

Compass
HERITAGE SERVICES

Cultural Heritage Management Plan
Emmanuel College, Warrnambool
School Facilities Upgrade
Plan Number: 18654



Sponsor: MERCY EDUCATION LIMITED

Heritage Advisor: Edward East

Author: Edward East & Leigh Painter

Date: 20/06/22



**ADVERTISED
PLAN**

Title Page
Cultural Heritage Management Plan
Emmanuel College, Warrnambool
School Facilities Upgrade
Plan Number: 18360

No registered Aboriginal cultural heritage is present in the activity area.

Activity Size: Medium

Assessment: Desktop

Sponsor: MERCY EDUCATION LIMITED (ABN/ACN 69 154 531 870)

Heritage Advisor: Edward East

Author: Edward East

Date: 20/06/22

Front page photo shows a Landchecker imagery of existing quarry at Emmanuel College, Warrnambool (Landchecker 2022).

Acknowledgements

Compass Heritage Services would like to thank the following people and organisations:

Eastern Maar Aboriginal Corporation

John Clarke. Craig Edwards. Nathalia Guimaraes. Davina Taylor. Fid Chatfield. Jyrán Chatfield.

MERCY EDUCATION LIMITED

Stephen Kerr.

Baldasso Cortese

Tim Pyke.

Myers Planning Group

Cameron McNeil.

Notice & Disclaimer

This report contains information relating to sensitive Aboriginal places. It must not be shared with the general public or external parties. If this is required, the Heritage Advisor of this CHMP or relevant RAP group should be contacted. Any primary research material and intellectual property data contained within this CHMP are the property of Compass Heritage Services Pty Ltd. This data must not be used, distributed or reproduced without seeking the prior written or verbal consent of Compass Heritage Services Pty Ltd. This CHMP has been prepared in accordance with the Victorian *Aboriginal Heritage Act 2006* and *Victorian Aboriginal Heritage Regulations 2018*.

Document Control

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V. 01	Edward East (Compass) Tim Pyke (Baldasso Cortese) Stephen Kerr (Emmanuel College) Cameron McNeil (Myers Planning)	03/05/22	Proofread
V.02	Edward East (Compass)	19/05/22	Submission to RAP
V.04	Edward East (Compass)	20/06/22	Resubmission to RAP



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PLAN**



Eastern Maar
Aboriginal Corporation

PO Box 546
Warrnambool VIC 3280

21 June 2022

CULTURAL HERITAGE MANAGEMENT PLAN – NOTICE OF APPROVAL

The Eastern Maar Aboriginal Corporation, trading as Eastern Maar Aboriginal Corporation RNTBC, acting as the Registered Aboriginal Party, hereby approve the Cultural Heritage Management Plan as referred to below:

CHMP Name:	Emmanuel College, Warrnambool School Facilities Upgrade		
CHMP Number:	18654		
Sponsor:	Mercy Education Limited	ABN:	69 154 531 870
Heritage Advisor (s):	Edward East		
Author(s):	Edward East & Leigh Painter		
Cover Date:	20/06/22	Pages:	i-x/1-111

Eastern Maar Aboriginal Corporation is satisfied that the CHMP has been prepared in accordance with the standards prescribed for the purposes of Section 53 of the *Aboriginal Heritage Act 2006*, and the CHMP adequately addresses the matters set out in Section 61.

Pursuant to Section 64 [1] of the *Aboriginal Heritage Act 2006* this Cultural Heritage Management Plan takes effect upon the granting of this approval and once a copy is lodged with the Secretary*.

Yours Sincerely,

Marcus Clarke
CEO Eastern Maar Aboriginal Corporation RNTBC

*This notice of approval should be inserted after the title page and bound with the body of the cultural heritage management plan.

www.eastermmaar.com.au

Executive Summary

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

The activity area is located at Emmanuel College, 140 – 150 Botanic Road, Warrnambool (City of Warrnambool) (Maps 1 – 2) (Table 1). The activity area is located within the centre of the township of Warrnambool. The activity area contains an existing school with associated sporting facilities.

The proposed activity involves the improvement of existing structures and the construction of new structures, facilities and landscape features associated with the operations of Emmanuel College, Warrnambool. The impact of the proposed works will be limited to the areas as indicated in the schematic development masterplan (Figures 1 – 2). Within these locations the impact to the surface and subsurface of the activity area will be considerable. A full description of the activity is contained in Section 4.

A desktop assessment was undertaken that assessed the geology, environment, previous archaeological studies and registered Aboriginal places within the surrounding geographic region. The desktop assessment did not identify any previously registered Aboriginal places within the current activity area (Map 6). The current distribution of registered Aboriginal places across the geographic region indicates that Aboriginal cultural heritage material is most likely to be located within proximity to fresh water sources, with the frequency and density of places, particularly lithic artefacts, decreasing with distance to potable water. The most likely site type to be found in the activity area are subsurface artefact scatters, and the most common lithic material types in the region are silcrete and quartz. Reviews of previously registered Aboriginal places indicate that any sites identified are likely to date to the late Holocene. The details of the desktop assessment are found in Sections 7 – 8.

A standard assessment was undertaken across the entire activity area. No Aboriginal cultural heritage material was identified during the standard assessment. The standard assessment located three landform types within the activity area: a swampy depression landform, a slope/crest landform and an artificially landscaped area, that appeared to have been subject to multiple cut and fill events. The details of the standard assessment are found in Section 9.

A complex assessment was undertaken within the activity area. No Aboriginal cultural heritage material was identified during the complex assessment. The complex assessment consisted of the hand excavation of two 1x1m stratigraphic test pit (TP) and eighteen 50x50cm shovel test pits (STP). The recorded geomorphology consisted of A1 – A2 deposit of dry, friable to firm dark reddish brown clayey silt with a small humic layer and small to moderate amounts of small/medium degraded limestone rocks. The sterile B1 layer of this deposit provided a point of differentiation throughout these test pits, with the sterile base consisting either of degraded limestone, red Bridgewater formation rock, or a concreted mottled clay. Only limited evidence of subsurface disturbance was recorded, in the form of modern rubbish, but the geomorphology appeared natural in appearance. The details of the complex assessment are found in Section 10.

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PART 1: CULTURAL HERITAGE MANAGEMENT CONDITIONS

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

1 GENERAL MANAGEMENT CONDITIONS

The following management conditions have been agreed to by the Sponsor, in consultation with Eastern Maar Aboriginal Corporation (EMAC) to manage cultural heritage within the activity area. The Sponsor of this Cultural Heritage Management Plan (CHMP) is responsible for undertaking all management conditions and contingencies as outlined below.

The Sponsor is responsible for ensuring that the activity undertaken as part of this CHMP, adheres to the activity description outlined in Section 4. The Sponsor is responsible for ensuring that no works as part of the activity as outlined in Section 4, are completed outside of the activity area as shown in (Map 1). Any changes to the activity area, the activity description or the approved management conditions will require an amendment to the CHMP or the preparation of a new CHMP.

1.1 General Condition 1: Cultural Heritage Induction - Prior to the Activity

Prior to the commencement of the activity, a cultural heritage induction must be facilitated by a representative of (EMAC) and assisted by a Heritage Advisor. EMAC must be provided with at least two weeks' notice of the intended date of the cultural heritage induction. A booking form must be completed to book a cultural heritage induction, which can be found on the EMAC website www.easternmaar.com.au. This induction will be organised and paid for by the Sponsor.

Prior to the commencement of the activity (or any works associated with the activity) a cultural heritage induction must be undertaken by all personnel involved in the activity (in particular ground disturbing works), including staff/supervisors working permanently within the activity area, and the Sponsor. An inducted Sponsor or supervisor may subsequently provide an in-house induction for additional contractors and staff after the initial induction. The induction will be conducted by a representative of the Eastern Maar Aboriginal Corporation (EMAC) and a Heritage Advisor. The induction will take place on site within the activity area, or at another location as agreed to by the Sponsor and the RAP.

A cultural heritage induction booklet will be produced by the Heritage Advisor and contain all relevant CHMP information, including a summary of the key conditions and contingencies outlined in Part 1 of the CHMP. The cultural heritage induction booklet must be kept with a hard copy of the

CHMP as General Condition 3 and be used during the initial phase of any works associated with the activity.

The Sponsor/Heritage Advisor will keep a record of induction attendees (e.g., a sign-off sheet) and any induction materials, a copy of which will be made available to EMAC via email, up to no more than 2 business days after the induction is held.

The induction will include:

- brief background of the Aboriginal occupation of the activity Area and broader region;
- summary of the assessments conducted during the CHMP;
- specific details of all Aboriginal places located during the CHMP;
- explanation of the conditions and contingency plans contained within the CHMP; and
- the obligations of the Sponsor and all personnel under the Aboriginal Heritage Act 2006 (Vic).

An important focus of the cultural heritage induction is to present personnel with examples of Aboriginal cultural heritage that may occur in the activity Area, and to explain the contingency procedures required by the CHMP, should unidentified Aboriginal cultural heritage be found during the conduct of the activity.

