbine Locations	46
Map 3: Landers Lane DSW and Proposed Turbine Locations.....	47
Map 4: Detail of Landers Lane DSW and Proposed Turbine Locations	48

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1 INTRODUCTION

1.1 Background and Scope of Works

Ecology and Heritage Partners Pty Ltd was commissioned by Willatook Wind Farm Pty Ltd to prepare a Dry Stone Wall Management Plan (DSWMP) for dry stone walls at the proposed Willatook Wind Farm, Victoria (Moyne Shire Council) (Map 1).

1.2 Project Description

Willatook Wind Farm Pty Ltd (the proponent) is developing the proposed Willatook Wind Farm in Moyne Shire, Victoria. The project will harness strong and reliable winds to generate renewable energy through the construction and operation of up to 52 wind turbine generators and would operate for a period of at least 25 years following a two-year construction period (Map 2; Table 1).

Electricity produced from wind turbines would be fed through underground cables to the on-site substation, from where it will be exported to the NEM via the Tarrone Terminal Station and the existing Moorabool to Heywood 500 kilovolt (kV) transmission line.

Other project infrastructure would include (Map 2; Table 1):

- an on-site quarry for basalt rock that will be used to provide crushed rock;
- a battery energy storage system (BESS) located immediately to the west of the substation; and
- an operations and maintenance (O&M) facility consisting of site offices and amenities.

The Willatook Wind Farm in southwest Victoria has progressed through a comprehensive environmental assessment under the *Environment Effects Act 1978* (Vic), with the preparation of the associated Environment Effects Statement (EES). Following public exhibition (in July-August 2022) and an Independent Panel Hearing/Inquiry (in Oct-Nov 2022), the Minister for Planning issued her Assessment of the EES (in July 2023). The project was recommended for approval provided there were key modifications to the project relating to turbine free areas around habitat for the Brolga and Southern Bent-wing Bat.

Since the conclusion of the EES process, the Victorian Government has developed a new biodiversity policy specifically relating to onshore wind energy publishing the *Handbook for the Development of Renewable Energy in Victoria – Guidance to Avoid, Minimise, Mitigate and Compensate for Impacts on Threatened Bird and Bat Species* (DEECA 2025). In response, the project proponent has refined the wind farm layout and reduced the overall project scale to align with the Minister's recommendations and applying the recommendations of the new Handbook. Seven proposed wind turbine generators were removed. There were also changes to the proposed track, cable and quarry designs.

The Project is now at the stage of submitting a revised Planning Permit Application incorporating the updated layout and supporting assessments.

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Table 1: Summary of Proposed Development's Main Features

Project's main features	Details
Location	The project is located within the Moyne Shire approximately 3 km northeast of Orford and 10 km southwest of Hawkesdale. The project site is situated to the south of Woolsthorpe-Heywood Road between the Hamilton-Port Fairy Road to the west and the Penshurst-Warrnambool Road to the east.
Setting	The main land use with the project site is agricultural (predominantly sheep and cattle grazing). Native vegetation is largely restricted to roadside reserves and highly modified isolated occurrences along waterways, gullies and stony knolls, which would be largely avoided.
Landowners	15 landowners with project infrastructure on their land.
Wind Turbines	Up to 52 with a maximum tip height of 254 m, maximum rotor diameter up to 175 m and minimum tip height of 60 m.
Annual generation	Over 1,200 GWh per year.
Construction period	Approximately 24 months.
Electrical reticulation	Approximately 98 km of underground 33 kV electricity cable with fibre-optic cabling connecting the wind turbines to the on-site substation.
On-site substation	The on-site substation would consist of a series of electrical transformers, switchgear, circuit breakers, a control room and switch room, amenity facilities, including a toilet, and fire services. The on-site substation would be connected to the Tarrone Terminal Station via an overhead transmission 300 m in length. Single yard with footprint of up to 70 m by 220 m.
Permanent met masts	Up to three permanent meteorological masts are proposed, accessed via a single lane track.
Operations and maintenance facility	An operations and maintenance facility would be located adjacent to the on-site substation and provide office, storage, and maintenance facilities. Nominally 70 m by 220 m.
Access tracks	Approximately 70 km in length. The final access tracks would be 6 m wide.
Battery Energy Storage Systems (BESS)	An on-site battery energy storage facility with a capacity of 200 MW/400 MWh is proposed to be located adjacent to the on-site substation. The BESS would consist of a series of 20-foot containerised batteries with transformers, high voltage AC (HVAC) coolers and other electrical plant. The BESS would be sited on a hardstand area of up to two hectares (nominally 250 m x 200 m).
Transport	Transport of wind turbines and ancillary components (e.g., BESS and substation infrastructure) would primarily be from Portland and via the regional road network.
Site access and access roads	Five project site access points are proposed from the Woolsthorpe-Heywood Road and Tarrone North Road. Riordan's Road and Old Dunmore Road to connect internal access tracks. Access tracks would have a final width of 6 m, and a minimum 30 m turning radius. The construction footprint of accessways would be 20 m wide.
Development Footprint	The project site encompasses an area of approximately 3,651 ha of private and public land. The construction footprint is estimated to be 246.7 ha of which 5.59 ha is native vegetation. The operational footprint is estimated to be 127.5 ha, which represents 3.5% of the project site.

Project's main features	Details
Raw materials/quarry	The project is estimated to require approximately 300,000 cubic metres of quarried aggregate for roads, hardstands, and foundations. This would either be sourced from an on-site quarry or existing commercial quarries, the closest being Tarrone Quarry located approximately 3 km to the southeast of the project site.
Temporary components	A temporary construction compound would be located within the project site and include office facilities, amenities, and car parking. Three concrete batching plants would be established to supply concrete for the wind turbine foundations, the on-site substation, and the BESS. Four laydown hardstand areas would also be established for the storage of wind turbine components and other equipment.
Life	25 years following a period of up to 3 years of pre-development and construction activities. Pre- development would include detailed design and early works, where permitted.
Decommissioning	Within 12 months of the wind turbines permanently ceasing to generate electricity, the wind farm would be decommissioned. This would include removing all above ground equipment, restoration of all areas associated with the project, unless otherwise useful to the ongoing management of the land, and post-decommissioning revegetation with pasture or crop.
Environmental benefits	The project would generate the equivalent to the average electricity usage of more than 240,000 Victorian households. Savings of approximately 1 million tonnes of CO ₂ equivalent annually.

1.3 Study Area

The study area is located approximately 22 km to the north of Port Fairy, and 32 km to the northwest of Warrnambool, and is situated to the south of the Woolsthorpe-Heywood Road, in southwest Victoria (Moyne Shire Council) (Map 1). The study area is approximately 3,644.84 hectares in size and is roughly bounded by Woolsthorpe-Heywood Road to the north, Tarrone Lane to the south, Willatook-Warrong Road and the Moyne River to the east and Hamilton-Port Fairy Road to the west (Map 2). The study area is located within an area of private and public land that is largely used for agriculture, predominantly sheep and cattle grazing.

The dry stone wall subject to this report, D7321-0040 (Landers Lane Dry Stone Wall), is located along the eastern side of Landers Lane and continues for another kilometre south of the Landers Lane-Riordans Road intersection (Map 3).

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1.4 Desktop Assessment

An up to date review of the relevant cultural heritage databases and literature was undertaken, including:

- Any relevant available literature (e.g., Council heritage studies) legislation and policies; and
- A desktop assessment, including:
 - Review the previous HHA report in relation to the study area;
 - Review Council Planning Scheme requirements in relation to DSWs;
 - Review recent aerial photography; and

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- A brief review of the land use of the subject site.

1.4.1 Fieldwork and Reporting

A site investigation was conducted by a qualified heritage advisor to visually assess the condition and integrity of D7321-0040 (Landers Lane Dry Stone Wall), and a prepare a basic description of the walls' features. The management plan will include:

- Detailed desktop assessment;
- The location, nature and extent of the dry stone walling;
- Maps or plans showing:
 - North point and study area boundaries;
 - Wall sections used for the site condition assessment; and
- Assessment and documentation of the walls including feature plans which show the extent and height of the walls, openings in the wall and structural condition of the wall;
- Mitigation measures to be taken during the construction and maintenance phase;
- Conservation policies for the walls, including guidelines as to how the wall can be appropriately adapted and interpreted for wind farm development; and
- All recommendations designed to meet the needs of the client.

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1.5 Report Production Team

This report was prepared by Dr Ashton Sinamai (Archaeologist/Heritage Advisor) and Tom Lally (Associate Heritage Advisor/Archaeologist).

Ashton Sinamai

Ashton is an archaeologist with experience in heritage management and museum studies with expertise in heritage identification, preservation and interpretation. He also has experience in cataloguing identification and analysis of artefacts as well as project management. For 14 years, Ashton worked as an archaeologist at Great Zimbabwe and Khami World Heritage sites which are some of the most extensive dry stone walled sites on the World Heritage list. His experience includes the monitoring, assessment, documentation conservation and interpretation of dry stone walls. Prior to his working at Ecology and Heritage Partners, Ashton has worked an archaeologist in Zimbabwe and Namibia for 16 years and was involved in ensuring compliance in development processes. He is an experienced researcher and has worked at the University of York, UK as an Experienced Marie Curie Research Fellow for two years.

Ashton has carried out numerous excavations in both research and testing/salvage condition in Zimbabwe, Namibia, Kenya, Botswana and also carried out documentation work in the Sudan, Tanzania, South Africa as well as France. He has published a book and several papers on dry stone walling sites in southern Africa.

Ashton has a BA (Hons) in Archaeology from the University of Zimbabwe, a Master of Arts in Public History/Heritage (cum laude) from the University of the Western Cape (South Africa) and a PhD in Cultural

Heritage and Museum Studies from Deakin University. His PhD thesis focused on the mapping of cultural landscapes around the dry stone walled World Heritage site of Khami in Zimbabwe. He has presented his research in numerous conferences.

His formal qualifications include:

- PhD. Cultural Heritage and Museum Studies, Deakin University 2013
- Masters (Visual and Public History), University of the Western Cape, South Africa 2003
- Bachelor of Arts (Hons)(Archaeology), University of Zimbabwe, 1991
- Bachelor of Arts (History/Archaeology) University of Zimbabwe, 1990.

Tom Lally

Tom a qualified archaeologist and Associate Heritage Advisor at Ecology and Heritage Partners. He has been working in the Australian cultural heritage industry for eight years in Queensland, South Australia, Western Australian and Victoria, with an additional four years of experience in the UK and Canada prior to that (2013 – 2017). Tom completed his Bachelor of Archaeology in 2011 and his Graduate Diploma in Archaeology in 2013, both of which were undertaken at Flinders University, South Australia. All studies were completed with a focus on Australian archaeology. He is also an Associate Member of the Australian Association of Consulting Archaeologists (AACAI).

Tom has extensive field experience, having worked as a Project Officer and Field Supervisor on historic and cultural heritage research excavations both nationally and internationally, and has also conducted artefact analysis whilst in these positions. Since moving into consultancy, Tom has gained experience in providing preliminary cultural and historical heritage advice to stakeholders, writing Cultural Heritage Management Plans, including desktop, standard and complex assessments, salvage reports, technical survey reports, and cultural heritage assessments, Heritage Victoria Consent applications, cultural and historical excavation methodologies, artefact analysis, Traditional Owner liaison and reporting.

Tom's formal qualifications include:

- Bachelor of Archaeology (2011), Flinders University.
- Graduate Diploma in Archaeology (2013), Flinders University.

The quality assurance review was undertaken by Oona Nicolson (Principal Heritage Advisor) and Meredith Filihia (Associate Heritage Advisor/Technical Lead). The field work was undertaken by Ashton Sinamai (Archaeologist), Cherrie De Leiuen and Andrew Wilkinson (Archaeologist/Heritage Advisors). Mapping was provided by Monique Elsley (GIS Coordinator).

1.6 Report Review and Distribution

Copies of this report will be lodged with the following organisations:

- Willatook Wind Farm Pty Ltd;
- Moyne Shire Council; and

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- Heritage Victoria.

1.7 Heritage Legislation

An overview of the Victorian *Heritage Act 2017*, the *Victorian Planning and Environment Act 1987*, the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, is included in Appendix 1. This legislation is subordinate to the *Victorian Coroners Act 2008* in relation to the discovery of human remains

1.8 Local Council

The study area is located within the Moyne Shire Council. Development within Moyne Shire is governed by the Moyne Planning Scheme which sets out policies and provisions for the use, development and protection of land, places and properties. Broad planning controls for dry stone walls are implemented under Clause 52.33 of the Moyne Planning Scheme Particular Provisions.

1.9 Cadastral Details

The cadastral details of the study area are as follows (Table 2):

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Table 2: Cadastral Details of the Study Area

Parcel_SPI	Parcel_SPI	Parcel_SPI	Parcel_SPI	Parcel_SPI	Parcel_SPI
2\PS513764	4B~8\PP2835	2\TP529477	2\LP98389	2\TP403368	2042\PP2237
1\PS519322	3~9\PP2835	4A~15\PP2835	4B2~4\PP2835	8\TP403368	2010\PP2835
2\PS519322	4~9\PP2835	4B~15\PP2835	36E\PP2237	6\TP403368	2043\PP2237
2B~4\PP2835	1A~10\PP2835	3A~15\PP2835	36B\PP2237	7\TP403368	2044\PP2237
1B~4\PP2835	1B~10\PP2835	1\TP529477	35A\PP2237	4\TP403368	2041\PP2237
3\TP843794	2A~10\PP2835	2A~20\PP2835	36C\PP2237	5\TP403368	2040\PP2237
2A~4\PP2835	2B~10\PP2835	2B~20\PP2835	36D\PP2237	1A1~8\PP2835	2039\PP2237
1A~4\PP2835	2\TP396974	1A~21\PP2835	35B\PP2237	1~8\PP2835	2038\PP2237
5A~4\PP2835	1\TP396974	1B~21\PP2835	35D\PP2237	2~8\PP2835	2009\PP2835
4B~16\PP2835	4~10\PP2835	1B1~21\PP2835	14A\PP2237	2A~8\PP2835	2014\PP2835
1B~16\PP2835	1B~11\PP2835	1B2~21\PP2835	15C\PP2237	3A~8\PP2835	2013\PP2835
2\PS601753	1~11\PP2835	1B3~21\PP2835	15D\PP2237	3B~8\PP2835	2046\PP2237
3\PS601753	1A~11\PP2835	2C~21\PP2835	15E\PP2237	4A~8\PP2835	2047\PP2237
2~27\PP3824	4B~11\PP2835	2A~21\PP2835	15B\PP2237	1B~17\PP2835	2049\PP2237
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3B~4\PP2835	3A~16\PP2835	8~A\PP2835	5A\PP2237	2\PS718077	2025\PP2835
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2 BACKGROUND REVIEW

The section reviews the historical context of the study area and includes an examination of historical and ethnohistorical sources regarding previously recorded dry stone walls near the study area. This section also briefly reviews the history of dry stone walling as a common fencing type in parts of rural Victoria.