1.1 General Condition 2: Notification to EMAC of Commencement/Completion of the Activity - Prior to the Activity/After the Activity

The Sponsor must notify EMAC, via telephone call or email, at least 10 business days prior to the proposed start date of when the activity is expected to commence. The Sponsor must notify EMAC, via telephone call or email, up to no more than 10 business days after the activity has been completed.

EMAC is to ensure that there is an electronic means of confirmation of notification. Confirmation of telephone notification is to be confirmed by email within one (1) business day of the telephone call.

During business hours the contact details for EMAC are as follows:

RAP Technical Specialist

Eastern Maar Aboriginal Corporation Phone: 0452 350 728

Email: admin@easternmaar.com.au

1.2 General Condition 3: A Copy of the Approved CHMP to be Retained Onsite – Throughout Duration of the Activity

A hard copy of the approved CHMP must always be available and present onsite for the duration of the activity. The CHMP must be readily available to those undertaking the activity and the hard copy of the CHMP must be able to be provided upon request. The Sponsor is responsible for ensuring that all personnel undertaking the activity are aware of the onsite location of the hard copy of the CHMP.

1.3 General Condition 4: Protocols for Managing and Handling Sensitive Information Relating to Aboriginal Cultural Heritage within the Activity Area. – Throughout Duration of the Activity

This CHMP is to be used for the purpose of managing cultural heritage (Section 46 of the Aboriginal Heritage Act 2006) within the activity area defined in this CHMP and is not to be used by the Sponsor, Contractors or Heritage Advisor for any other purpose.

EMAC reserves the right to have ownership, access, and control of the use of their Aboriginal cultural heritage, Traditional Knowledge and Traditional Cultural Expressions within this CHMP– including but not limited to artefact descriptions and photos, locations of cultural heritage, oral histories and statements provided, tangible and intangible cultural heritage knowledge and information.

- There shall be no communication, public release, or publishing of information within the CHMP, without the written permission of EMAC - including for academic and commercial use.
- There shall be no communication, public release, or publishing of information concerning Aboriginal cultural heritage, without the written permission of EMAC – including academic and commercial use.
- No onsite photographs or information concerning Aboriginal cultural heritage, by a Sponsor, Contractor or Heritage Advisor, is to be circulated to the media or via social media without the written permission of EMAC – including academic and commercial use.

1.4 General Condition 5: Compliance Inspections – Throughout Duration of the Activity

A minimum of one Compliance Inspection must be completed by an Eastern Maar Aboriginal Corporation representative over the duration of the activity to review the progress of the activity, determine if any unexpected cultural heritage has been uncovered in the works area/s and check that each applicable condition and contingency contained within the approved CHMP is in effect.

The inspections must occur following each stage of ground stripping within the activity area. All excavated soil must also be retained for inspection.

The requirement for additional inspections, up to the maximum of three inspections must be determined in consultation with the Eastern Maar Aboriginal Corporation unit after completion of the first inspection.

An Eastern Maar representative must conduct the inspections. If the inspections reveal suspected non-compliance with the approved CHMP, then the procedure outlined in Contingency 3 must be initiated. If suspected Aboriginal cultural heritage is identified during the inspections, then the procedure outlined in Contingency 4 or 5 must be initiated accordingly. If the inspection reveals a suspected breach of the Victorian Aboriginal Heritage Act 2006 then this must be reported to First Peoples State Relations (FP-SR) immediately and an Authorised Officer or Aboriginal Heritage Officer may be called out and/or a Stop Order may be issued by AV.

Eastern Maar Aboriginal Corporation must be notified at least four weeks before the Inspections are required, prior to or during the activity

The procedures outlined in this condition must be organised and paid for by the Sponsor.

1.5 General Condition 6: Activity to occur within the Activity Area – Throughout Duration of the Activity

All works associated with the activity must be conducted within the area delineated within this approved CHMP as Map 2 shows.

2 ABORIGINAL CULTURAL HERITAGE MANAGEMENT CONTINGENCIES

2.1 Contingency 1: Matters Referred to in Section 61 of the Act

This section of the assessment contains contingency plans to facilitate appropriate heritage management during the proposed activity and to fulfil the requirements set out in Schedule 2 Clause 13 of the *Aboriginal Heritage Regulations 2018*.

At the time of approval of this CHMP, the Registered Aboriginal Party (RAP) for the activity area was the Eastern Maar Aboriginal Corporation (EMAC). All references to 'the RAP' throughout this section of the CHMP are references to the EMAC

This CHMP contains contingency plans that are specific to the activity and activity area (Part 2) as described within Section 4 (activity area) of this CHMP. If changes are made to the activity and/or activity area that require statutory authorisation, or which require changes to the management conditions, following the approval of the CHMP, the Sponsor will likely be required to undertake and submit a new CHMP or apply to amend the approved CHMP.

If Aboriginal cultural heritage is unexpectedly discovered during the activity, the following contingencies (which consider matters referred to in Section 61 of the *Aboriginal Heritage Act 2006* with regard to harm avoidance and minimisation) must be implemented by the Sponsor or the relevant delegate.

2.2 Contingency 2: Dispute Resolution

Clause 13 (1) Schedule 2 of the regulations requires that a CHMP must contain a contingency plan for the resolution of any disputes between the Sponsor and RAP or relevant Traditional Owner representatives, in relation to the implementation of an approved CHMP or the conduct of the activity. Disputes may occur at various stages during the activity. Procedures for dispute resolution aim to ensure that all parties are fully aware of their rights and obligations, that full and open communication between parties occurs, and that those parties conduct themselves in good faith.

If a dispute arises that may affect the conduct of the activity, resolution between parties using the following informal dispute resolution guidelines is recommended.

Informal Dispute Guidelines

- a) The party raising the dispute will complete a Notice of Dispute Form (included below) and email a copy to all parties listed in the Notification contingency in this CHMP.
- b) All disputes will be jointly investigated and documented by both parties (RAP and Sponsor).

- c) Authorised representatives of each party (RAP and Sponsor) will attempt to negotiate a resolution to any dispute related to cultural heritage management of the activity area, within two business days or written notice being received.
- d) Where a breach of the CHMP conditions has been identified, authorised representatives of both parties (RAP and Sponsor) must endeavour to agree upon the best method of correction or remediation.
- e) If the authorised representatives of both parties (RAP and Sponsor) cannot reach an agreement, then the authorised representatives of both parties (RAP and Sponsor) will negotiate a resolution to an agreed schedule.
- f) If the authorised representatives of both parties (RAP and Sponsor) fail to reach an agreement, an independent mediator should be initially sought to assist in resolving the dispute. Both parties (RAP and Sponsor) must agree upon a timeframe for the independent mediator.
- g) If an independent mediator cannot be agreed on or fails to resolve the dispute with the allowed timeframe, the Victorian Aboriginal Heritage Council may be approached for their willingness to act in resolving the dispute.
- h) If it is deemed that a cultural heritage audit is required, the Heritage Advisor will contact the Secretary of the process. A cultural heritage audit may also be ordered by the Minister under the *Aboriginal Heritage Act 2016*.

Regardless of the category of dispute, the informal dispute guidelines do not preclude:

- a) The parties seeking advice from aboriginal Victoria to assist in resolution of the dispute; and
- b) Any legal recourse that is open to the parties (RAP and Sponsor) being undertaken, however, the parties must agree that the above resolution mechanism will be implemented before such recourse is made.

2.3 Contingency 3: Reviewing Compliance with the CHMP

Under the Aboriginal Heritage Act 2006, the conditions and contingency plans outlined within this approved CHMP must be complied with as written. Breaching the conditions and contingency plans contained within the approved CHMP is an offence under s.67A of the Aboriginal Heritage Act 2006 and penalties apply.

To ensure compliance with the conditions and contingency plans outlined within this approved CHMP, the Sponsor should review the following checklist both prior to and throughout the course of the activity. Any negative responses to the following questions in the checklist may indicate that the conditions and contingency plans of the approved CHMP have been breached and remedial actions for non-compliance should be considered.

The RAP or relevant Traditional Owner representatives may undertake heritage inspections to monitor the progress of the activity and observe whether management conditions and contingency plans outlined within this CHMP have been complied with. A total of 3 heritage inspections may be undertaken during the activity. The RAP or relevant Traditional Owner representatives must provide the Sponsor with at least 3 business days' notice prior to the time they wish to enter the activity area. The Sponsor must ensure that the RAP or relevant Traditional Owner representatives are aware of any

job safety restrictions or protocols. The RAP or relevant Traditional Owner representatives must comply with any job safety protocols required by the Sponsor and their contractors (if relevant).

2.3.1 Remediating Non-Compliance within the CHMP.

The Sponsor is responsible for remediating non-compliance with the conditions and contingency plans outlined within this approved CHMP. A non-compliance may trigger the requirement for a cultural heritage audit under Part 6 of the *Aboriginal Heritage Act 2006*. All reasonable costs arising from the meeting and any agreed remedies must be borne by the Sponsor.

If non-compliance is identified the Sponsor must:

- Cease all works within the activity area.
- Notify the RAP or Traditional Owner representatives and notify First-Peoples State Relations at compliance.aboriginalvictoria@dpc.vic.gov.au
- Follow the contingency plans within this CHMP for discovery of Aboriginal Cultural Heritage during the activity.
- Prepare a programme of remedial action in consultation with the RAP or Traditional Owner representatives and a Heritage Advisor.