2.1 Dry Stone Walling and the Western Districts of Victoria

Stone is one of the most common materials used by humans in building shelter as well as demarcations. In Australia, most stone walls are a later addition to the landscape, and are mostly to mark boundaries, create paddocks or demarcate homesteads. With the abundance of basalt on the Victorian Volcanic Plain, and the need to clear fields for sheep and cattle grazing as well as cropping, it became the most common stone used in demarcating spaces in Victoria when farming began.

Due to their enormous size, most of the land claimed for the early pastoral runs was poorly defined with boundaries often following natural features such as creeks and lakes or were simply marked by plough lines or blazed trees (Paynter et al. 2004: 6), or by wooden hurdle type fencing (McLellan 1989). Boundaries became more defined during the 1850s following survey by the Colonial government.

Initially, settlers employed shepherds to manage their flocks of sheep across the pastoral runs. The shepherds lived in small huts scattered around the properties. Flocks were moved to take advantage of suitable feed and were penned each night (Holdsworth et al. 2011). Although the runs were not freehold tenure, they were purchased by the squatters and semi-permanent buildings were erected. After a pastoral run had been occupied for five years, a Pre-Emptive Right was granted, giving the squatter 640 acres on which, a residence was usually constructed. These buildings were often the first areas to be fenced off. During the 1850s, the government sought to provide land for smaller farmers and many of the large squatting runs were subdivided and sold off. Much of the pastoral land was purchased by wealthy squatters.

With greater security of tenure for pastoralists, the arrival of the gold rush saw many shepherds leave the land to try their luck on the goldfields and labour for stock management became expensive. This created the need for fencing to manage stock and to form markers to define property boundaries (Holdsworth et al. 2011). According to Pickard (2009) the transition from managing sheep with shepherds to allowing flocks to roam in fenced paddocks is one of the most important technological revolutions in Australian pastoral development. The introduction of fencing was a result of the increase in labour expense; capital outlay on fencing was more cost-effective and pastoralists realised that the new fencing technology could give them higher profits (Pickard 2009). Under the *Land Act 1862*, which allowed for the selection of blocks for purchase, there was a requirement to 'improve' the land by cultivation, establishment of a residence or by fencing. An 1873 article in *The Australasian* concluded that:

In the abstract, stone walls may be considered model fences for a country that is subject to bush-fires, and where stone everywhere obtainable we would feel no hesitation in declaring in favour of its application to such purposes. Breaches are easily repaired, for the material is always there. The first cost is greater than of wood, when the latter is at hand, but for permanence and durability stone has

no peer; moreover, it takes nothing from the soil; the grass at the foot of the wall is as sweet and nutritious as that in any other portion of the field.

In nineteenth century rural Victoria, the most common forms of fencing included dry stone walls, post and rail, hedges, ditches or combinations of the above. The use of wire became more widespread in later years due to its low cost and perceived aesthetics, due to it being largely invisible (Paynter et al. 2004). The use of wire rose exponentially during the 'boom' years between 1861 and the 1890s, especially after the mid-1880s when wire imports increased resulting in lower costs (Pickard 2009).

In regions where there was a plentiful supply of stone, as in much of the Western District, dry stone walls were erected. Western Victoria is characterised by extensive volcanic plains covering an area from western Melbourne to Millicent in South Australia. The landforms of the Victorian Volcanic Plains are characterised by stony rises and extensive screes of surface volcanic rock. Costs for erecting these walls were comparable to other fencing technologies. In addition to the primary function of stock separation and/or boundary definition, dry stone walling provided a secondary benefit of allowing for the removal of stone from paddocks and providing a convenient and useful way of storing the collected stone.

Dry stone construction is found in several other parts of the State - in the goldfields area around Maldon, Castlemaine, Chewton and Walhalla where walls and some buildings were constructed from sandstone. These structures were mainly built by Swiss, Italian and German immigrants and were different in the type of stone and in the style of construction from those built in the Western District. This was because of the difference of local available stone types. The Swiss, Italians and Germans whose dry stone skills had come from the fact that their homeland stone was of a similar nature to the stone where they were settling – coursed flat bedded stone.

The Depression brought an end to the stone mason's craft in the 1930s. By the 1960s, more than 100 years after the first stone walls were built in Western Victoria, dry stone walling was considered a dying art. Many of the stone masons who had constructed walls in the first half of the 20th century had reached retirement age without passing on the skills and expertise to the next generation, as technological advancement was changing the landscape forever.

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2.2 Fencing Specifications

The *Fences Statute 1874* provided specifications for the construction of dry stone walls (*Bendigo Advertiser* 4 February 1874). In Victoria, a standard dry stone field fence, traditionally known as a 'five-quarter', stood 3' 9" (1.143 m) to the top course, upon which coping stones were often laid. The specifications required coping stones to only extend a further 12" (300 mm), giving a total wall height to 4' 9" (1.448 m). The specifications also required that the wall should be 2' 0" (610 mm) wide at the base and 15" (381 mm) wide at the top course.

Sometimes added height was required to provide more functionality depending on the purpose of the fence (e.g., changing stocking patterns from sheep to cattle requiring higher fencing). In areas where stone was less abundant, post and wire or post and rails were added to the top of the wall in place of coping stones. In later years, posts and wire netting was added to fences for greater efficiency, particularly in containing rabbits. In some areas, trenches were dug, and the walls commenced below ground level to hinder rabbits burrowing (Paynter et al. 2004: 7). McLellan (1989) describes the walling in the following terms:

The craftsmen or 'cowans' as they were sometimes known, would lay two rows of stone about three feet apart, filling the centre with smaller stones and rubble. Courses were added, the two single walls tapering inwards towards the top where the width would be one foot to eighteen inches. Large stones were laid across the top of the wall to bind the two sides together and to provide weight to settle the stones. Top stones laid flat were called capping stones or coping stones. Each stone was handled once only, 'there being a place for every stone'. Breaking or chipping stones to make them fit was seriously frowned upon, although each stone is given a judicious tap with a small hammer to make it settle. The rate of progress varied between half-a-chain to a chain a day, depending on the style of wall and whether ground trenching was required by the owner.

Dry stone walls can be either a 'single wall' or a 'double wall'. Single walls are constructed to the width of a single rock (known as 'building stones') so that the same rock is visible on both sides of the wall. Double walls are constructed using two single walls (known as 'doubling'), tapering towards each other at the top, with the void between packed with smaller rocks and rubble (known as 'hearting'). Smaller gaps between building stones, particularly in doubling, is filled using smaller stones (known as 'plugging') to create a neat, aesthetic and more stable wall face.

Marshall et al. (2004) summarises the characteristics of Victorian dry stone walls as follows:

- They are constructed through the careful placement of rocks without using any cementing or other binding substances;
- They are invariably built from local sources of stone, either quarried or unquarried;
- Unquarried sources of stone are generally located in the surrounding area as basalt floaters on the surfaces of paddocks;
- Walls generally taper in shape and have wide bases;
- Walls can vary in terms of style, structure and technique of construction; and
- Walls can include a combination of other materials or additions which can either be added on after the construction of the wall or be contemporaneous to the time of construction.

2.3 Historical Context

The section reviews the historical context of the study area and includes an examination of historical sources, previously recorded historical archaeological site types and locations in the geographic region of the study area, previous Council heritage studies and previous archaeological studies undertaken in the area. Together, these sources of information can be used to formulate a predictive site statement concerning what types of sites are most likely to occur in the study area, and where these are most likely to occur.

2.3.1 Regional History

The first mention of the region is by Lieutenant James Grant in December 1800, when he sailed by Portland Bay in the *Lady Nelson*. Nicolas Baudin, a French explorer sailed from Cape Otway to Cape Northumberland in 1802. By the time that Major Mitchell arrived in Portland in 1836 of the so-called 'Australia Felix' he was surprised that a significant number of people were already living in the region. In the late 1700s the coastal

areas along the Bass Strait were renowned for extensive seal colonies and schools of whales (Eslick 1983: 17). By the 1800s over 200 sealers were known to frequent the region especially around the Lady Julia Percy Island and Lawrence Rocks (Sayer 1981: 9). Two graves found by a fisherman in 1842 on Lady Julia Percy Island are believed to be those of early sealers (Wiltshire 1981: 11, 13).

In Port Fairy whaling also became established in the 1830s. James Wishart named the port and stayed in the area later called 'Belfast'. John and Charles Mills established a sealing camp at Griffiths Island. John Griffiths also moved his whaling operation from Portland Bay to the island in 1836 and established himself there permanently the following year (Carroll 1989: 152-153). By 1836 there were approximately 100 whalers operating out of Portland Bay and Port Fairy and at peak, seven whaling stations were operating in Portland alone (Wiltshire 1981: 22). The whaling season was variable, determined by the winter arrival of Southern Right Whales in the bays of south-western Victoria but the industry was kept busy year-round employing blacksmiths, coopers, shipwrights and general hands for building and repairing (Learmonth 1983: 50-53). However, by the mid-1830s, the major industrial focus had changed from whaling, which had caused whale numbers to rapidly recede, to pastoralism.

2.3.1.1 Squatter Settlements

Long-term European occupation commenced with the Hentys moving to Portland Bay in 1834 and the arrival of members of the 'Port Phillip Association' at Port Phillip Bay the following year. In both cases people and livestock came from Tasmania. Settlers moved quickly into the Port Fairy area and hinterland from Geelong as well across the Murray River, in response to explorer Thomas Mitchell's descriptions of his discovery of a "veritable 'Australia Felix'" offering extensive grasslands and open savannah landscapes for immediate use by land-hungry pastoralists (Powell 1996:79). Many of the first squatters were from Scotland, made possible by the passage of an Act in 1833. Their occupation was legitimized in 1836 with the ascension of a further Act and a payment of 10 pound yearly licence fee. Though the licence did not permit the erection of any buildings, most squatters did build temporary buildings for use on the run and to protect their land from other squatters.

Most settlers became pastoralists and today the land is used mostly for sheep and cattle grazing. By 1843 much of the area in the western volcanic plains was taken up and used for grazing. With the development of agriculture labour was also required and mostly ex-convicts were engaged. It was mostly males in this harsh environment; women and children were not so welcome in the harsh and crude conditions of early settlement. In many cases the wives, sisters and daughters of the settlers were left behind either in Tasmania or England.

During this period Aboriginal women were often mistreated by the squatters and station hands. European women first appeared in the district around 1840. Makeshift huts were the first buildings erected on a run, as tenure was not secure, and many pastoral ventures were purely speculative. Bark huts were common, with bark walls and roof, and a stamped earthen floor. Huts were also built of split stringy bark slabs, and in the study area some sod huts were constructed from blocks of rich black earth and topped by thatched roofs. Elsewhere *pisé* (rammed earth) huts, or wattle and daub huts, went up and were also covered in thatch (LCC 1996:36-7). Shortly after the first buildings were erected on runs, other structures began to cluster around the huts of the early head stations. These included kitchen and gardens, a store, stables, men's huts, yards and pens, barn, blacksmith's shop, woolshed and dairy.

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With the acquisition of freehold land, principally homesteads were constructed on properties. The new buildings were sturdy and functional, often constructed of brick or local stone (bluestone and other basalts). As with the earlier buildings, these homes were often surrounded by a variety of outbuildings. With the introduction of women into the squatting districts, improvements to the interior of early structures quickly followed. As wealth grew in the district, the size and style of homesteads on stations changed. Large homesteads based on English country houses first appeared in district in the 1870s. In the late 1950s pastoral activity in the district experienced a second boom following a major government-sponsored Soldier-Settler scheme which resulted in the clearing of 400 square kilometres of the Heytesbury Forest (LCC 1996). Dry stone walls demarcating property were also constructed at this time. Not many remain in the Shire but one of the most substantial dry stone walls is along Landers Lane. With the availability of timber, many of the fences were made of wooden posts with rough stone walling; later, however, stone walls were constructed in some areas though they were not as extensive as those in the Corangamite region. Later, soldiers from the 1st and 2nd World Wars were also settled in the region.

2.3.1.2 The Study Area

Europeans began to permanently settle in the Melbourne region in 1835, and by 1840s small townships had expanded to the Willatook area, approximately 280 km west of Melbourne. The study area and the surrounding land were first occupied by European people, particularly Irish settlers, in the mid-1830s and early 1840s. The area has been used for pastoral and agricultural purposes since that time, for its reliable water sources and fair soil (Figure 1), which was good for the running of sheep and dairy cattle, and the growing of potatoes, onions, oats and hay (LCC 1996: 41).

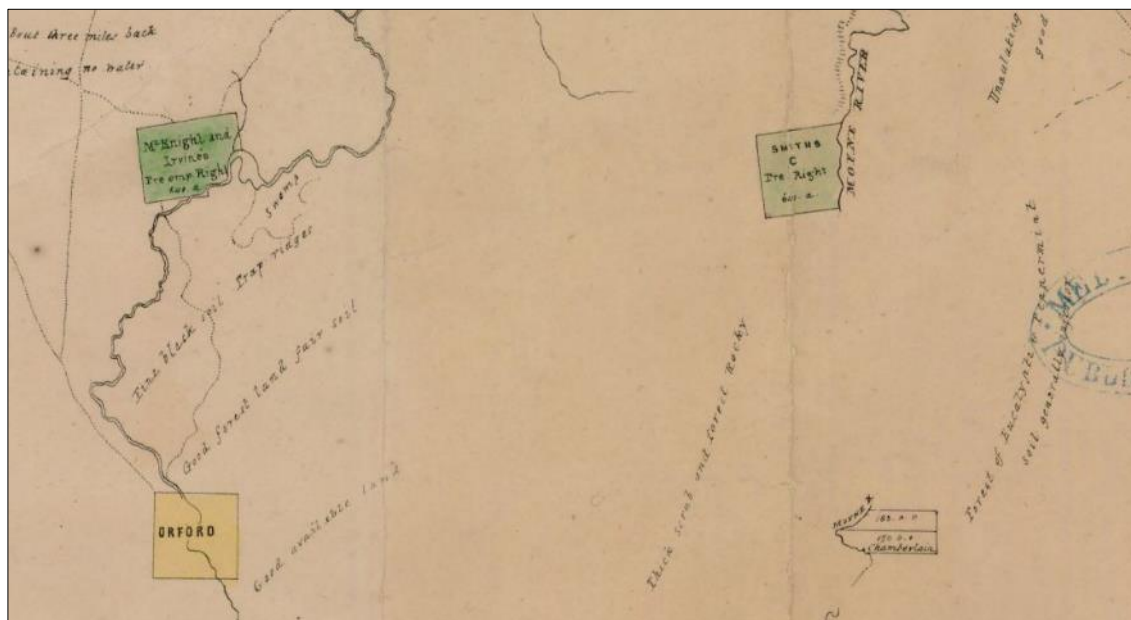


Figure 1: Land descriptions and depictions of pastoral runs in the study area, dated 1866, (Source: State Library of Victoria [SLV] 2026a).

The pastoral runs and farms (Figure 2) were often delineated by kilometres of dry stone walls which can still be seen in the surrounding area today (e.g., D7321-0040 (Landers Lane Dry Stone Wall)). Three prominent stations near the study area were Dunmore, owned by Campbell, Macknight (written as 'McKnight' on Figure

1 and 2) and Irvine on the Shaw River in the north and west of the study area, Tarrone Station, owned by Robert D. Chamberlain, located in the south of the study area and Woodlands Station, owned by Henry Leman, in the north east of the study area (Figure 2).



Figure 2: Pastoral runs' owners within the study area, dated 1854 (Source: Public Record Office Victoria [PROV] 2026).

Despite the early growth of agricultural and pastoral practices in the Willatook region, the land was not seen to be as fertile as that near Macarthur, further to the west, and so the region attracted few settlers as a result. Dunmore, the first pastoral run established in the region (1842), also became infested with rabbits and the swampy areas were left undrained in the later 1800s, deterring further farm settlements in the region (Yule 1988). Orford, to the south-west, is the closest town to the study area (Figure 3), with Broadwater to the west and Willatook to the east, listed as rural localities, rather than gazetted towns.

Other than the creation of roads and slight increase in size of Orford, which by the early 1900s consisted of a hotel, creamery, three churches, a state school and post office, the study area's district has remained largely undeveloped and continued on as an agricultural and pastoral one, with light sandy soil and masses of bluestone on the surface (Yule 1988).

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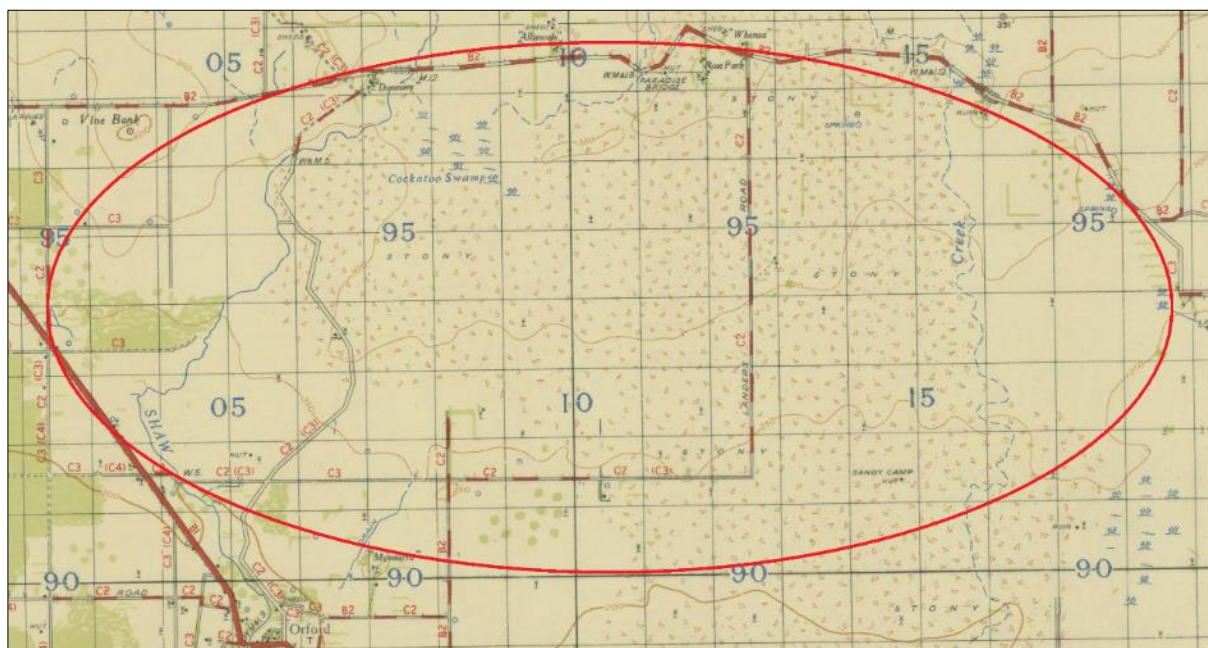


Figure 3: Topographic map showing the approximate location of the study area (red), dated 1942 (Source: SLV 2026b).

More recently, utilities such as overhead powerlines and underground optical fibre cable routes, gas and water pipelines have been installed within the study area. The Tarrone Terminal Station, a gas turbine power station (AGL n.d.), is also present near the intersection of Riordans Road and Landers Lane, within the southern portion of the study area.

2.3.2 Local History

Charles Hamilton Macknight (1819-1873; Figure 4) came from Edinburgh and became a pastoralist in the Port Fairy area. He arrived in Port Phillip in 1841 and quickly joined forces to take up land that became the Strathludden Run and Bough Yards near Castlemaine; however, he left the region with his partners in 1842 after acquiring land between Macarthur and Port Fairy in the Western District. They drove their 600 head of cattle and horses from their old stations to the new run, which they called Dunmore (Ann Hone 1974). Here, their settlement was slowed down by Aboriginal people who tried to drive settlers out by maiming their livestock and breaking into stores. Punitive raids into Aboriginal communities resulted in some of the worst massacres of Aboriginal people. Macknight was determined to develop the run, even pondering the possibilities of emu oil. Dunmore was soon regarded as the most improved homestead in the district. It had three substantial slab huts with great stone chimneys and a *pisé* dairy with a large milking shed. Macknight also constructed dams on the property (Ann Hone 1974).

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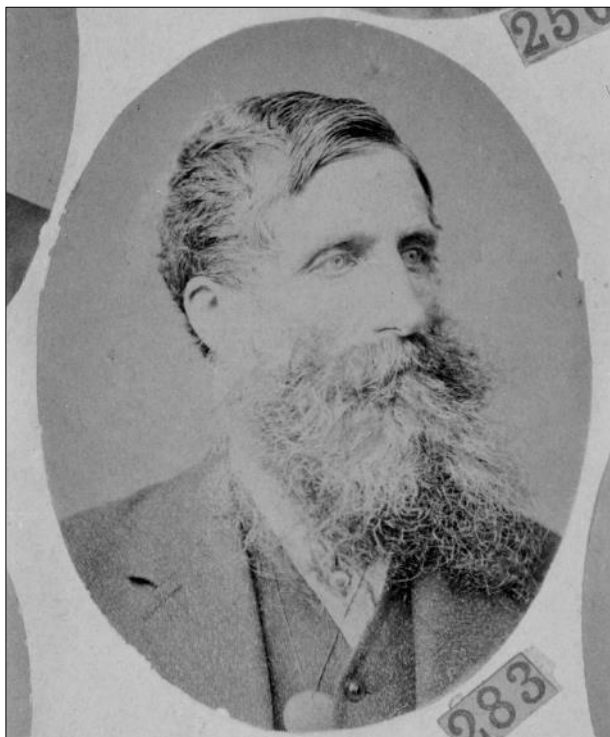


Figure 4: Photograph of Charles Hamilton Macknight (1819-1873), dated 1872. (Source: SLV 2026c).

One of the partners, Campbell, sold his share in the property in 1847, as he was disheartened by years of hard work with little reward. Macknight and Irvine remained on the Dunmore Run and were amply repaid after 1851 when the gold rushes created a huge demand for meat. Many pastoral runs remained undeveloped largely because of the security of tenure which prevented owners from investing into the properties. Macknight faced the same and blamed the Victorian government not recognising the potential of farming in this region (Ann Hone 1974).

In 1863 Dunmore was divided into two properties. Macknight and his partner Irvine retained one portion while Dunmore West was acquired by the Trust and Agency Co. Irvine continued as Macknight's partner till the early 1870s. At Dunmore, the Macknight's specialized in the breeding of Shorthorn cattle and created one of the finest herds in the region. Macknight also bred racehorses but later his greatest interest became the breeding of pure Merino sheep. He later decided that sheep could not thrive at Dunmore and sold them all, but not before he had established himself as one of the greatest authorities on sheep breeding (Ann Hone 1974). He believed in inbreeding and wrote many long argumentative letters to the Melbourne *Economist*, the *Australasian* and other papers. He wrote a book on sheep breeding with a Dr Henry Madden (*On the True Principles of Breeding*) which was published in Melbourne in 1865. By the time he died in 1873 Dunmore Run had become one of the most important farms in the region.

2.4 Aerial and Satellite Imagery Interpretation

Recent aerial imagery from 2013 (Figure 8) and 2023 (Figure 9) indicates that the study area has been relatively undeveloped since the 1950s (Figure 5) and 1980s (Figures 6 and 7), with majority of the landscape having been used for agricultural purposes. The images also demonstrate the clearing of native vegetation across the area, with vegetation limited to linear plantations along fence lines, acting as wind rows.

The swamp and marshy areas indicated on historical plans (Figure 3) now appear as faint features in the imagery. This suggests that the swamps and marshes have slowly been drained and affected by agricultural practices since the arrival of European pastoralists to the region.



Figure 5: Historical aerial photography of approximate study area location (red), dated 1950 (Source: DEECA 2026a).



Figure 6: Historical aerial photograph of eastern portion of study area (red), dated 1981 (Source: Geoscience Australia 2026a).

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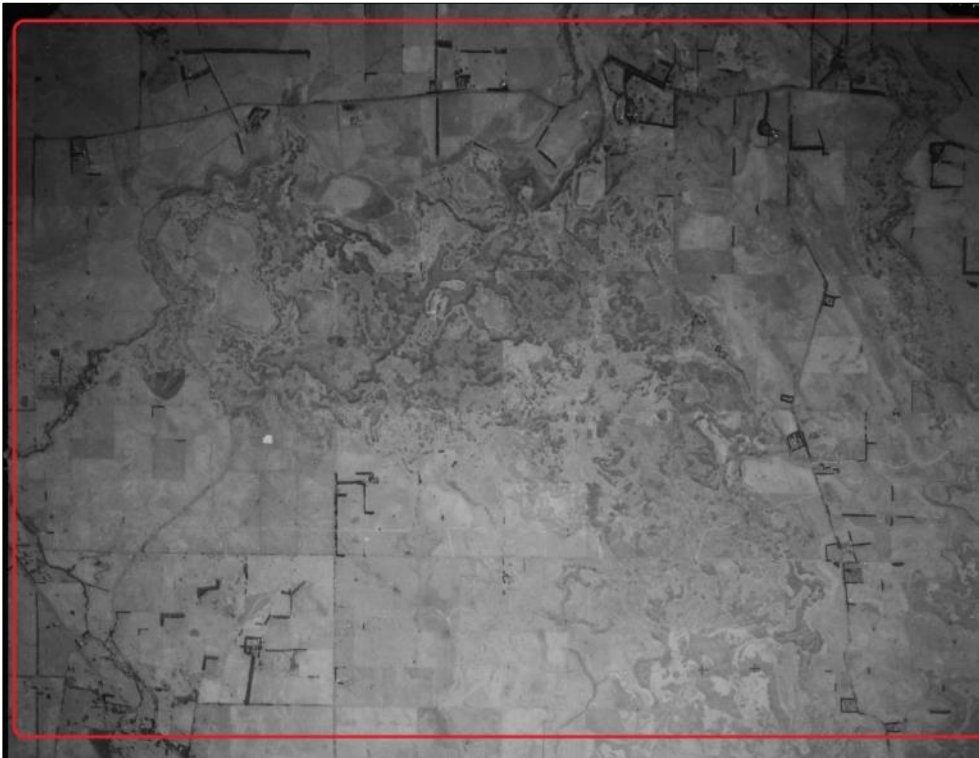


Figure 7: Historical aerial photograph of western portion of study area (red), dated 1981 (Source: Geoscience Australia 2026b).

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Figure 8: Satellite imagery of study area (pink), dated 2013 (Source: DEECA 2026b).