Notice of Dispute

Notice issued to: Click or tap here to enter text.

Notice issued by: Click or tap here to enter text.

RAP: Click or tap here to enter text.

Sponsor of CHMP: Click or tap here to enter text.

Under contingency Click or tap here to enter text. **of this CHMP** Click or tap here to enter text.
I/we give notice of the following dispute.

Description of the Dispute.

[Describe the dispute as you see it.]

Impact of the Dispute.

[Describe how the dispute has affected you.]

Proposed Solution as per Dispute Resolution Contingency.

To resolve this dispute, I/we would like *[describe what action/steps you believe would assist to resolve the dispute]*.

Who to Contact About This Notice.

Name: Click or tap here to enter text.

Phone: Click or tap here to enter text.

Email: Click or tap here to enter text.

Postal Address: Click or tap here to enter text.

Signed by:

(as the authorised representative for the party issuing this notice)

Signature: Click or tap here to enter text.

Date: Click or tap to enter a date.

Compliance Checklist:

Question	Yes [Date Completed]	No [Remedy/Comments]
<i>Prior to the commencement of the activity</i>		
Has the CHMP been approved?		
Has a Cultural Heritage Induction been completed?		
Has the RAP been notified of the commencement of the activity?		
Have the specific management conditions outlined in this CHMP, which are required to take place prior to the commencement of the activity been undertaken?		
<i>During the course of the activity</i>		
Have the specific management conditions outlined in this CHMP, which are required to take place during the course of the activity been undertaken?		
<i>After the activity has been completed</i>		
Has the RAP been notified of the completion of the activity?		
Have the specific management conditions outlined in this CHMP, which are required to take place after the activity has been completed been undertaken?		
<i>Changes to the activity or activity area</i>		
If required, has the approved CHMP been amended and approved?		
If required, and if the approved CHMP has not been amended and approved, has a new CHMP been prepared and approved?		
Have all relevant statutory approvals been obtained?		
<i>If Aboriginal Cultural Heritage is discovered during the activity</i>		
<i>As per the contingency:</i>		
Has the activity ceased within at least 10 meters of the discovery, and a stop works buffer implemented?		

Has the stop works buffer been fenced off?		
Has the site manager and/or Sponsor, RAP or Traditional Owner representatives and a HA been notified?		
Has HA been engaged within three business days of notification?		
Has the HA fully recorded and documented the Aboriginal cultural heritage?		
Has the Sponsor made all reasonable attempts to avoid or minimise harm to the Aboriginal cultural heritage?		
If harm to the Aboriginal cultural heritage cannot be avoided or minimised, has an appropriate archaeological salvage been undertaken?		
Has a report detailing the results of the salve been submitted to VAHR and the RAP or Traditional Owner representatives within six months?		
Have the removal, custody, curation, and management of the Aboriginal cultural heritage been undertaken in accordance with the relevant contingency plan?		
Have the Sponsor, Heritage Advisor and relevant RAP or Traditional Owner representatives have agreed that no further action is warranted?		
<i>If Aboriginal Ancestral Remains are discovered during the activity</i>		
<i>As per the contingency:</i>		
Has the activity within at least 30 meters ceased of the discovery?		
Have the human remains been left in place and protected from harm?		
Have the State Coroner's Office and the Victorian Police been notified?		
If the human remains are confirmed to be Aboriginal Ancestral remains, has the VAHC and RAP been notified?		
Has the appropriate impact mitigation or salvage strategy been implemented?		

Have the Aboriginal Ancestral remains been treated in accordance with the directions of the VAHC?		
Has a suitably qualified and experienced archaeologist fully documented and clearly marked the reburial site(s) and provided all details to VAHR?		
Has this been done in consultation with the RAP?		
Have appropriate management measures been implemented to ensure that the remains are not disturbed in the future?		

2.4 Contingencies in Relation to the Discovery of Aboriginal Cultural Heritage During the Activity

2.5 Contingency 4: Unexpected Discovery of Aboriginal Cultural Heritage (Excluding Human Remains)

Secret/Sacred Objects

- I. As per Section 4 of the *Aboriginal Heritage Act 2006* a Secret or sacred object includes an Aboriginal object directly associated with a traditional Aboriginal burial
- II. Any suspected Secret / Sacred Objects must be reported to the Victorian Aboriginal Heritage Council, as per Part 2, Division 3 (Sections 21-2) of the *Aboriginal Heritage Act 2006*.
- III. All works must stop within at least 10 metres of the objects
- IV. The Victorian Aboriginal Heritage Council will transfer the object/s to an Aboriginal person that the Victorian Aboriginal Heritage Council is satisfied is entitled to and willing to take possession, custody, or control of the object/s, or otherwise deals with the object/s as the Victorian Aboriginal Heritage Council thinks appropriate, as per section 21B of the *Aboriginal Heritage Act 2006*.

Aboriginal Cultural Heritage

If suspected Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains) is uncovered or identified during the activity, the following contingency plan must be followed:

Discovery

- I. The activity must cease within at least 10 metres of the suspected Aboriginal cultural heritage, and a stop works buffer must be implemented. Works may continue in the remainder of the activity area.

- II. The stop works area around the suspected Aboriginal cultural heritage must be fenced off using appropriate temporary fencing (chain wire fence panels with concentre base feet) to protect the suspected Aboriginal cultural heritage from further disturbance. No-go zone signage must be attached to the fencing and be clearly visible.
- III. The suspected Aboriginal cultural heritage must not be picked up or removed from the stop works area.

Notification

- I. The individual who uncovered or identified the suspected Aboriginal cultural heritage must notify the site manager and/or Sponsor of the discovery immediately.
- II. The Sponsor must notify the relevant RAP or Traditional Owner representatives and a Heritage Advisor within one business day of the discovery of the suspected Aboriginal cultural heritage.

Assessment

- I. An appropriately qualified Heritage Advisor must be engaged to inspect the suspected Aboriginal cultural heritage within three business days of notification.
- II. Relevant RAP or Traditional Owner representatives must be provided the opportunity to participate in the inspection.
- III. The Heritage Advisor will consult with the relevant RAP or Traditional Owner representatives regarding the management, collecting and recording of the cultural material. The Heritage Advisor will notify the Secretary of the discovery and any agreements.
- IV. If the suspected Aboriginal cultural heritage is assessed by the Heritage Advisor to be Aboriginal cultural heritage, then the Heritage Advisor must fully record and document the Aboriginal cultural heritage, and the following site protection, impact mitigations or salvage conditions must be completed.

Impact Mitigation or Salvage

- I. It is the obligation of the Sponsor to ensure that all reasonable attempts to avoid or minimise harm to the Aboriginal cultural heritage have been undertaken, in consultation with the RAP or Traditional Owner representatives.
- II. If the Aboriginal cultural heritage is determined to be significant (for example, an intact cultural deposit), site protection or impact mitigation conditions may be required. If site protection or impact mitigation measures are not possible a salvage excavation of part or all of the Aboriginal place may be required prior to the activity proceeding.
- III. In the situation where a salvage excavation is required the following process must be adhered to:
 - a) The extent and methodology of the salvage program will be determined by the RAP or relevant Traditional Owner representatives, in consultation with the Heritage Advisor and Sponsor.

- b) Any salvage program must be undertaken in accordance with Aboriginal Victoria's Practice Note: Salvage Excavations, by a suitably qualified archaeologist/Heritage Advisor with assistance from the RAP or relevant Traditional Owner representatives.
- c) The Heritage Advisor must update or complete the relevant Victorian Aboriginal Heritage Register (VAHR) place and component forms, including the object collection form, and submit the documentation to the VAHR within three (3) weeks of the assessment. The Heritage Advisor must notify the RAP or relevant Traditional Owner representatives, via email, once the VAHR has been updated.
- d) An archaeological report meeting the Secretary standards and detailing the methods, analysis and results of the salvage program must be submitted to the VAHR, the Sponsor and the RAP or relevant Traditional Owner representatives no later than six (6) months after the salvage excavation has been completed.
- e) At the completion of analysis, any Aboriginal cultural heritage collected during the salvage program must be managed as outlined in the removal, custody, curation, and management of Aboriginal Cultural Heritage contingency in this CHMP.

Resumption of the activity

- I. The activity may recommence in the stop works area once:
 - a) The Aboriginal cultural heritage material has been identified, fully documented, and assessed, including the collection and analysis of any artefacts by a Heritage Advisor.
 - b) All reasonable attempts to avoid harm and appropriately protect the Aboriginal cultural heritage has been made by the Sponsor in consultation with the RAP or relevant Traditional Owner representatives.
 - c) If harm to the Aboriginal cultural heritage cannot be avoided, then an appropriate archaeological salvage program, meeting the minimum standards as outlined above, has taken place.
 - d) The Heritage Advisor has updated or completed VAHR place and component form(s), submitted the forms to the VAHR within 14 business days of the assessment, and the forms have been approved.
 - e) The Sponsor, Heritage Advisor and the RAP or relevant Traditional Owner representatives have agreed that no further action is warranted.

Dispute Resolution

If all parties fail to reach an agreement under this contingency plan, this will be classified as a dispute. Any dispute that may arise from this process must be dealt with under the Dispute Resolution contingency as outlined in this CHMP.

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2.6 Contingency 5: Unexpected Discovery of Human and Aboriginal Ancestral Remains

If suspected human remains are discovered, you must contact the Victoria Police and the State Coroner's Office immediately. If there are reasonable grounds to believe that the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be contacted on 1300 888 544.

Any such discovery at the activity area must follow these steps.

Discovery

- a) If suspected human remains are discovered, all activity within at least 30 metres must cease immediately
- b) The remains must be left in place and protected from harm or damage
- c) Do not contact the media; do not take any photographs of the remains other than those requested by the relevant authorities below

Notification

- a) If suspected human remains have been found, the State Coroner's Office (**1300 309 519**) and the Victoria Police (**000**) must be notified immediately
- b) If there are reasonable grounds to believe the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be immediately notified on **1300 309 519**
- c) If the human remains are confirmed by State Coroner's Office to be Aboriginal Ancestral Remains, the person responsible for the activity must report the existence of them to the Victorian Aboriginal Heritage Council in accordance with section 17 of the *Aboriginal Heritage Act 2006* (<https://www.aboriginalheritagecouncil.vic.gov.au/report-ancestral-remains-submit>)
- d) If the remains are confirmed to be Aboriginal Ancestral Remains, the RAP or relevant Traditional Owner representatives must be notified immediately as listed in the Notification contingency in this CHMP
- e) All details of the location and nature of the human remains must be provided to the relevant authorities

Impact Mitigation or Salvage

- a) The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult the RAP or relevant Traditional Owner representatives, will determine the appropriate course of action as required by section 18(2)(b) of the *Aboriginal Heritage Act 2006*
- b) An appropriate impact mitigation or salvage strategy as determined by the Victorian Aboriginal Heritage Council must be implemented by the Sponsor. All costs associated with this will be the responsibility of the Sponsor.

Curation and Further Analysis

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

Reburial

- a) Reburial to occur in consultation with the relevant RAP or relevant Traditional Owner representatives
- b) Any reburial site(s) must be fully documented by an experienced and qualified archaeologist and all relevant details provided to VAHR
- c) Appropriate management measures must be implemented to ensure the Aboriginal Ancestral Remains are not disturbed in the future

2.7 Contingency 6: Removal, Custody, Curation, and Management of Aboriginal Cultural Heritage

This contingency relates to the removal, custody, curation, and management of unexpected Aboriginal cultural heritage (excluding Human and Aboriginal Ancestral Remains) discovered during the activity. For management of known Aboriginal cultural heritage see the relevant condition as outlined within this approved CHMP.

Removal

No Aboriginal cultural heritage must be picked up or removed from the activity area, except by a Heritage Advisor during salvage.

Custody

Aboriginal cultural heritage collected during the salvage program can be temporarily stored by the Heritage Advisor until the scientific analysis has been completed. Once the salvage and scientific analysis of the Aboriginal cultural heritage has been completed, the Aboriginal cultural heritage must be repatriated to the RAP (no later than six (6) months after the salvage excavation has been completed).

The custody of Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains, or Secret or Sacred Objects) discovered during or after an activity must comply with the requirements of the Aboriginal Heritage Act 2006 and be assigned according to the following order of priority, as appropriate:

- a) any relevant Registered Aboriginal Party for the land from which the Aboriginal cultural heritage is salvaged (as outlined above and in the relevant contingency plans)

Where there is no Registered Aboriginal Party:

- a) any relevant registered native title holder for the land from which the Aboriginal cultural heritage is salvaged
- b) any relevant native title party (as defined in the Aboriginal Heritage Act 2006) for the land from which the Aboriginal cultural heritage is salvaged

- c) any relevant Traditional Owner or Owners of the land from which the Aboriginal cultural heritage is salvaged
- d) any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal cultural heritage relating to the land from which the Aboriginal cultural heritage is salvaged
- e) the owner of the land from which the Aboriginal cultural heritage is salvaged
- f) Museum Victoria

Curation and Management (Reburial)

The RAP will be the caretakers of the Aboriginal cultural heritage and may choose to rebury the artefacts within an agreed location, safe from future development and disturbance. The reburial of the Aboriginal cultural heritage will be organised and paid for by the Sponsor. Sponsors must consider the willingness and the capacity of the proposed custodian to adequately, and appropriately, manage salvaged Aboriginal cultural heritage material.

Access to Activity Area

If the RAP wishes to enter the activity area at any stage during the activity, this must be facilitated by the Sponsor. The RAP must provide the Sponsor with at least 3 business days' notice prior to the time they wish to enter the activity area. The Sponsor must ensure that the RAP is aware of any job safety restrictions or protocols. The RAP must comply with any job safety protocols required by the Sponsor and their contractors (if relevant). The RAP reserves the right to inspect the location of reburied Aboriginal cultural heritage once the activity has been completed.

2.8 Contingency 7: Notification

The Sponsor is to ensure that sufficient time is given for written correspondence to reach parties (as tabled below) and for a response to be composed and sent. Notification in email form must be provided in accordance with the timeframes outlined within the relevant contingency plan/s. Email and telephone is the preferred method of communication and notification. Written correspondence in letter/mail form is not preferred, but if this is required, then sufficient time for delivery needs to be considered and a phone call should be made to notify of the posting of the letter/mail.

Response to communication must occur by either party (RAP and Sponsor) within three (3) business days or receipt of the communication, unless otherwise agreed by all parties.

Key Contacts:

Role	Name	Organization	Contact
CHMP Contacts			
Registered Aboriginal Party	RAP Technical Specialist	EMAC	admin@easternmaar.com.au 0427 271 937
Registered Aboriginal Party	Cultural Heritage and NRM Manager	EMAC	craig.edwards@easternmaar.com.au 0475 310 509
Sponsor	MERCY EDUCATION LIMITED	MERCY EDUCATION LIMITED	skerr@emmanuel.vic.edu.au 03 5560 0888
Project Manager	n/a	n/a	n/a
Emergency Contacts			
State Coroner's Office	Coronial Admissions and Enquiries Line		1300 309 519
Victorian Police			000 (Triple 0)
Victorian Aboriginal Heritage Council	Report Ancestral Remains		Ancestral.Remains.Unit@dpc.vic.gov.au
Victorian Aboriginal Heritage Register			VAHR@dpc.vic.gov.au

Part 2: Cultural Heritage Assessment

3 INTRODUCTION

3.1 Background

Compass Heritage Services. was engaged by MERCY EDUCATION LIMITED (ABN/ACN 69 154 531 870) (the Sponsor) to prepare a cultural heritage management plan (CHMP) in response to the proposed improvement of existing structures and the construction new structures, facilities and landscape features associated with the operations of Emmanuel College, Warrnambool. The author of this plan is Edward East & Leigh Painter. The heritage advisor for this plan is Edward East. Details of the qualifications of all personnel who worked on this CHMP are provided in Section 3.8.

3.2 Name of Sponsor

The Sponsor of this CHMP is MERCY EDUCATION LIMITED (ABN/ACN 69 154 531 870).

3.3 Name of Owner and Occupier of the Activity Area

The land associated with the activity area is currently owned by the Sponsor.

3.4 Location of the Activity Area

The location of the activity area is at Emmanuel College, 140 – 150 Botanic Road, Warrnambool (City of Warrnambool). The proposed activity involves the improvement of existing structures and the construction new structures, facilities and landscape features associated with the operations of Emmanuel College, Warrnambool (Map 1 – 2. Figure 1 – 2). The activity area is 109,103m² in area (Map 1 – 2) and is currently zoned under General Residential Zone (GRZ1) of the City of Warrnambool planning scheme (Appendix 4).

3.5 Reason for Preparing a Cultural Heritage Management Plan

This CHMP has been prepared in accordance with Part 4 of the Victorian *Aboriginal Heritage Act 2006* (the Act). The Act specifies that the Victorian *Aboriginal Heritage Regulations 2018* (the Regulations) determines when a CHMP is required. As per Part 2 (7) of the Regulations a CHMP is required:

A cultural heritage management plan is required for an activity if—

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

41 Sand sheets

- (1) Subject to subregulation (2), a sand sheet, including the Cranbourne sand, is an area of cultural heritage sensitivity.

46 Buildings and works for specified uses

- The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works— (a) would result in significant ground disturbance; and (b) (viii) an education centre.

3.6 Notice of Intent to Prepare the Cultural Heritage Management Plan

Under s.54 of the *Aboriginal Heritage Act 2006*, the Sponsor of a CHMP must give notice of their intention (NOI) to prepare a CHMP.

In accordance with s.54(1)(a) of the *Aboriginal Heritage Act 2006*, the Sponsor must submit a NOI to the Registered Aboriginal Corporation (RAP) prior to preparing a CHMP. The Aboriginal Heritage Act 2006 requires consultation with any RAP registered under the Act. In accordance with s.54(1)(a) of the Aboriginal Heritage Act 2006, the Sponsor must submit a NOI to the RAP prior to preparing a CHMP. The NOI was submitted to the Department of Premier and Cabinet (DPC) and the Sponsor on 24 February 2022. The NOI was provided to City of Warrnambool on 24 February 2022.