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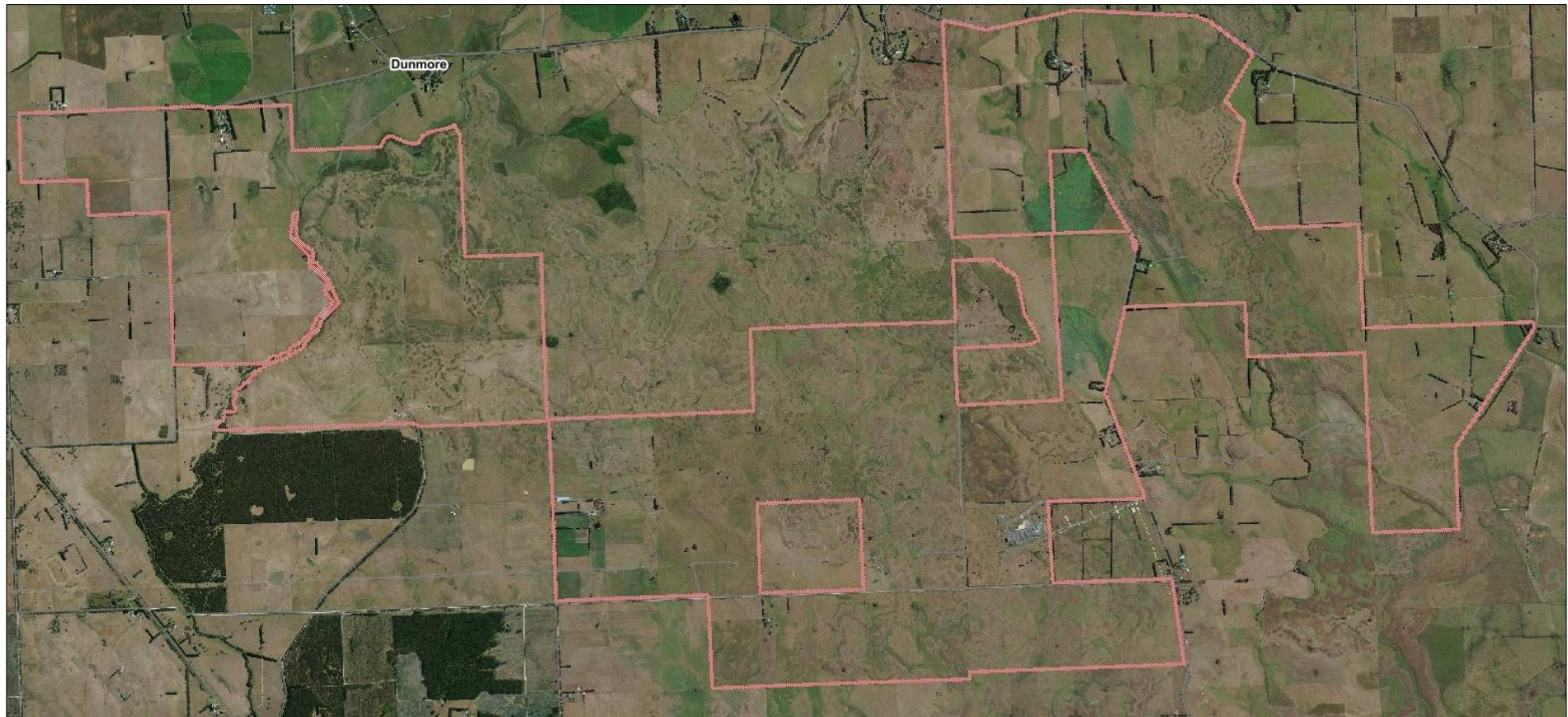


Figure 9: Satellite imagery of study area (pink), dated 2023 (Source: DEECA 2026c).

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3 DATABASE SEARCHES

A review of the various relevant databases was conducted, including the Victorian Heritage Register (VHR), Victorian Heritage Inventory (VHI) and Heritage Overlay to the Moyne Planning Scheme (HO). The following section provides an overview of the relevant registrations

3.1 Victorian Heritage Register

The Victorian Heritage Register (VHR), established by s.23 of the *Heritage Act 2017*, provides the highest level of statutory protection for historical places and objects in Victoria. Only the State's most significant historical places and objects are listed in the VHR.

No part of D7321-0040 (Landers Lane Dry Stone Wall), is included in the VHR.

3.2 Victorian Heritage Inventory

The Victorian Heritage Inventory (VHI), established by s.117 of the *Heritage Act 2017*, provides statutory protection for all historical archaeological sites, areas or relics, and private collections of relics, in Victoria. Places listed in the VHI are not of State significance but are usually of regional or local significance.

The Landers Lane dry stone walls were included in the VHI but were de-listed (D7321-0040) with all other dry stone walls. The protection of these dry stone walls was transferred to the Moyne Shire Council.

3.3 Local Council

3.3.1 Moyne Planning Scheme

The Moyne Shire's Heritage Clause 15.03-1S outlines the strategies for conserving heritage:

- Identification, assessment and documentation of places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
- Provide for the protection of natural heritage sites and man-made resources. Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.
- Encourage appropriate development that respects places with identified heritage values. Retain those elements that contribute to the importance of the heritage place.
- Encourage the conservation and restoration of contributory elements of a heritage place.
- Ensure an appropriate setting and context for heritage places is maintained or enhanced. Support adaptive reuse of heritage buildings where their use has become redundant.

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- Consider whether it is appropriate to require the restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished in order to retain or interpret the cultural heritage significance of the building, streetscape or area.

It also gives the policy guidelines that are considered relevant in conservation of heritage:

- The findings and recommendations of the Victorian Heritage Council.
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

Clause 52.33 of the Moyne Planning Scheme (DTP 2026) requires developers to seek permission before demolishing, removing or altering a dry stone wall constructed before 1940 on land specified in the schedule to this provision.

A review of the HO Schedule for the Moyne Shire shows that there are no places listed in or near the study area. Dry stone walls are however protected by Moyne Planning Scheme Clause 52.33 which protects all dry stone walls and post boxes.

Particular Provisions

Planning controls for all dry stone walls in the Moyne Shire Council is administered under Clause 52.33 of the Moyne Planning Scheme (Particular Provisions). The current terms of Clause 52.33 states that a permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the Schedule to this provision - other than to install a gate or to reconstruct damaged or collapsed walls using the same specifications and materials as the existing walls.

A permit is therefore required from the Moyne Shire Council, pursuant to Clause 52.33, to damage or demolish dry stone walls in the study area.

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4 FIELD ASSESSMENT AND RESULTS

This section discusses the methodology used to record the dry stone walls, the result of the recording and the limitations of the recording. The investigation included an inspection of all of the existing dry stone walls within the study area.

The dry stone walls within the study area were inspected between 12-14 February 2020 by Ashton Sinamai (Archaeologist) Andrew Wilkinson and Cherrie De Leiuon (Archaeologist/Heritage Advisors).

4.1 Aims and Objectives

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The aim of the survey was to:

- To identify and record all dry stone walls which could be impacted by the proposed development;
- To assess the condition of the dry stone walls in the study area; and
- To assess the cultural heritage significance of the dry stone walls identified in the survey and create a management plan for them.

4.2 Methodology of the Survey

All of the dry stone walls within the study area were identified as part of the field assessment.

The wall construction type for each wall was recorded using the nomenclature adapted from terminology used in Vines (1990) and Pickard (2009). Photographs were taken at 5 m intervals of each wall, and notes were made on existing condition of the wall as well as impacts to the surviving walls.

4.2.1 Construction Technique

Notes were taken regarding the general appearance and the techniques used to construct the wall ('refinedness'). The criteria used by Vines (1990) were used to assess this aspect (Table 3).

Table 3: Dry Stone Wall Assessment Criteria (Vines 1990)

Technique	Description
Unrefined	The wall is simply a piling of stones intended to act as a supplement to other fencing material, but which does not show evidence of skilful construction. Throughstones are absent, coping is irregular or non-existent, there is no plugging and often no evidence of double walling, hearting, courses of sorted stone. These walls have probably been built by farmers untrained in wall building techniques.
Technically Competent	The walls demonstrate basic aspects of dry stone wall construction but do not have the refinements of the better walls. Double walling with hearting and coping with throughs in the taller walls are always evident, but appearance was a secondary consideration. Therefore, an uneven batter prevails, and plugging is restricted to eliminating larger gaps and securing stones which may not be seated evenly. Professional wallers were almost certainly employed and, as they would have been required to work speedily, the lack of refinement could be explained in terms of economic construction.

Technique	Description
Refined Technique	The basic construction techniques are combined with refinements to produce a wall that is decorative as well as functional. Coping stones are more carefully selected to create an even and more balanced effect. Plugging may be extensive depending on the available material but, where small stone is lacking, refinement is evident in more careful placement of stone to minimize gaps in the wall. These walls tend to be higher and associated with homesteads or other dwellings. They must have been built by skilled professional wallers and it is possible that stone masons versed in house construction were responsible for some walls.
Specialist Technique	Demonstrates specialist or unusual construction techniques designed for a particular function or aesthetic effect. For example, the split paling cope of the Western District walls or the sloping courses of "Greystones".

For each wall within the study area, notes were taken on the degree of preservation (condition) using criteria adapted from Vines (1990), shown in Table 44. As part of that assessment, the number of extant stone courses in each dry stone wall was recorded, noting that these were varied across the length of a number of the walls. It was also noted whether the wall appears to be original or a reconstruction. Original walls usually have consistent colouring created by weathering and a layer of moss or lichen growth; rebuilt walls usually lack a moss or lichen coating (Vines 1990: 32). The walls were recorded every 5m through still photography as well as drone footage. Though the latter was not part of the scope of this project, the footage is available at cost if required by the sponsor.

Table 4: Criteria Used for Preservation Assessment (Vines 1990)

Intactness	Meaning
Intact	The wall appears to be intact with little sign of stone loss/collapse. For a double wall, the wall is structurally sound with ample evidence of hearting, plugging and coping stones. Its associated fence (if relevant) is intact with the posts and wires in good condition; whilst some decay may be evident, the fence is still strong, upright and not broken.
Largely Intact	The majority of the wall (>75%) appears to be intact (as above) with little sign of stone loss/collapse and/or damage/decay to the fence to the fence. Small sections (<25%) may have suffered some damage, collapse or theft of stone. The associated fence is generally still functional.
Partially Intact	Approximately 25-75% of the wall appears to be intact (as above), but large sections have suffered damage, collapse or theft. There may only be 1-2 courses of stone remaining. The associated fence may still be upright but is showing marked decay and wires are generally highly rusted or broken.
Mostly Collapsed / Highly Impacted	There is very little (<25%) of the wall left intact; there may be only a single course of stone remaining or stone may be scattered nearby. The associated fence (if applicable) is highly decayed and/or broken.
Not Extant / Destroyed	There is no longer any evidence of the dry stone wall in place.

4.2.2 Impacts or Potential Impacts

The presence of potentially harmful influences, e.g., the presence of existing drainage ditches, trenching for utilities (e.g., electrical/services cabling) and vegetation growth, which have potential to impact the wall, were recorded.

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4.3 Limitations of the Survey

Recording was limited to walls falling within the study area. Representative sub-sections of each dry stone wall were recorded and detailed recording, (though not part of this report) was carried out with drone technology. The documentation thus includes aerial photography and other formats that can be used to create photogrammetric views of the walls as well as archival records.

Each dry stone wall within the study area was recorded “as is, where is” and no attempt was made to uncover any section of the walls where covered by either soil or vegetation. Scaled drawings of the walls were not taken.

4.3.1 Survey – Summary of Results and Conclusions

Five walls were identified and documented within the study area. Three of the walls are all stone free standing walls while the other two are composite walls with fences. DSW-1, -2, and -3 were refined and largely in good condition with coping stones still in place. DSW-4, and -5 were composite; one course walls supporting the bases of fences. All walls are in fairly good condition and display expert craftsmanship and all walls appear to be pre-1940.

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5 DRY STONE WALLS

The study area has several walls that are, in reality, a single wall running along Landers Lane. The wall was divided into five walls (DSW-1, -2, -3, -4, and -5) with division being based on breaks such as gates or where the wall has disappeared or been divided by a road (Map 4). The total length of the wall is approximately 5 km. The walls are in various states of conservation and are also built using various techniques. With the exception of a section of DSW-1, all walls are on a North-South alignment.

5.1 DSW-1

DSW-1 is two walls that form a corner at the northern end of Landers Lane (see Plates 1 – 6). The wall is only 37 m long. It is an all-stone wall and still has coping stones at the top. The wall is well built and shows a specialist technique in its workmanship. It is well preserved even though the East-West wall is progressively collapsing on the eastern side.

Wall	1							
Wall Type	All stone							
Construction Technique	Specialist technique							
Condition	Excellent							
Intactness	Intact except for progressive collapse on the E/W wall							
Wall Dimensions:	Length	37 m	Base	1000 mm	Coping	800 mm	Height	1600 mm
Courses	about 5							
Stone Grading	Excellent							
Plugging	Present							
Hearting	Present							
Coping Stones	Present							
Through Stones	Present							
Foundations	Wall is built on firm ground and on a Stony Rise							
Posts	No posts							
Wires	No barbed wire							

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Plate 1: Corner of DSW-1 facing east (A. Wilkinson 2020).



Plate 2: General aerial view DSW-1 showing the two walls, facing south (A. Wilkinson 2020).



Plate 3: DSW-1 showing collapse at the corner where walls meet facing east (A. Wilkinson 2020).



Plate 4: The East-West aligned part of DSW-1 showing poor bonding (A. Wilkinson 2020).



Plate 5: North face of DSW-1 facing south (A. Wilkinson 2020).



Plate 6: West wall showing refined technique of walling facing east (A. Wilkinson 2020).

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5.2 DSW-2

DSW-2 begins at a gate that is between this wall and DSW-1. It is a freestanding all stone wall which is, like DSW-1, very well preserved. Its condition is assisted by the workmanship that is displayed. It is built in specialist technique and shows very few collapses, mostly of coping stones toppling from the top of the wall. The stones used are rather large and the joints are seamless making it very stable. It has a total length of 218 m. Some sections are being impacted by vegetation growing near or within the wall. Other attributes of the wall are listed in the table below.

Wall	2							
Wall Type	All stone							
Construction Technique	Specialist technique							
Condition	Excellent							
Intactness	Intact							
Wall Dimensions:	Length	218 m	Base	1000 mm	Coping	900 mm	Height	1800 mm
Courses	about 6 courses							
Stone Grading	Excellent							
Plugging	Present							
Hearting	Present							
Coping Stones	Present							
Through Stones	Present							
Foundations	Wall is built on firm ground and passes through several stony rises							
Posts	No posts							
Wires	No barbed wire							

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Plate 7: DSW-2 at the northern end of the wall facing east (A. Wilkinson 2020).



Plate 8: View of DSW-2 showing toppling of coping stones (A. Wilkinson 2020).



Plate 9: General view of DSW-2 facing south (A. Wilkinson 2020).



Plate 10: The middle section of DSW-2 showing collapse (A. Wilkinson 2020).



Plate 11: Southern end of DSW-2 showing coping stones (A. Wilkinson 2020).



Plate 12: Southern end of DSW-2 showing well-constructed section of wall. (A. Wilkinson 2020).

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5.3 DSW-3

DSW-3 is 487 m in length and is a continuation of DSW-2 after a gate. The wall displays refined technique. The wall is constructed in a specialist technique and has a maximum height of about 1.8 m. Like DSW-1 and -2 the wall also still has coping stones. Coping stones have, however, toppled from several sections of the wall, probably as a result of branches falling on the wall or contact with farm animals. There is vegetation impacting on it.

Wall	3							
Wall Type	All stone							
Construction Technique	Specialist technique							
Condition	Excellent							
Intactness	Intact except for sections with toppled coping stones							
Wall Dimensions:	Length	487 m	Base	1200 mm	Coping	800 mm	Height	1800 mm
Courses	about 6							
Stone Grading	Excellent							
Plugging	Present							
Hearting	Present							
Coping Stones	Present							
Through Stones	Present							
Foundations	Wall is built on firm ground and on a Stony Rise							
Posts	No posts							
Wires	No barbed wire							

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Plate 13: Beginning of DSW-3 at gate, facing east (A. Wilkinson 2020).



Plate 14: First 30 m of DSW-3 showing coping stones in place facing east (A. Wilkinson 2020).



Plate 15: DSW-3 showing well-constructed section of wall facing east (A. Wilkinson 2020).



Plate 16: View of section of DSW-3 showing vegetation growth on walls (A. Wilkinson 2020).



Plate 17: Last 20 m of DSW-3 (A. Wilkinson 2020).



Plate 18: Southern end of DSW-3 (A. Wilkinson 2020).

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5.4 DSW-4

DSW-4 is, for most of its length, a low one-course wall that is more of a foundation for the fence. Though there is more vegetation in this section, the wall has not been affected. The wall ends at Riordans Road where for 3 m to a new line it is a multi-coursed wall and has a height of about 1.2 m. The wall is composite and has a cyclone mesh fence. Much of the wall was covered with grass and vegetation and photography was impossible from the side and occasionally from above. All photographs are aerial due to poor visibility at ground level.

Wall	4							
Wall Type	Composite with a small section of 3m all stone at the southern end							
Construction Technique	Technically competent							
Condition	Good							
Intactness	Intact							
Wall Dimensions:	Length	874 m	Base	1000 mm	Coping	900 mm	Height	600 mm
Courses	1 course and 5 courses at the southern end for 3 m							
Stone Grading	Good							
Plugging	Present							
Hearting	Absent in the 1 course section present in the 3 m section of all stone wall							
Coping Stones	Absent							
Through Stones	Absent							
Foundations	On firm ground and Stoney rises							
Posts	Star pickets and wood							
Wires	Cyclone mesh							

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Plate 19: Aerial view of DSW-4 beginning of wall (A. Wilkinson 2020).



Plate 20: Aerial view DSW-4 (A. Wilkinson 2020).



Plate 21: Segment 17 (240-255 m) general view of DSW-4 largely collapsed (A. Wilkinson 2020).



Plate 22: View of DSW-4 from the west side where it is covered by grass and trees (A. Wilkinson 2020).



Plate 23: End of DSW-4 south-end at Riordans Road (A. Wilkinson 2020).



Plate 24: Aerial view of DSW-4 at South end (A. Wilkinson 2020).

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5.5 DSW-5

DSW-5 is a low wall composed of only one course of large stones that act as a foundation to the fence. The wall is composite and is also stable due to lack of courses. The wall begins at the intersection of Landers Lane and Riordans Road. From Riordans Road the wall is has a length of about 3 m which is all stone and stands to a height of about 1.4 m but drops off to 0.6 m for the rest of its length of 873 m. There are few bushes growing on it, but it is generally in good condition.

Wall	5							
Wall Type	All stone and composite							
Construction Technique	Technically competent							
Condition	good							
Intactness	Intact except for a section crossing a creek							
Wall Dimensions:	Length	873 m	Base	1000 mm	Coping	900 mm	Height	600 mm
Courses	1							
Stone Grading	Not observed as the wall only has one course							
Plugging	Absent							
Hearting	Absent							
Coping Stones	Absent							
Through Stones	Absent							
Foundations	Wall is built on firm ground and on a Stoney Rise except sections wetlands and creeks							
Posts	Star pickets and wood							
Wires	Cyclone mesh							

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Plate 25: Beginning of DSW-5 at Riordans Road, aerial view (A. Wilkinson 2020).



Plate 26: Beginning of DSW-5 at Riordans Rd disturbed by electricity post facing west (A. Wilkinson 2020).



Plate 27: Segment of DSW-5 aerial view (A. Wilkinson 2020).



Plate 28: General view of segment 18 (260-270 m) showing sections of the wall still standing (A. Wilkinson 2020).



Plate 29: Aerial profile of section of DSW-5 (A. Wilkinson 2020).



Plate 30: End of DSW-5 (A. Wilkinson 2020).

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5.6 Conclusions

The walls are within what was the Dunmore Run, a historic property that was owned by Charles Macknight, a prominent personality in the Willatook/Port Fairy area. These were probably constructed after 1840 as the area was first settled by squatters around 1842. The walls may have been commissioned by Macknight himself. Generally, the walls are in a very good state of conservation. DSW-1, -2, and -3 are well-constructed free-standing walls with coping stones still in place and DSW-4, and -5 are composite walls with both stone and fences. DSW-4 and -5 are very low walls with only a single course with maximum height of about 0.6 m. Documenting these two walls through photography was difficult as they were covered by grass and bushes. Some sections between DSW-3 and -4 are missing, either not having been built or cleared later. The total length of free standing all-stone walls in good condition about is 642 m.

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6 SIGNIFICANCE ASSESSMENT

6.1 Significance Assessment

Scientific significance of a heritage place (particularly archaeological sites) is assessed in Victoria using a commonly accepted formula developed by Bowdler (1981) and Sullivan and Bowdler (1984). These are relative estimates of significance based on the current knowledge available about sites or places in a region. The assessment criteria used to assess the scientific significance of historical places in Victoria are presented in Appendix 2. The same three main categories apply to historical places: *site contents* (cultural material, organic remains and site structure), *site condition* (degree of disturbance of a site), and *'representativeness'* (the regional distribution of a particular site type).

6.1.1 Historical Cultural Significance

Heritage Victoria administers the *Heritage Act 2017* and has provided formal criteria for assessing cultural heritage significance. Applying these criteria will determine if a heritage place should be considered for addition to the Victorian Heritage Register or other statutory lists.

On the basis of these criteria, heritage places are generally given a significance ranking of State, Local or none. Historical archaeological sites, as with other heritage places, can be considered for addition to the Victorian Heritage Register if they have State significance.

However, all historical archaeological sites are included on the Victorian Heritage Inventory (VHI) and are given statutory protection, irrespective of their level of significance. Sites that are considered to be of local historical interest but are not considered to be of specific archaeological significance are allocated 'D'-list numbers (e.g., D7822-0099). 'D'-listed sites are not protected by legislation. The Landers Lane dry stone walls were listed under the VHI but were de-listed (D7321-0040 (Landers Lane Dry Stone Wall)).

6.1.2 Significance Criteria

The following criteria, which are drawn out of the Burra Charter, are used for the assessment of the heritage value of heritage places. These criteria have been broadly adopted by heritage jurisdictions across Australia and can be used for the assessment of places of local and State significance. The significance criteria include walls along Landers Lane and south of Riordans Road. 'Local' significance includes places that are important to a particular community or locality/region (DELWP 2018).

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

Dry stone walls may be associated with historical persons or properties. With construction of walls often occurring in the 1850s and 1860s, they were often constructed by squatters during the early pastoral era or are representative of Closer Settlement land patterning following the introduction of the various Lands Acts during the mid-19th century. They are representative of both continuity and change in farming practices over a period of more than 160 years. The walls are usually built in areas of basaltic flow where stone is located close to the surface.

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The walls within the study area provide evidence of early land use – including farming as well as fencing practices whereby the material for fencing was accumulated from the land within proximity to the surviving walls. They also provide a visual reference to early subdivision in the municipality. Criterion A is met.

Criterion B: Possession of uncommon, rare or endangered aspects of our cultural or natural history (rarity).

Dry stone walls are common throughout the rural Victoria in areas where, in the mid-nineteenth century, ‘a proliferation of stone in the geological landscape necessitated a clearing of the land’ (Dry Stone Wall Association of Australia Inc.). As an economic form of fencing, dry stone walls are common throughout a number of municipalities in Victoria, including Moyne Shire. Walls 1, 2 and 3 are excellent examples of well-built walls which still have coping stones. Though coping stones were common in the western districts many walls have lost these through toppling. Criterion B is met.

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

This criterion typically relates to archaeological potential. Although dry stone walls are an expression of ‘material culture’ using the broader definition of archaeology, Heritage Victoria no longer considers dry stone walls to be archaeological features as they rarely contain subsurface archaeological deposits. Walls that were previously listed on the Victorian Heritage Inventory have, almost without exception, been delisted. Criterion C is not met.

Criterion D: Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).

Criterion D relates to representativeness and places which meet Criterion D would typically have a high level of intactness. DSW-1, -2 and -3 are intact and are good representative examples of early dry stone wall construction in Moyne Shire. The three walls seem to have been constructed by an expert stone mason as they are of refined nature. They represent some of the best walls which still have coping stones in place in Moyne Shire. Criterion D is met.

Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

Dry stone walls are often iconic features of the landscape, particularly walls that have high levels of structural integrity and/or technical competence or refinement. They often accentuate changes in local elevation and provide a point of focus in a broader rural landscape. The ongoing aging and patination of the walls, together with lichen growth and the provision of wildlife habitat also adds aesthetic appeal. Three walls on Landers Lane (DSW-1, -2 and -3) meet Criterion E.

Criterion F: Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

The scientific or research potential of dry stone walls will depend on the relative quality, rarity or representativeness, and the degree to which they may contribute further substantial information (Australia ICOMOS 1999). Criterion F is not met.

Criterion G: Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).

Dry stone walls may hold some value to the people of the Moyne Shire as a tangible link with the area's rural past. However, the extent of social significance cannot be determined at this stage and is beyond the scope of this report.

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

As outlined at Criterion A (above), dry stone walls may be associated with historical persons, typically squatters during the early pastoral era or notable landowners. The walls in the study area are part of the famous Dunmore Run where significant events happened in terms of relationships between Aboriginal communities and European settlers as well as livestock breeding history in Victoria. It also associated with a historical figure, Charles Hamilton Macknight (1819-1873). Macknight was a prominent figure in the Port Fairy area and became a prominent cattle, sheep and horse breeder in the Willatook area, as well as a magistrate, regional government councillor and agricultural writer. Criterion H is met.

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7 IMPACT ASSESSMENT

The walls within the study area are likely pre-1840 and were part of the historic Dunmore Run. The five walls are in various states of conservation. DSW-1, -2 and -3 are all stone walls which were expertly constructed and stand between 1.6-1.8 m in height. The fact that they are still standing shows the quality of the workmanship of the original stone mason. There are very few areas which show reconstruction and also collapses, which seem to have been caused by falling branches. DSW-4 and -5 are low one-course walls which are part of composite fences. There are no previous studies on these walls, so it is not possible to historically examine their condition over time. The condition assessment of the walls is therefore based on what was observed during fieldwork.

All wind turbines will be located at a distance greater than 50 m from Landers Lane, however access tracks and cable routes will impact some portions of the dry stone walls (Table 5; Map 4):

Table 5: Proposed Impacts to DSW portions

DSW #	Proposed Impacts
DSW-1	No impacts
DSW-2	No impacts
DSW-3	One access track, and one cable route will breach the southern portion of this wall
DSW-4	No impacts; although multiple cable routes and one access track will pass through the existing gates within the wall
DSW-5	Two access tracks and two cable routes will breach the northern and southern portions of this wall

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7.1 Potential Impacts

It is envisaged that there are two principal agents of negative impact that may occur, namely, direct impact and indirect impact:

- Direct impact to walls or wall sections in the study area from either machine or personnel (e.g., planned wall breaches, wall collapse resulting from the excavator arm/bucket inadvertently striking the wall, or collapse as a result of construction personnel climbing on the stone wall or leaning against unstable fence posts); and
- Vibration impact to walls resulting from mechanical excavation in close proximity to the wall or increased heavy vehicle traffic causing toppling of loose stones.
- Vibration impacts may normally be reduced by maintaining a minimum distance of 5 m from the wall as a buffer.

However, as the heritage significance of the wall is largely aesthetic and not structural, any rebuilding of the wall should aim to improve its stability, but still following the basic construction guidelines. The Moyne Planning Scheme does not provide specific guidelines for rebuilding of stone walls but the guidelines of other

councils in Victoria (e.g., Corangamite, Wyndham and Melton) may be useful in carrying out reconstructions. Table 6 reviews the perceived impacts of the layout of the wind farm on DSW-1 to -5 (Map 4).