The Sponsor submitted the NOI to the RAP on 24 February 2022. The RAP responded to the submission of the NOI on 28 February 2022 and advised that they will evaluate the CHMP.

The management plan identifier number for this CHMP is 18654. The NOI is provided in Appendix 1 and the notice from the Eastern Maar Aboriginal Corporation stating their intention to evaluate the CHMP is provided in Appendix 2. No Activity Advisory Group was appointed by the Secretary in relation to the CHMP. The CHMP Management conditions must be adhered to prior to, during and after the activity.

3.7 Registered Aboriginal Party Responsible for the Activity Area

The activity area is located within the Registered Aboriginal Party (RAP) area of the Eastern Maar Aboriginal Corporation (EMAC) and was appointed as the RAP by the Aboriginal Heritage Council under the Aboriginal Heritage Act 2006. The Eastern Maar Aboriginal Corporation advised on 28 February 2022 that it will evaluate this CHMP and participate in the conduct of the assessment.

3.8 Personnel Involved

The Heritage Advisor of this CHMP is Edward East. The author of this CHMP is Edward East. GIS mapping for this CHMP was undertaken by Edward East. Fieldwork for this CHMP was supervised by Edward East with assistance from Jake Osbourne.

Edward East

Edward East is the founder and director of Compass Heritage Services. Edward holds a Bachelor of Archaeology, a Post-Graduate Diploma in Arts (Classics & Archaeology), and a Master of Arts (Archaeology). Edwards Master's thesis involved utilising a suite of satellite imagery and GIS

software types to remotely map archaeology sites, with aspects of this research published in academic journals. He has studied Australian Aboriginal archaeology and cultural heritage management extensively.

Edward has a great depth of experience in Australian cultural heritage and built heritage management. He has directed large scale projects in the mining, urban development, infrastructure, and land management sectors. He has long term experience in consulting and advising a diverse range of stakeholders and commercial clients. Over his career Edward has managed Aboriginal cultural heritage focused projects across Western Australia, Queensland, New South Wales, and Victoria. In an international context he has worked on commercial archaeology projects in Kuwait, the United Kingdom and Papua New Guinea. Edward is an Associate Member of the Australian Association of Consulting Archaeologists (AACAI). He is also a fully qualified ‘heritage advisor’ meeting all the requirements of the Victorian Aboriginal Heritage Act 2006.

- Bachelor of Archaeology, La Trobe University.
- Post-Graduate Diploma Arts (Archaeology), The University of Melbourne
- Master of Arts (Archaeology), The University of Durham.

Leigh Painter.

Leigh Painter has worked across Victoria as a consultant archaeologist since 2017 and has worked as a project manager for large-scale excavations associated with CHMPs as well as large scale salvage excavations. He is skilled in survey and excavation techniques, identification of landscape sensitivity and artefact analysis. Leigh has authored over 40 CHMPs within Victoria, both in metropolitan and regional environments. He is also a fully qualified ‘heritage advisor’ meeting all the requirements of the Victorian Aboriginal Heritage Act 2006. Leigh’s formal qualifications include:

- Bachelor of Archaeology (Honours), La Trobe University.

Jake Osborne

Jake Osborne is a current postgraduate student at the University of Melbourne and member of the Australian Archaeological Association. Having completed two undergraduate degrees at the institution in 2012 and 2020, Jake is currently completing an Honours year in Archaeology.

Since 2018, Jake has been involved as an archaeologist with the Tel es-Safi/Gath archaeological project in Israel whilst also working in digital heritage management with the Melbourne-based company Lithodomos VR. Jake has worked as an archaeological assistant on fieldwork associated with cultural heritage management plans across Victoria.

- Bachelor of Arts (Honours) – The University of Melbourne.

3.9 Report Submission

The CHMP was submitted for approval to the Eastern Maar Aboriginal Corporation, on 19/05/22, as per s.62 of the Aboriginal Heritage Act 2006.

Following comments received the CHMP was resubmitted for approval to the Eastern Maar Aboriginal Corporation, on 20/06/22, as per s.62 of the Aboriginal Heritage Act 2006.

4 ACTIVITY DESCRIPTION

The proposed activity involves the improvement of existing structures and the construction new structures, facilities and landscape features associated with the operations of Emmanuel College, Warrnambool (Figures 1 – 2).

A number of existing structures will be subject to upgrades and improvements. These include the food and technology centre for year 7 – 8 pupils and the senior + art structure. The activities associated with these buildings upgrades will not involve impacts external of the existing structural footprints (Figure 1).

Several new structures and facilities are also proposed to be constructed in greenfield locations as part of the overall masterplan. A new year 9 centre is proposed to be constructed across a greenfield location across the north of the activity area (Figure 1 – 2). A new basketball court is proposed to be constructed adjacent to the central west border of the activity area (Figure 1). A new swimming pool and health centre is proposed to be constructed within the central west of the activity area (Figure 1). Immediately west of this of this swimming pool and health centre an asphalted car park is proposed to be constructed (Figure 1). Across the south west of the activity area a wetland reserve area is proposed to be constructed. Pedestrian walking tracks will run around the perimeter of the wetland reserve area and across its internal area. Located adjacent to this wetland area is a series of maintenance sheds (Figure 1). Associated with the above construction activities are the construction of subsurface infrastructure such as, electricity, telecommunications, water and waste water. Cumulative impacts to across the activity area will involve maintenance and the ongoing management and maintenance of the roads, paths and services.

The impact of the proposed works will be limited to the areas as indicated in the schematic development masterplan (see Figure 1 – 2). Across the greenfield areas of the masterplan, where new structures are proposed to be constructed, the likely impact to both the surface and subsurface of the activity area will be considerable. The construction of the year 9 centre, the wetland reserve and the swimming pool and health centre will likely destroy any Aboriginal cultural heritage material located within these proposed works areas. However, across the location of the carpark and basketball court the subsurface impacts will be limited in scope, as both facilities do not require significant subsurface depths to be constructed.

5 EXTENT OF THE ACTIVITY AREA

The activity area is located at Emmanuel College, 140 – 150 Botanic Road, Warrnambool (City of Warrnambool) (Maps 1 – 2) (Table 1). The activity area is located within the centre of the township of Warrnambool. The activity area contains an existing school with associated sporting facilities.

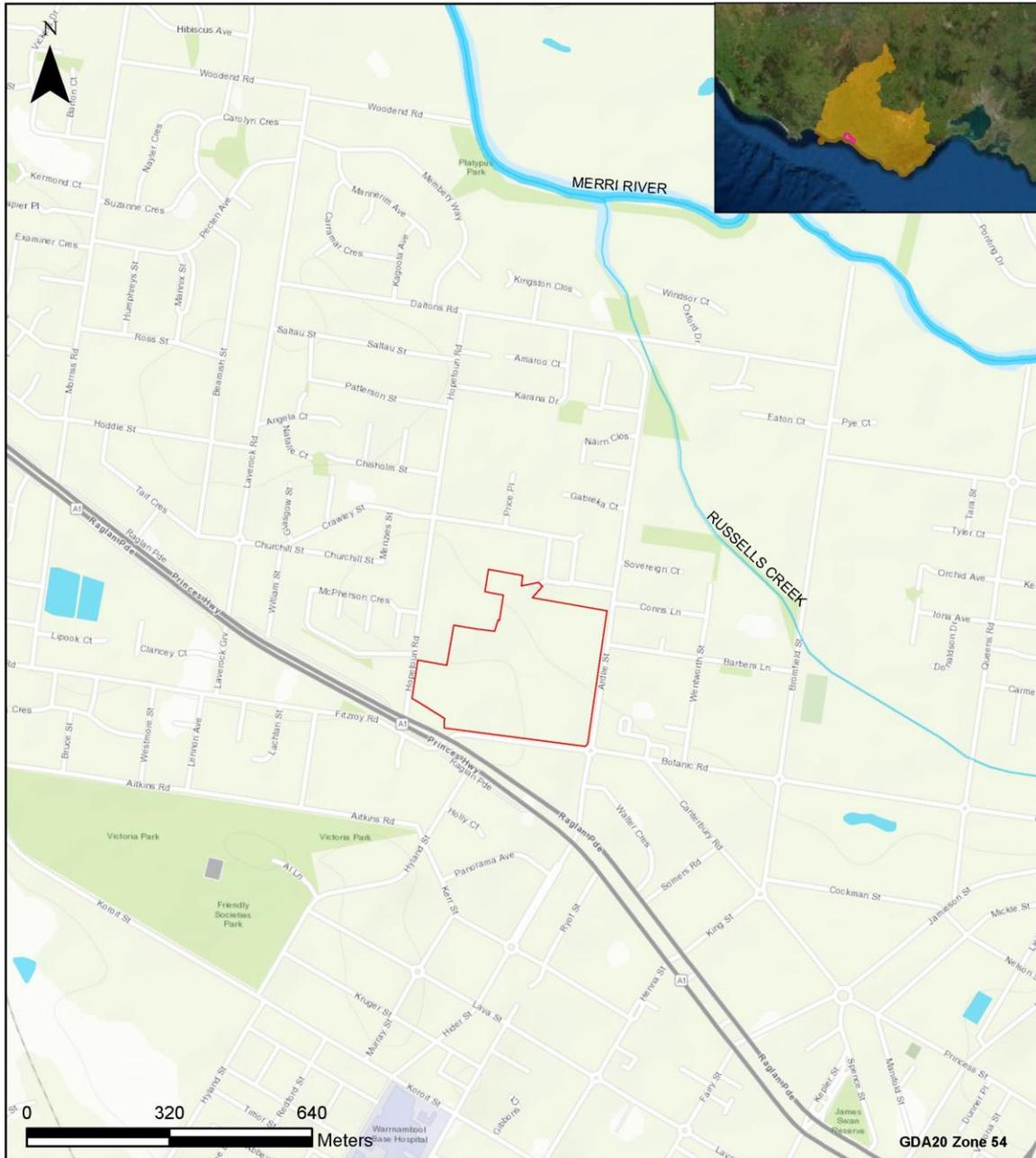
Warrnambool is located approximately 257km to the south-west of Melbourne. The activity area is 109,103m² in area and is currently zoned under General Residential Zone (GRZ1) of the City of Warrnambool planning scheme (Map 1 – 2. Appendix 4). The activity area is currently owned by the Sponsor of this CHMP.