Table 6: Summary of Potential Impacts to DSW-1 to -5

Wall #	DSW Likely Impacts
DSW-1	DSW-1 will not be directly impacted by the development of the wind turbines. There may be indirect impacts resulting from the vibration of machinery used in construction.
DSW-2	DSW-2 will not be directly impacted by the development of the wind turbines. There may be indirect impacts resulting from the vibration of machinery used in construction.
DSW-3	DSW-3 will be directly impacted by the construction of the access track and cable route that will pass between DSW-3 and DSW-4. A turbine will be constructed approximately 50 m away from the wall.
DSW-4	DSW-4 will be indirectly impacted by the breaching of DSW-3, near the northern extent of DSW-4, for the construction of the access track and cable route. One turbine is expected to be constructed approximately 50 m east of the wall; this has the potential to impact the wall.
DSW-5	Four turbines will be constructed along the length of DSW-5; however, these will be located at a distance of 50 m or more away from the wall and will not have a direct impact on it. There are, however, two points at the northern and southern extent of the wall that will be impacted by the construction of an access track and cable routes.

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8 MANAGEMENT PRINCIPLES

Management policies and aligned conservation strategies are determined by the types of potential impact to the walls.

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8.1 Management Recommendations

The Landers Lane Dry Stone Wall was previously listed in the Victorian Heritage Inventory but was delisted. There is only one dry stone wall listed on the Moyne Shire Heritage Overlay under the Stone Cottage, Dry Stone Walls and Trees at 122 Toolong Road, Port Fairy. However, Clause 52.33 of the Moyne Planning Scheme states that:

- *A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision.*
- *This does not apply to:*
 - *Dry stone structures other than walls and fences.*
 - *The demolition or removal of a section of a dry stone wall to install a gate.*
 - *The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.*
- All work along Landers Lane should not negatively impact on the dry stone walls;
- The walls along Landers Lane were constructed before 1940 and a permit will be required if any part of the walls is to be removed.
- Demolition of a wall to create a road and gate however is permitted;
- In developing access roads, it is recommended that the landscape character is maintained, and existing gates are used rather than opening new sections on the dry stone walls to access assets;
- Should negative impacts be inadvertently caused to a wall, or section of a wall, in line with the Burra Charter's guiding principle regarding management of heritage places, the general management principle is to 'make good', that is, to rebuild the wall to its current construction standard, as best as possible, to its current configuration of height and general integrity.
- Consultation and negotiation with Council must be undertaken before any wall is removed. It is envisaged that there are three principle agents of negative impact that may occur:
 - Direct impact to the walls and wall sections to be removed, to accommodate access road building of transmission line and substations;
 - Direct impact to walls from either machine or personnel (e.g. wall collapse resulting from the excavator arm/bucket inadvertently striking the wall, or collapse as a result of construction personnel climbing on the stone wall or leaning against unstable fence posts); and

- Walls can also be directly impacted during the decommissioning of the turbines
- As the landscape changes to accommodate the wind farm the dry stone walls can also lose meaning if efforts are not made to preserve them in the new environment. To this end, if any stones are removed from any of the walls, they should be stockpiled in a suitable location nearby and fenced to prevent stone theft. These stones should be used to consolidate any wall heads or to repair any sections damaged during construction (if necessary).
- DSW-1, -2 and -3 are particularly well-constructed and reflect not only skills that have disappeared but also reflects the Victorian agricultural landscape. Any dismantling or reconstruction on DSW-1, -2 and -3 should be carried out by an experienced stone mason.

8.2 Working Close to the Retained Wall

Depending on the structural integrity of the wall, dry stone walls may be inadvertently subject to either direct or indirect impacts. Positive action should be taken to avoid or minimise the potential for impact.

Actions that may be taken include:

- Conducting a pre-construction briefing on the importance of dry stone walls to all construction personnel and the need for care operating in proximity to the wall.
- Where the buffer between works by machinery is less than 2 m, it may be considered necessary to erect a temporary fence on both sides of the wall to limit direct impact.
- Where a temporary safety fence is not erected, briefing all workers especially not to operate machinery closer than 1.5 m to the dry stone wall.
- Briefing all construction personnel not to stand, sit or lean on any of the wall components during the activity.

8.3 Other Issues

Other issues in the management of the wall involve safety and standards of construction.

Working in close proximity to the walls, there is potential for safety issues for construction personnel. This is likely to be from two sources:

- *Tripping hazard:* in some areas the wall has partially collapsed, and stones may be lying on the ground on the outer (road) side of the wall. In many areas long grass and weeds may obscure these stones and construction personnel may inadvertently trip over the stones causing injury.
- *Vibration* from mechanical trenching and/or backfilling works may dislodge loose stones from the wall and strike construction personnel standing in proximity.

Construction in the vicinity of the walls should be conducted so that potential injury to construction personnel is minimised. It is recommended that construction personnel do not enter the space within 5 m of a wall, where possible.

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8.4 Standard of Construction

The walls are generally very refined and in specialist technique and also have a course of coping stones.

If for any reasons any of the walls is affected by current development and requires reconstruction, the reconstruction should respect the techniques initially used in the construction of the walls and be undertaken by an appropriately experienced dry stone waller.

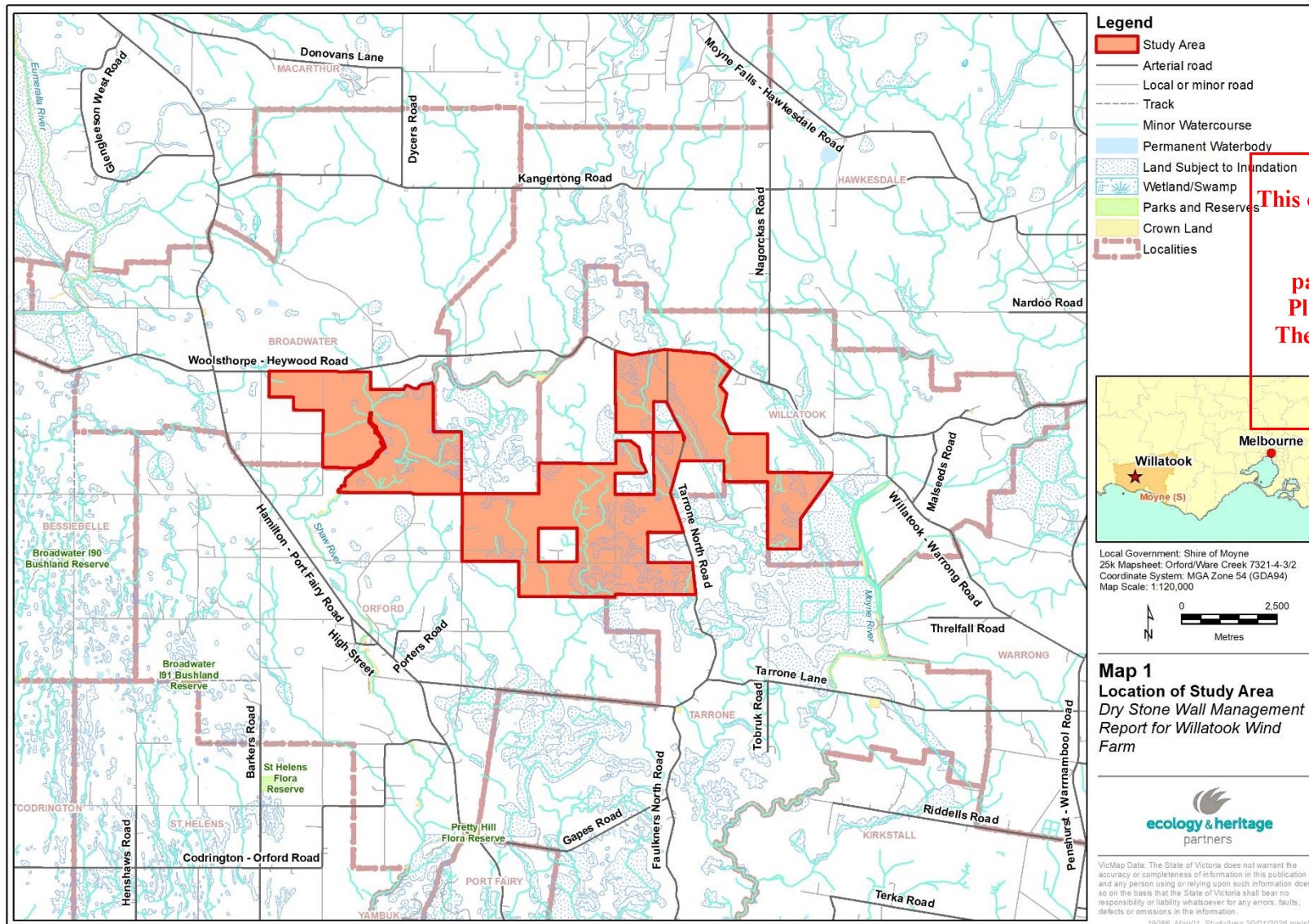
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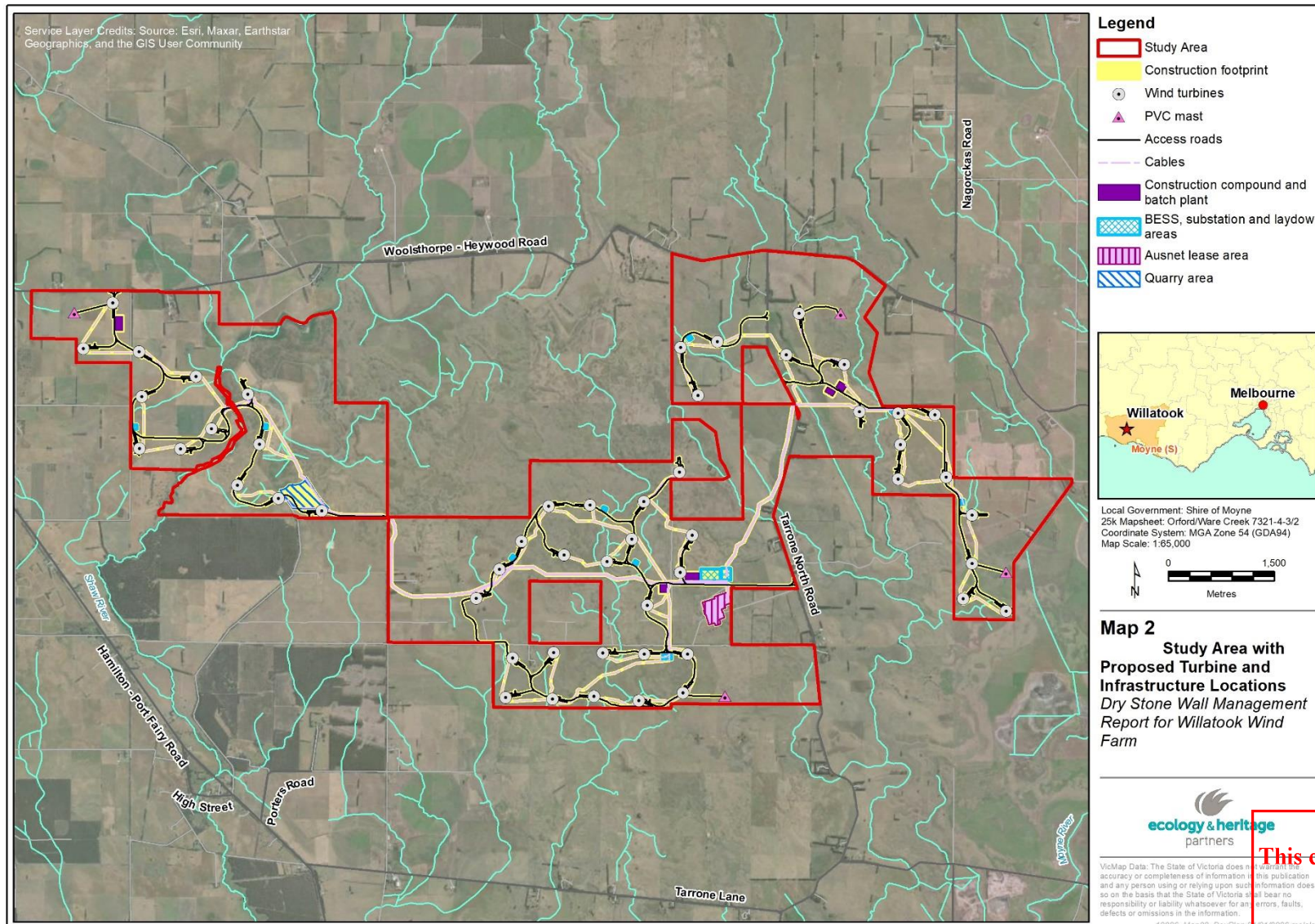
MAPS

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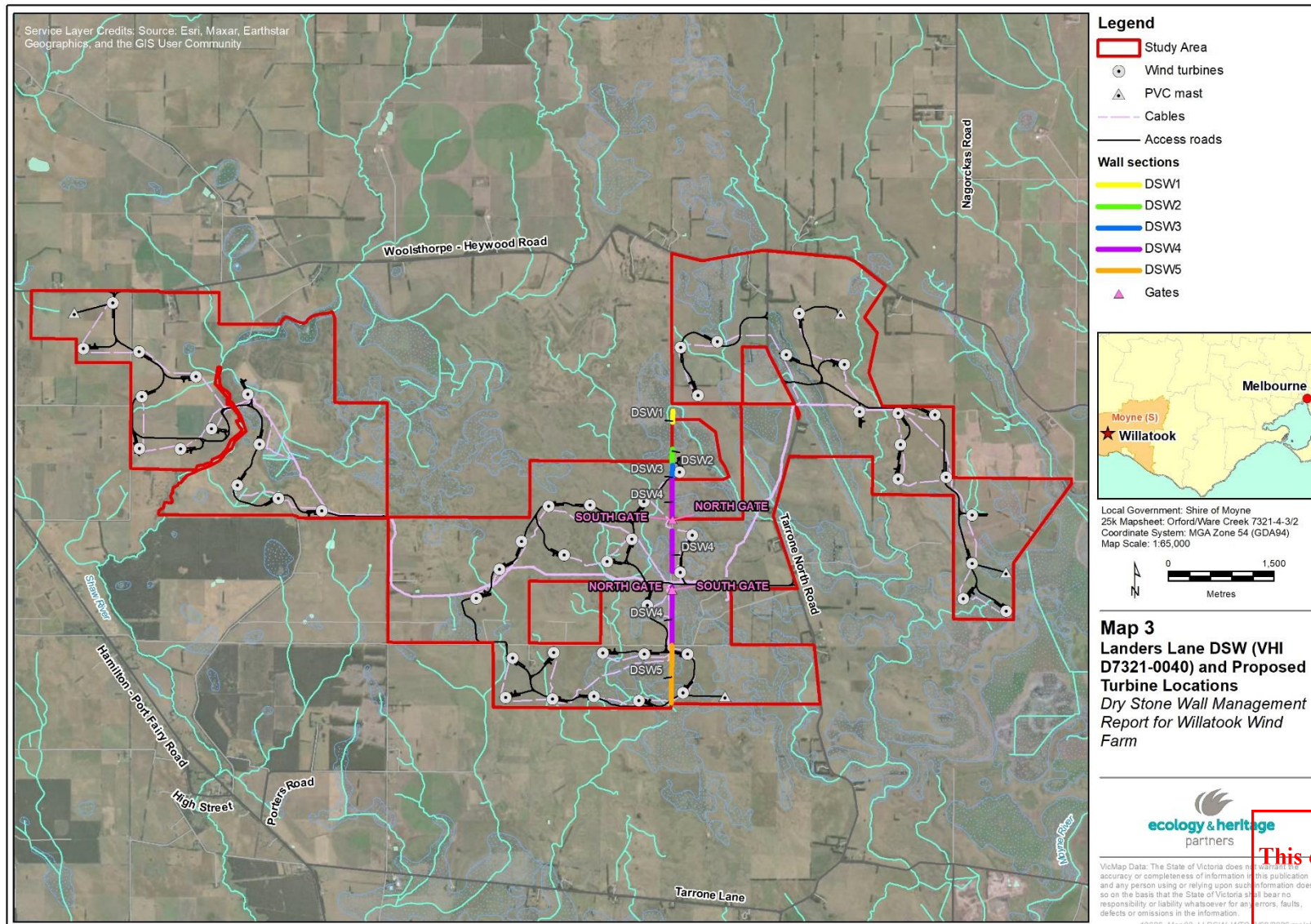
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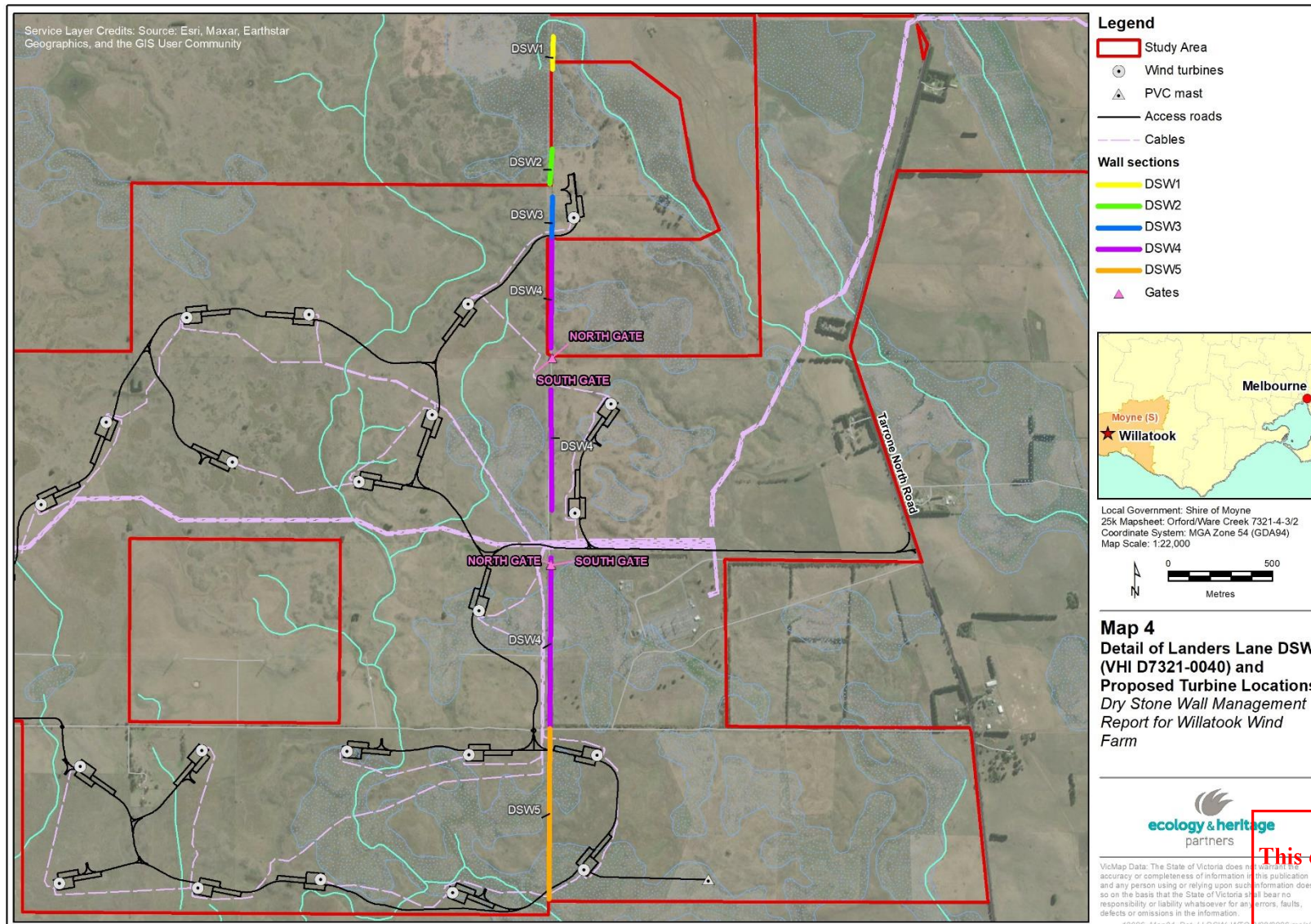
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APPENDICES

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Appendix 1: Heritage Legislation

A1.1 *Heritage Act 2017 (State)*

The Victorian *Heritage Act 2017* (the Act) is administered by Heritage Victoria (HV) and is the Victorian Government's key piece of historical heritage legislation.

The Act identifies and protects heritage places and objects that are of significance to the State of Victoria including:

- Historic archaeological sites and artefacts;
- Historic buildings, structures and precincts;
- Gardens, trees and cemeteries;
- Cultural landscapes;
- Shipwrecks and relics; and
- Significant objects.

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The Victorian Heritage Register

The Victorian Heritage Register (VHR) lists the State's most significant heritage places and objects. These can be searched on the Victorian Heritage Database.

The Heritage Council determines what places and objects are included and only those places and objects of outstanding significance are added. The process for adding a place or object is a considered one.

A place or object cannot be added to the Register before the Heritage Council seeks the views of the owner. If a heritage place or object is recommended to the Register, then owners are given a report that includes a statement of cultural heritage significance, a proposed extent of registration, and any proposed activities that may not require a permit.

A heritage object can include furniture, shipwreck relics, archaeological artefacts, equipment, transport vehicles, and articles of everyday use that contribute to an understanding of Victoria's history. Objects can be registered in association with heritage places, or in their own right.

The Victorian Heritage Inventory

The Victorian Heritage Inventory (VHI) records all places or objects identified as historic archaeological sites, areas or relics, all known areas where archaeological relics are located, all known occurrences of archaeological relics and all persons known to be holding private collections of artefacts.

Under Section 123 of the *Heritage Act 2017* it is an offence to damage or disturb an archaeological site or relic, irrespective of whether it is listed on the Heritage Inventory or Heritage Register.

Under Section 124 of the *Heritage Act 2017* a Consent from Heritage Victoria is required if a person wishes to:

- (a) to excavate or uncover a site recorded in the Heritage Inventory or an archaeological site which is not recorded in the Heritage Inventory; or

- (b) to damage or disturb a site recorded in the Heritage Inventory or an archaeological site which is not recorded in the Heritage Inventory; or
- (c) to damage or disturb an archaeological artefact, including for the purposes of study, conservation or exhibition; or
- (d) to possess an archaeological artefact for the purposes of sale; or
- (e) to buy or sell an archaeological artefact.

An application for archaeological consent must:

- (a) be in the prescribed form; and
- (b) be accompanied by the prescribed fee (if any); and
- (c) if necessary, include the consent of the owner or government asset manager of the site or archaeological artefact.

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Up until late 2009, Heritage Victoria had a 'D' classification for places that are considered to have low historical or scientific significance. These sites are listed on the Victorian Heritage Inventory but are not subject to statutory protection, therefore there is no requirement to obtain a Consent to Disturb or destroy these sites. Heritage Victoria has requested that a letter be sent to them informing them if 'D' listed sites or places are destroyed to maintain records of these destroyed sites.

A2.2 Planning and Environment Act 1987 (State)

All municipalities in Victoria are covered by land use planning controls which are prepared and administered by State and local government authorities. The legislation governing such controls is the *Planning and Environment Act 1987*. Places of significance to a locality can be listed on a local planning scheme and protected by a Heritage Overlay (or other overlay where appropriate). Places of Aboriginal cultural heritage significance are not often included on local government planning schemes.

A2.3 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a national framework for the protection of heritage and the environment and the conservation of biodiversity. The EPBC Act is administered by the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW). The Australian Heritage Council assesses whether or not a nominated place is appropriate for listing on either the National or Commonwealth Heritage Lists and makes a recommendation to the Minister on that basis. The Minister for the Environment, Water, Heritage and the Arts makes the final decision on listing. DCCEEW also administers the Register of the National Estate.

The objectives of the EPBC Act are:

- To provide for the protection of the environment, especially those aspects of the environment that are matters of national environmental significance;
- To promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources;
- To promote the conservation of biodiversity;

- To provide for the protection and conservation of heritage;
- To promote a cooperative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples;
- To assist in the cooperative implementation of Australia's international environmental responsibilities;
- To recognise the role of indigenous people in the conservation and ecologically sustainable use of Australia's biodiversity; and
- To promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and in cooperation with, the owners of the knowledge.

A2.4 *Aboriginal Heritage Act 2006 (State)*

The *Aboriginal Heritage Act 2006* protects Aboriginal cultural heritage in Victoria. A key part of the legislation is that Cultural Heritage Management Plans (CHMPs) are required to be prepared by Sponsors (the developer) and qualified Cultural Heritage Advisors in accordance with the *Aboriginal Heritage Act 2006* and the accompanying *Aboriginal Heritage Regulations 2018*. A CHMP is the assessment of an area (known as an 'activity area') for Aboriginal cultural heritage values, the results of which form a report (the CHMP) which details the methodology of the assessment and sets out management recommendations and contingency measures to be undertaken before, during and after an activity (development) to manage and protect any Aboriginal cultural heritage present within the area examined.

The preparation of a CHMP is mandatory under the following circumstances:

- If the *Aboriginal Heritage Regulations 2018* require a CHMP to be prepared (s. 7);
- If the Minister of Aboriginal Affairs Victoria requires a CHMP to be prepared (s. 48); or
- If an Environmental Effects Statement (EES) is required by the *Environment Effects Act 1978* (s. 49).

The *Aboriginal Heritage Regulations 2007* require a CHMP to be prepared:

- If all or part of the proposed activity is a 'high impact activity'; and
- If all or part of the activity area is an area of 'cultural heritage sensitivity'; and
- If all or part of the activity area has not been subject to 'significant ground disturbance'.

The preparation of a CHMP can also be undertaken voluntarily. Having an approved CHMP in place can reduce risk for a project during the construction phase by ensuring there are no substantial delays if sites happen to be found. Monitoring construction works is also rarely required if an approved CHMP is in place.

Approval of a CHMP is the responsibility of the Registered Aboriginal Party who evaluates the CHMP and then it is lodged with the Secretary of the Department of the Premier and Cabinet (DPC) to take effect or, the Secretary of the DPC (FP - SR). They will be examining the CHMPs in detail with key points including:

- Addressing whether harm to heritage can be avoided or minimised;
- All assessments (including test excavations) must be completed before management decisions are formulated; and

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- Survey and excavation must be in accordance with proper archaeological practice and supervised by a person appropriately qualified in archaeology.

There are three types of CHMPs that may be prepared (*The Guide to preparing a CHMP* 2010). These are:

- Desktop;
- Standard; and
- Complex.

A desktop CHMP is a literature review. If the results of the desktop show it is reasonably possible that Aboriginal cultural heritage could be present in the activity area, a standard assessment will be required.

A standard assessment involves a literature review and a ground survey of the activity area. Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the activity area, soil and sediment testing, using an auger no larger than 12 cm in diameter, may be used to assist in defining the nature and extent of the identified Aboriginal cultural heritage (Regulation 59[4]).

Where the results of ground survey undertaken during a standard assessment have identified Aboriginal cultural heritage within the activity area or areas which have the potential to contain Aboriginal cultural heritage subsurface, a complex assessment will be required. A complex assessment involves a literature review, a ground survey, and subsurface testing. Subsurface testing is the disturbance of all or part of the activity area or excavation of all or part of the activity area to uncover or discover evidence of Aboriginal cultural heritage (Regulation 62[1]).