Table 1: Cadastral information.

Address	Emmanuel College, 140 – 150 Botanic Road, Warrnambool
LGA	City of Warrnambool
Council Property Number	131409
Parish	Wangoom
Land Parcel Details	2\PS619541
UTM zone	54



Map 1: Activity Area Location



Legend

- Activity Area
- Eastern Maar Aboriginal Corporation
- Watercourse
- Waterbody
- Warrnambool City Council

Map 1: Activity Area Location (ESRI 2022. Vic DataShare 2022).



Map 2: Activity Area Ground Conditions



Legend

 Activity Area

Map 2: Activity Area Ground Conditions (ESRI 2022. Vic DataShare 2022. Landchecker 2022).

FOR INFORMATION ONLY
MASTERPLAN I 9. MASTERPLAN SOLUTION



EMMANUEL COLLEGE, WARRNAMBOOL - MASTERPLAN REPORT | BALDASSO CORTESE

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Figure 1: Current proposed development plan (supplied by Sponsor).

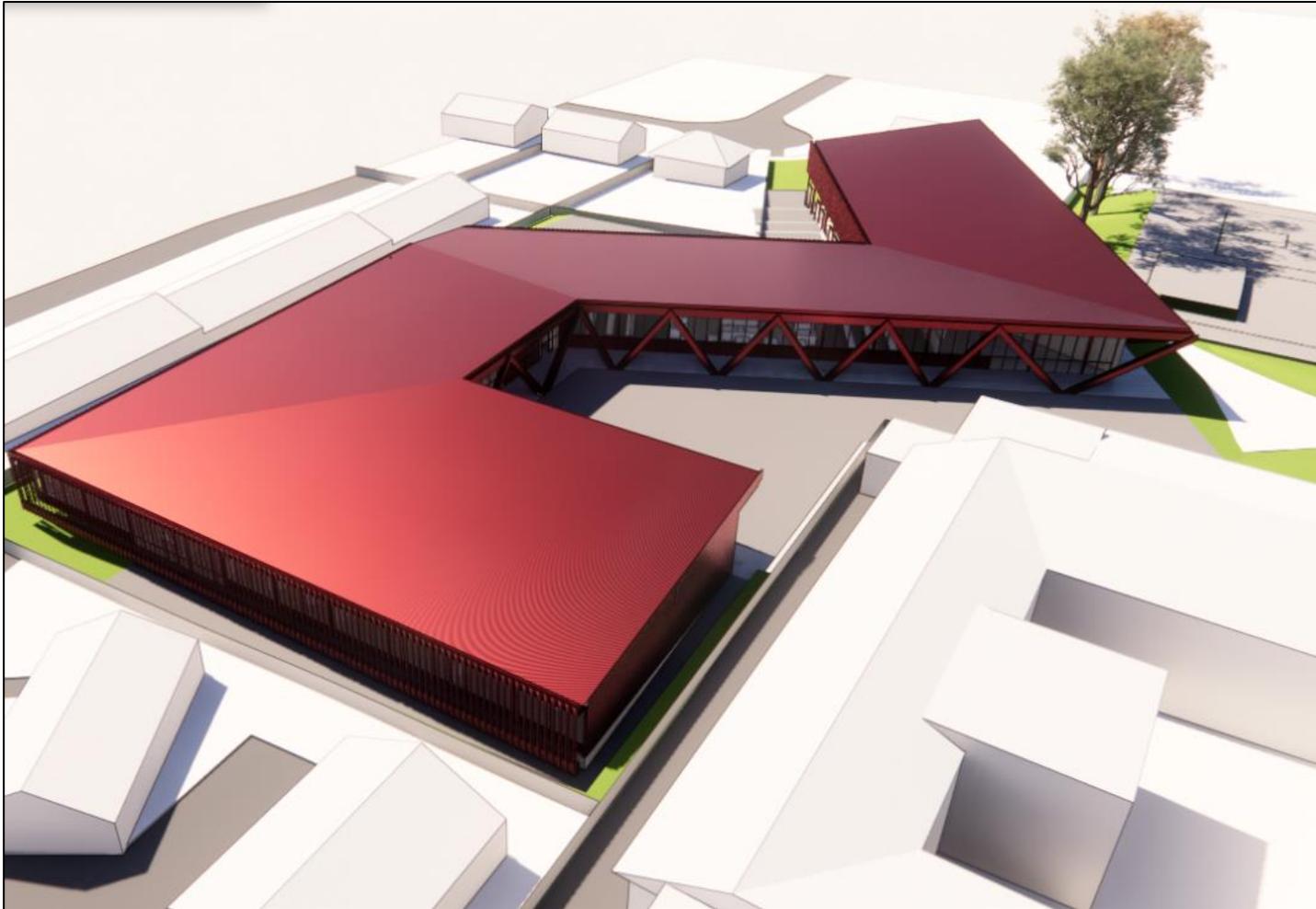


Figure 2: Current proposed year 9 centre appearance (supplied by Sponsor).

6 DOCUMENTATION OF CONSULTATION

6.1 Consultation in Relation to the Assessment

The *Aboriginal Heritage Act 2006* requires consultation with any RAP registered under the Act. In accordance with s.54(1)(a) of the *Aboriginal Heritage Act 2006*, the Sponsor must submit a NOI to the RAP prior to preparing a CHMP. Under s.54 of the *Aboriginal Heritage Act 2006*, the Sponsor of a CHMP must give notice of their intention (NOI) to prepare a CHMP.

In accordance with s.54(1)(a) of the *Aboriginal Heritage Act 2006*, the Sponsor must submit a NOI to the RAP prior to preparing a CHMP. The *Aboriginal Heritage Act 2006* requires consultation with any RAP registered under the Act. In accordance with s.54(1)(a) of the *Aboriginal Heritage Act 2006*, the Sponsor must submit a NOI to the RAP prior to preparing a CHMP. The NOI was submitted to the DPC and the Sponsor on 24 February 2022. The NOI was provided to City of Warrnambool on 24 February 2022.

The Sponsor submitted the NOI to the RAP on 24 February 2022. The RAP responded to the submission of the NOI on 28 February 2022 and advised that they will evaluate the CHMP.

The management plan identifier number for this CHMP is 18654. The NOI is provided in Appendix 1 and the notice from the Eastern Maar Aboriginal Corporation stating their intention to evaluate the CHMP is provided in Appendix 2.

A CHMP inception meeting was held on 16th March 2022. In attendance was Craig Edward (EMAC On Country Manager), Nathalia Guimaraes (EMAC RAP Technical Coordinator), Davina Taylor (EMAC Strategic Liaison Officer), Tim Pyke (Senior Associate, Baldasso Cortese), Stephen Kerr (Business Manager, Emmanuel College), Cameron McNeil (Senior Planning Associate, Myers Planning Group) and Edward East (Director, Compass Heritage Services). Topics covered during the inception meeting included outlining the nature of the proposed activity, its impact on the activity area, potential cultural heritage issues within the activity area, previous studies conducted close to and within the activity area. The activity was outlined as the improvement of existing structures and the construction new structures, facilities and landscape features associated with the operations of Emmanuel College, Warrnambool. It was agreed that the standard and complex assessments could be conducted simultaneously due to the likely lack of surface visibility in the activity area.

The standard and complex assessments were conducted between 22 – 24th March 2022. The standard and complex assessments were conducted by Edward East (Director, Compass Heritage Services), Jake Osbourne (Assistant, Compass Heritage Services), Fid Chatfield, (EMAC field representative) and Jyrán Chatfield (EMAC field representative). The standard assessment did not locate any surface Aboriginal cultural heritage material. The standard assessment located three landform types within the activity area: a swampy depression landform, a slope/crest landform and an artificially landscaped area, that appeared to have been subject to multiple cut and fill events.

The complex assessment consisted of the hand excavation of two 1x1m stratigraphic test pit and eighteen 50x50cm shovel test pits. No Aboriginal cultural heritage material was identified during the complex assessment. The recorded geomorphology consisted of A1 – A2 deposit of dry, friable to firm dark reddish brown clayey silt with a small humic layer and small to moderate amounts of

small/medium degraded limestone rocks. The sterile B1 layer of this deposit provided a point of differentiation throughout these test pits, with the sterile base consisting either of degraded limestone, red Bridgewater formation rock, or a concreted mottled clay. Only limited evidence of subsurface disturbance was recorded, in the form of modern rubbish, but the geomorphology appeared natural in appearance.

Following the standard and complex assessments, a results meeting was held on 5th April 2022. In attendance were Craig Edward (EMAC On Country Manager), Nathalia Guimaraes (EMAC RAP Technical Coordinator), Davina Taylor (EMAC Strategic Liaison Officer), Tim Pyke (Senior Associate, Baldasso Cortese), Cameron McNeil (Senior Planning Associate, Myers Planning Group) and Edward East (Director, Compass Heritage Services). The results of the standard and complex assessments were discussed and CHMP management conditions. The geomorphology encountered was outlined and it was agreed that no further assessment was required. General EMAC management conditions including a Cultural Heritage Induction were agreed as the management conditions of the CHMP.

6.1.1 Summary of the Outcomes of Consultation

All EMAC representatives present during the meetings and field assessment phases of the CHMP discussed and agreed upon the field methodology, interpretation of results during the field program and the CHMP management conditions. Table 2 outlines the dates and details of all personnel who participated in the CHMP.

Table 2: Consultation & Participation in relation to the CHMP assessment.

Date	Personnel	Stakeholder Group	Details of Consultation
24 February 2022	Edward East (Compass)	Office of First Peoples State Relations	Office of First Peoples State Relations.
24 February 2022	Edward East (Compass)	EMAC City of Warrnambool Compass	NOI submitted to Eastern Maar NOI submitted to City of Warrnambool
28 February 2022	Nathalia Guimaraes (EMAC) Edward East (Compass)	EMAC Compass	Eastern Maar confirmed to participate and evaluate CHMP.
16 March 2022	Nathalia Guimaraes (EMAC) Davina Taylor (EMAC) Craig Edwards (EMAC) Tim Pyke (Baldasso Cortese) Stephen Kerr (Emmanuel College) Cameron McNeil (Myers Planning) Edward East (Compass)	EMAC Emmanuel Baldasso Myers Compass	CHMP Inception meeting held. CHMP activity discussed and outlined. CHMP methodology outlined. Standard & complex assessment to be conducted consecutively.
22 – 24 March 2022	Fid Chatfield (EMAC) Jyrant Chatfield (EMAC) Edward East (Compass) Jake Osbourne (Compass)	EMAC Compass	Standard & complex assessments conducted. No Aboriginal cultural heritage material located.
5 April 2022	Nathalia Guimaraes (EMAC) Davina Taylor (EMAC) Craig Edwards (EMAC) Tim Pyke (Baldasso Cortese) Cameron McNeil (Myers Planning) Edward East (Compass)	EMAC Baldasso Myers Compass	Posts standard & complex assessment results meeting. General EMAC management conditions including a Cultural Heritage Induction were agreed as the management conditions of the CHMP.

7 DESKTOP ASSESSMENT

This section represents the result of the desktop assessment in accordance with Regulation 61 of the *Aboriginal Heritage Regulations 2018*.

7.1 The Geographic Region

The geographic region of the current activity area falls within the Western Volcanic Plains Geomorphic unit, which stretches from Melbourne to the South Australian border. The volcanic plain is characterised by flat to undulating ground interrupted by volcanoes. The activity area is located on the volcanic plain characterised by flood basalt through which Merri River and the Hopkins River has carved a gorges up to a depth of up to 37m (Map 3, 5). The geographic region borders are formed by the Horne Road, Mahoneys Road to the east, Russell Creek and the Merri River forms the north border, as well as the majority of the western borders, a small part of the axis of Swinton Street is also part of the western border, with the south border of the geographic region formed by the Bass Strait Coastline and the north bank of the Hopkins River (Map 3 – 6).

This geographic region was selected as the most appropriate in order to establish a suitable analysis of the local area. The selection of this geographic region is appropriate given that the activity area forms part of a much larger geographic region that extends across the coastline and the entire basalt plain of western Victoria. The previously registered Aboriginal places across this geographic region provides a substantial amount of information as to the places most likely to occur within the activity area and is therefore entirely relevant to the site prediction model provided. The number of previous archaeological studies that have been recorded across this region and close to the current activity area will further enhance the site prediction model provided.

7.2 The Geology of the Activity Area

A review of the landforms and geomorphology of the activity area provides a context for understanding the pre-Contact Aboriginal land use and occupation patterns that led to the formation of archaeological sites, and also for understanding what subsequent process have affected the integrity and contents of any sites present. An understanding of the geology and environment is fundamental to understanding the pre-European context of Indigenous land use and settlement. It is also important to understand the changes that have occurred to the environment since European arrival, as these have significant implications for site preservation and location.

The current geological landscape of western Victoria was formed during the Quaternary age, 1.6 million years ago to present. Across western Victorian is the Newer Volcanic Plains on which is located at least a dozen extinct volcanoes. Known volcano locations include Mount Cottrell, Mount Kororoit, Mount Cottrell, Spring Hill and Bald Hill. These are four of some 20 volcanic cones in the region which have been identified as the source of the lava flow that created the basalt plain today called the Newer Volcanic's, which characterise the plans of western Victoria. These erupted approximately one to five million years ago resulting in the basalt plain that covers the western plains, including the current activity area. The lava flows range in age from four million to less than two million years old, and have brown clay soils with calcrete development, reflecting the low

rainfall of the area (Birch 2003: 560). The present land surface of the activity area has evolved through the processes of erosion, faulting, and volcanic activity. Palaeozoic bedrock protrudes through Pleistocene-era lava sheets to produce an undulating surface. Lava flows disrupted earlier drainage channels. Post-eruption drainage channels developed a meandering course on a gently sloping surface. Such channels became entrenched into the lava producing deep gorge-like valleys. Channels such as the Merri River and Hopkins River, became entrenched along the boundary between the lava and the softer Silurian bedrock (McAndrew & Marsden, 1973: 14) (Map4).

The current activity area is recorded as being located on a deposit of the Bridgewater Formation (Map 3, 5). This geologic formation is a series of Pleistocene calcareous coastal dune ridges generally aligned parallel to the present coastline, extending along the southern Australian coastline from Victoria to South Australia and marking shoreline high stands during glacio-eustatic changes in sea level. The source of the calcareous material for these dunes is the shells and skeletons of shallow marine organisms which have been subject to vigorous wave action, breaking them down into bioclastic sand. The dunes are separated by linear interdune swamps which contain estuarine to lacustrine limestones, dolomites, marls and clays up to 13 m thick. The Bridgewater Formation is mostly between 15 and 25 m thick, but can be up to 45 m (Lipar, M. Webb, J. 2015). The Merri River Estuary is shaped by a core of mid-Pleistocene dunes belonging to the Bridgewater Formation which is mantled by Holocene dunes that formed with sea level stabilisation approximately 6900 years BP (Gill 1981). Aboriginal places have been found in association with dunes that are part of the Bridgewater Formation within the geographic region.

The Moyjil/Point Ritchie site at Warrnambool is also associated with the Bridgewater Formation. This site features burnt shell deposits and stones which have been argued to be evidence of human subsistence activities. The archaeological provenance of the features had not been demonstrated; geochronological determined ages (>60 ka) suggested antiquity greater than the then accepted period of human occupation in Australia (Carey, S. et al. 2018).

The geology of the activity area is important for establishing what stone resources would have been available to Aboriginal people. Silcrete is an important raw stone material used by Aboriginal people and found throughout many drainage lines across the western Volcanic plains. Silcrete is often formed in the presence of basalt and is the result of a chemical reaction during the weathering process. Basalt is found across the region and occurs on the surface in the region as 'floaters'. Basalt rock contains large amounts of silica and is easily weathered (Webb 1995: 11 – 12).

7.3 Geomorphology of the Activity Area

The geomorphology of the activity area is indicative of what stone resources may have been available to Aboriginal people in the past. It is also important in establishing the age range of the soil deposit the activity area is situated on.

The department of Agriculture Victoria has mapped the geomorphology of the activity area as consisting of geomorphic unit 6.1 Volcanic Plains. The volcanic plains were built up by sporadic volcanic eruptions over a period of about 5 million years, and are known geologically as the Newer Volcanic's, the deposits which form the Newer Volcanic Province of Victoria. Much of the plains were formed from lobes of lava which flowed from the eruption points, overlapping to form a veneer of basalt lava flows. The flow varies in thickness according to both the underlying topography

and the present-day surface. The flows are interleaved in places with pyroclastic deposits (scoria and tuff) and discontinuous buried palaeosoils of variable thickness (VRO 2020: Unit 6.1).