It is strongly advised that for further information relating to heritage management (e.g. audits, stop orders, inspectors, forms, evaluation fees, status of RAPs and penalties for breaching the Act) Sponsors should access the FP - SR website (<https://www.firstpeoplesrelations.vic.gov.au/cultural-heritage-management-plans>).

A2.5 Native Title Act 1993 (Commonwealth)

Native Title describes the rights and interests of Aboriginal and Torres Strait Islander people in land and waters, according to their traditional laws and customs. In Australia, Aboriginal and Torres Strait Islander people's rights and interests in land were recognised in 1992 when the High Court delivered its historic judgment in the case of *Mabo v the State of Queensland*. This decision overturned the legal fiction that Australia upon colonisation was terra nullius (land belonging to no-one). It recognised for the first time that Indigenous Australians may continue to hold native title.

Native Title rights may include the possession, use and occupation of traditional country. In some areas, native title may be a right of access to the area. It can also be the right for native title holders to participate in decisions about how others use their traditional land and waters. Although the content of native title is to be determined according to the traditional laws and customs of the title holders, there are some common characteristics. It may be possessed by a community, group, or individual depending on the content of the traditional laws and customs. It is inalienable (that is, it cannot be sold or transferred) other than by surrender to the Crown or pursuant to traditional laws and customs. Native Title is a legal right that can be protected, where appropriate, by legal action.

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Native Title may exist in areas where it has not been extinguished (removed) by an act of government. It will apply to Crown land but not to freehold land. It may exist in areas such as:

- Vacant (or unallocated) Crown land;
- Forests and beaches;
- National parks and public reserves;
- Some types of pastoral leases;
- Land held by government agencies;
- Land held for Aboriginal communities;
- Any other public or Crown lands; and/or
- Oceans, seas, reefs, lakes, rivers, creeks, swamps and other waters that are not privately owned.

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Native Title cannot take away anyone else's valid rights, including owning a home, holding a pastoral lease or having a mining lease. Where native title rights and the rights of another person conflict the rights of the other person always prevail. When the public has the right to access places such as parks, recreation reserves and beaches, this right cannot be taken away by Native Title. Native Title does not give Indigenous Australians the right to veto any project. It does mean, however, that everyone's rights and interests in land and waters have to be taken into account.

Indigenous people can apply to have their native title rights recognised by Australian law by filing a native title application (native title claim) with the Federal Court. Applications are required to pass a test to gain certain rights over the area covered in the application. The Native Title Tribunal (NNTT) was established to administer application processes. Once applications are registered, the NNTT will notify other people about the application and will invite them to become involved so all parties can try to reach an agreement that respects everyone's rights and interests. If the parties cannot agree, the NNTT refers the application to the Federal Court and the parties argue their cases before the Court.

As a common law right, native title may exist over areas of Crown land or waters, irrespective of whether there are any native title claims or determinations in the area. Native Title will therefore be a necessary consideration when Government is proposing or permitting any activity on or relating to Crown land that may affect native title¹.

A2.5 Coroners Act 2008 (State)

The Victorian *Coroners Act 2008* requires the reporting of certain deaths and the investigation of certain deaths and fires in Victoria by coroners to contribute to the reduction of preventable deaths. Of most relevance to heritage is the requirement for any "reportable death" to be reported to the police (s. 12[1]). The *Coroners Act 2008* requires that the discovery of human remains in Victoria (s. 4[1]) of a person whose identity is unknown (s. 4[g]) must be reported to the police.

¹ The information in this section was taken from the Department of Sustainability and Environment, Fact Sheet on Native Title, 2008

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Appendix 2: Significance Assessment

A2.1. The ICOMOS Burra Charter

The standard for determining significance of places is derived from an international formula developed by ICOMOS (International Council on Monuments and Sites). In Australia, the Burra Charter has been developed by ICOMOS which is a Charter for the Conservation of Cultural Significance (Australia ICOMOS 1999).

The Burra Charter defines cultural significance as “aesthetic, historic, scientific, social or spiritual value for past, present or future generations” (Australia ICOMOS 1999: Section 1.2). Cultural significance is a concept which helps in estimating the value of places. The Burra Charter Cultural Significance Guidelines definitions of the values implicit in assessing cultural significance are as follows (Australia ICOMOS 1999):

Aesthetic value: Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and material of the fabric; the smells and sounds associated with its place and use.

Historic value: historic value encompasses the history of aesthetics, science and society, and therefore to a large extent underlies all the terms set out in this section.

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment.

Scientific value: The scientific or research value of a place will depend upon the importance of the data involved, on its rarity, quality or representativeness, and on the degree to which the place may contribute further substantial information.

Social value: Social value embraces the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiment to a majority or minority group.

National Historic Themes

It is noted that when assessing historic values that the use of historic themes is of benefit. Historic themes are used by heritage professionals to assist in understanding the meanings and connections that historic places may have in addition to the physical fabric of a place. Themes can help explain how particular elements of a place are significant because of their ability to illustrate important aspects of its history (Australian Heritage Commission 2001). The nine theme groups that are most commonly used nationally are:

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Theme 1	Tracing the evolution of the Australian environment
Theme 2	Peopling Australia
Theme 3	Developing Local, Regional and National economies
Theme 4	Building settlements, towns and cities
Theme 5	Working
Theme 6	Educating
Theme 7	Governing
Theme 8	Developing Australia's cultural life
Theme 9	Marking the phases of life

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These theme groups are further expanded into more focussed sub-themes which will not be expanded on here. The themes are intended to be non-hierarchical and a historic place may have a number of themes, which reflects how we look at the past, allowing for an integrated, diverse and complex human experience (Australian Heritage Commission 2001).

A4.2. The *Heritage Act 2017* Criteria

The *Heritage Act 2017* defines eight criteria against which cultural heritage significance can be assessed. These criteria are used to assist in determining whether places of potential State significance should be included in the Heritage Register. They are as follows:

Criterion A	Importance to the course, or pattern, of Victoria's cultural history;
Criterion B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history;
Criterion C	Potential to yield information that will contribute to an understanding of Victoria's cultural history;
Criterion D	Importance in demonstrating the principal characteristics of a class of cultural places and objects;
Criterion E	Importance in exhibiting particular aesthetic characteristics;
Criterion F	Importance in demonstrating a high degree of creative or technical achievement at a particular period;
Criterion G	Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons; and
Criterion H	Special association with the life or works of a person, a group of persons, of importance in Victoria's history.

In addition, it is appropriate when assessing the significance of a site in Victoria to consider whether it is of Local, Regional or State (or potentially National) significance.

A4.3. Scientific Significance

Scientific significance of a heritage place (particularly archaeological sites) is also assessed in Victoria using a commonly accepted formula developed by Bowdler (1981) and Sullivan and Bowdler (1984). These are relative estimates of significance based on the current knowledge available about sites or places in a region. The assessment uses three criteria; site contents, site condition and representativeness.

Site Contents Rating

- 1 No cultural materials remaining.
- 2 Site contains a small number (e.g. 0-10 artefacts) or limited range of cultural materials with no evident stratification.
- 3 Site contains:
 - a. A larger number, bit limited range of cultural materials; and/or
 - b. Some intact stratified deposit.
- 4 Site contains:
 - a. A large number and diverse range of cultural materials: and/or
 - b. Largely intact stratified deposit; and/or
 - c. Surface spatial patterning of cultural materials that still reflect the way in which the cultural materials were laid down.

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Site Condition Rating

- 0 Site destroyed.
- 1 Site in a deteriorated condition with a high degree of disturbance but with some cultural materials remaining.
- 2 Site in a fair to good condition, but with some disturbance.
- 3 Site in an excellent condition with little or no disturbance. For surface artefact scatters this may mean that the spatial patterning of cultural material still reflects the way in which the cultural materials were laid.

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Representativeness

Representativeness refers to the regional distribution of a site type. It is assessed on whether the site type is common, occasional or rare within a given region. Current knowledge on the number of and distribution of archaeological sites in a region can change according depending on the extent of previous archaeological investigation.

The assessment of representativeness also takes into account the contents and condition of a particular site. An example is that in any region, there may be a limited number of sites of a particular type, which have been

subject to minimal disturbance. These sorts of undisturbed sites (containing in situ deposits) would therefore be given a high significance rating for representativeness.

The **representativeness ratings** used for archaeological sites are:

- 1 Common occurrence
- 2 Occasional occurrence
- 3 Rare occurrence

Overall Scientific Significance Rating

An overall scientific significance rating is assigned to the site based on a cumulative score from the assessment. This results in one of the following ratings being assigned for scientific significance:

- | | |
|-----|----------|
| 1-3 | Low |
| 4-6 | Moderate |
| 7-9 | High |

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Appendix 3: Glossary

Adapted from Vines (1990a); Paynter (2002: 51), Black and Miller (2017: 101) and Pickard (2009).

Items highlighted in ***bold italics*** in the definition are defined elsewhere in the glossary.

Acronym	Description
Batter	The inward taper of the wall from base to top.
Building stone	The facing stone that forms the outside of the wall; cf. <i>plugging</i> , <i>through stones</i> , <i>coping stones</i> .
Chain	A traditional unit of measurement of 22 yards or about 20 m.
Clearance or consumption wall	A very thick section of wall built primarily to consume stone cleared from the fields.
Cap stone	See <i>coping stones</i> .
Coping	See <i>coping stones</i> .
Coping stones	Large stones placed along the top of a wall to provide stability to the structure.
Course	Stones that are levelled to make a regular line.
Coverband	A layer of <i>through stones</i> placed on top of the standard wall to anchor it and to sometimes form the base for the <i>coping</i> .
Doubling or double walling	Wall construction with two parallel walls of stone filled with small stone and rubble between (<i>hearting</i>); cf. <i>singling</i> .
DCCEEW	Department of Climate Change, Energy, the Environment and Water. The Commonwealth Government department responsible for management of heritage Places on the World (WHL), National (NHL) or Commonwealth Heritage lists (CHL).
DEECA	Department of Energy, Environment, and Climate Action. The Victorian State Government department responsible for management of natural and historical heritage in Victoria.
Dropper	A light vertical component supported by the line wires in a post-and wire fence, and not embedded in the ground. They serve several functions: to keep the wires spaced, to provide a visible signal that a fence exists, and to minimise the use of posts, saving costs. Droppers come in various cross-sections and shapes, made of folded sheet metal, formed wire, or wood (either sawn, split or round), and wire twitches (or braces/laces).
Dry stone wall	A stone wall that has been constructed without mortar (or other such binding material between the stones).
End Assemblies	A combination of two or more <i>strainer posts</i> reinforced with horizontal braces and sloping struts, designed to provide a solid anchor for the strain and for gates and corners. These now replace the use of single strainer posts.
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)
Face	Vertical or <i>battered</i> outside surface of a wall.
Fence	generic term for a barrier including post and rail, wire, and dry stone walls.
Fill	See <i>hearting</i> .
Footings	See <i>foundation</i> .
Foundation	The first layer of stone at the base of the wall, often set in an excavated trench.
Gap	A breach in a dry stone wall due to defect or damage.
Head	The smooth, vertical end of a wall or section of wall.
Hearting	Small stone and rubble used to fill the cavity between the two outside surfaces of <i>double walling</i> .

HO	Heritage Overlay. A list of Heritage Places of local significance with statutory protection under a local government planning scheme.
HV	Heritage Victoria. An agency of <i>DTP</i> responsible for management of historical heritage in Victoria.
Lintel	A stone slab placed over an opening (e.g. <i>smoot</i>) to bridge it and support the structure above.
Lunky	See <i>smoot</i> .
Pinning	See <i>plugging</i> .
Plugging	Small stone used to fill the gaps in the outside surface of a wall; sometimes deliberately broken to fit.
Post	A vertical rigid fence component used to support fence wires, rails, woven wire or netting, etc. The essential features are rigidity, verticality, and being firmly embedded in the ground; cf <i>strainer post</i> .
Post-and-Wire Fence	A fence where the dominant horizontal components are wire (either plain or barbed), but not netting or prefabricated/fabricated/woven fencing. The wires may run through holes in the posts or be attached using a range of staples and ties. Commonly referred to as a “wire fence.”
PSP	Precinct Structure Plan. A master plan to guide development in a specified section of one of Melbourne’s growth areas (cf. <i>MPA</i>).
Running joints	Joints between the stones that run further than two courses without being crossed by another stone.
Singling	A wall having a width of a single rock; i.e. one rock is visible on both sides of the wall and gaps between <i>courses</i> or <i>building stones</i> may be ‘see-through’; cf. <i>Doubling</i> .
Smoot	A hole through a wall for passage of stock, drainage, etc. there are many regional variations for this term.
Star Picket	The most common steel post used in Australia, featuring a 120° separation of the three webs, giving a star-like cross section.
Strainer Post	A large post deeply embedded in the ground to which the wires are anchored. When the fence is trained, most of the tension is taken by the strainer post. Generally replaced with <i>end assemblies</i> in modern fences.
Through stone	A long stone placed through the wall from one side to the other to tie the sides of <i>double walling</i> together.
Top stones	See <i>coping stones</i> .
VHI	Victorian Heritage Inventory. A register maintained by <i>HV</i> that lists all known historical archaeological sites in the state of Victoria, Australia. The Victorian Heritage Inventory includes places and objects that are of potential archaeological significance but are not necessarily protected under the <i>VHR</i> . It serves as a planning and management tool to help identify and assess cultural heritage during development or land-use changes. Inclusion in the VHI can trigger requirements for archaeological assessments or permits under the <i>Heritage Act 2017</i> .
VHR	Victorian Heritage Register. An official list maintained by <i>HV</i> that includes places, objects, and historic shipwrecks of State-level cultural heritage significance in Victoria. The <i>VHR</i> provides legal protection under the <i>Heritage Act 2017</i> , and any works, changes, or developments affecting items on the register typically require a permit or approval. The register aims to ensure the conservation and responsible management of the state's most important heritage assets, including buildings, gardens, archaeological sites, and industrial heritage.
Wall head	Vertical end of a wall created where large stones are alternated into and along the wall to provide stability.

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