The geomorphological deposit type of the activity area is mapped as 6.2.1 Plains with ridges (Follett). This deposit includes sand sheets and dunes of this landscape include dunes with crests, slopes, and associated plains with little relief (approximately 5 m) and poorly defined surface drainage.

Occurring between 120 and 140 m, slopes are level to gently inclined and dominated by aeolian sands and silts. Plains and swamps are also prominent with swamp beds and sand sheets common in this rather subdued plains landform (VRO 2020: 6.2.1).

Parent material comprises Neogene marine sand & silt (Parilla Sand), Quaternary aeolian dune sand (Lowan Sand) and paludal silt & clay of swamp deposits. The underlying Parilla Sand (Tpp) is strongly ferruginised at the surface where infrequently exposed on areas of slight dissection. Reworking of the Parilla Sand has resulted in the younger unconsolidated siliceous sand (Lowan Sand) developing as sand plains and dunes. Swamps with younger lagoonal deposits (Qrs) consisting of expansive (cracking) dark organic clays also occur (Map 5).

7.4 Climate

The last world glacial period, which began c. 80,000 years before present (BP), lowered temperatures and sea levels. This cooling period peaked c. 18,000 BP when the sea level receded to 120 metres below its present level and the temperature dropped to between six and ten degrees Celsius colder than present temperatures (Kershaw 1995). During this phase, Tasmania was joined to the mainland by an isthmus of land, and semi-arid grasslands covered large areas of Victoria (Kershaw 1995). As conditions ameliorated, climatic conditions became milder, although wetter. At approximately 5,000 BP, conditions became slightly cooler and drier, similar to the present climate (Kershaw 1995). Vast grasslands continued to dominate Victoria until recently (Kershaw 1995).

These changes in climatic conditions suggest that the flora and fauna of Victoria, and therefore of the activity area, went through substantial changes during the same period. The changes must have impacted on Aboriginal subsistence and patterns of exploitation in the activity area and the surrounding region. During cooler and windier periods, especially between 18,000 and 5,000 BP, the region was exposed to strong, cold, westerly winds. It can be assumed that if the region was occupied during this period, areas with some protection from those winds were favoured during the colder periods. The generally mild but seasonably variable climate of the past 5,000 years was conducive to Aboriginal occupation throughout the year with possible seasonal movements to more sheltered locations in winter months (Hiscock 2008: 183–198).

The Land Conservation Council of Victoria defines the activity area as being situated within the Corangamite region. Being situated between 37.4⁰ and 38.9⁰ south latitude, the region experiences a temperate climate with dominant westerly winds, variable cloud, moderate precipitation, and cool temperatures. The annual average rainfall is c. 726 mm at Warrnambool and the average annual temperatures range between 5.1 and 23.5 degrees (LCC 1991).

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7.5 Pre-contact flora and fauna

According to ecological vegetation class (EVC) projections, prior to European contact the activity area would have consisted of Damp Sands Herb-rich Woodland found the Distinguished by dominant Messmate Stringybark (*Eucalyptus obliqua*); and on the ground surface an abundant covering of Austral Bracken (*Pteridium esculentum*). This biozone is associated with a sand horizon deposited over older more fertile soil/geology such as basalt; trees such as the stringybark are able to access the deeper material via their root systems while smaller plants are confined to the less fertile upper layer.

Close to the activity area, along the banks of nearby creeks & rivers, such as the Merri River and Russell's Creek, Swamp Scrub (EVC 053) was present. The associated flora of this habitats consists of woodland of swampy depressions of lowland plains, with a sedgy-herbaceous understorey which includes aquatic species. Below a canopy of river red gum (*Eucalyptus camaldulensis*), aquatic plants such as tall spike rush (*Eleocharis sphacelata*), duckweed (*Lemna* sp) and bullrush (*Typha angustifolia*) grow. On creek and riverbanks, terrestrial plant species such as spiny flat-sedge (*Cyperus gymnocaulos*) can be found (Cochrane et al. 1968:88–95).

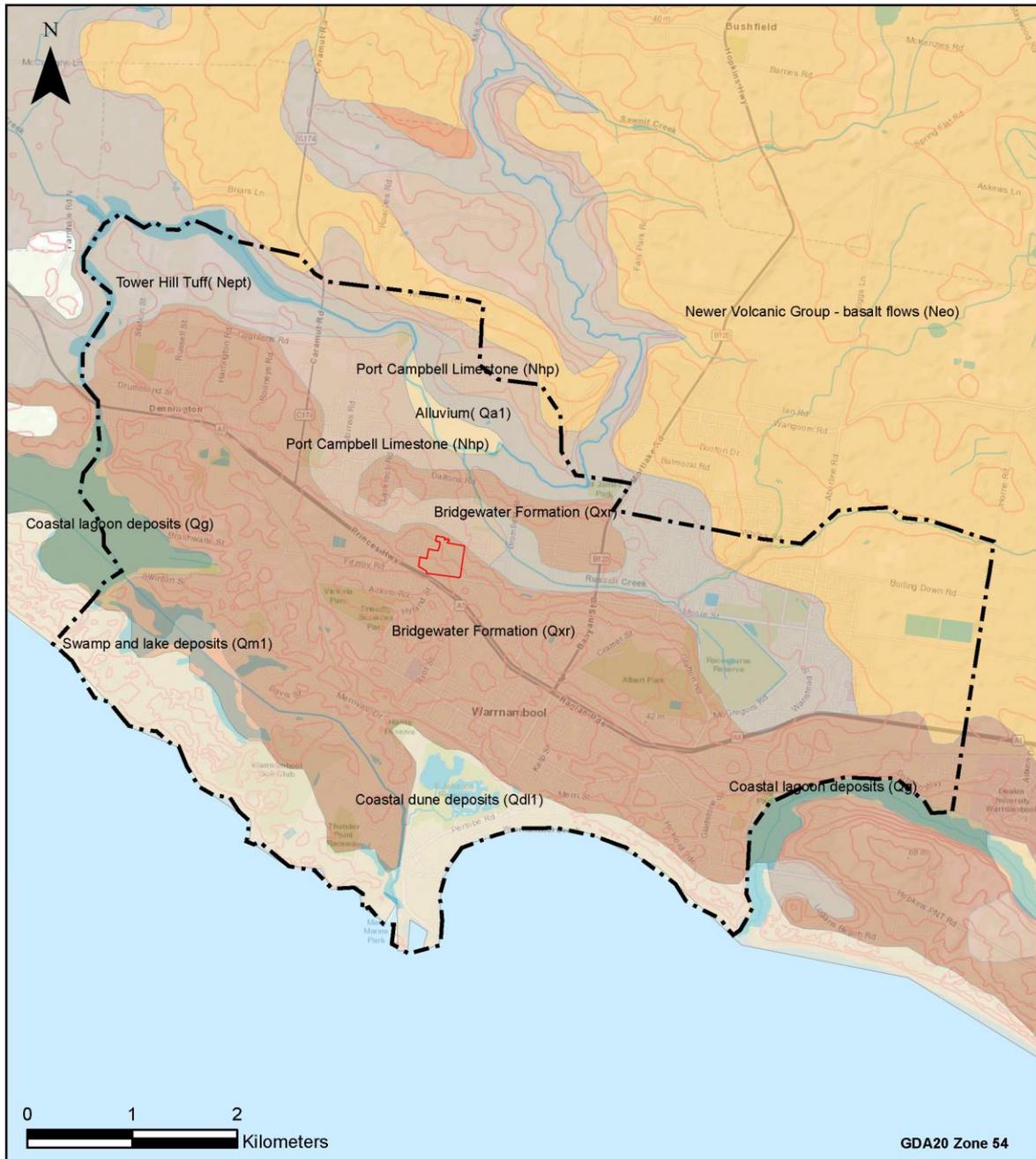
The surrounding plains consisted of a habitat of Plains Grassy Woodland (EVC 55) (DELWP 2020). This consisted of open, grassy eucalypt woodland with an understorey that consists of a few sparse shrubs over a species-rich grassy and herbaceous ground layer. Typically dominated by Forest Red Gum (*Eucalyptus tereticornis*), the understorey may include shrubs of Lightwood Acacia (*Implexa*), Creeping Bossiaea (*Bossiaea prostrata*) and Cranberry Heath (*Astroloma humifusum*). Common grasses include Weeping Grass (*Microlaena stipoides*) and Kangaroo Grass (*Themeda triandra*).

Along the coast of the geographic region Coastal Dune Scrub (EVC 160) is predominantly found. This ecologic mosaic is found across the coastal regions of Victoria, primarily being located on sandy coastline dune systems. Tree species of this category feature, Black Wattle (*Acacia mearnsii*) Drooping Sheoak (*Allocasuarina verticillata*) and Coast Tea-tree (*Leptospermum laevigatum*), with undergrowth comprised of shrubs and grasses such as Coast Wattle (*Acacia longifolia* var. *sophorae*) Coast Saltbush (*Atriplex cinerea*) and Coast Spear-grass (*Austrostipa flavescens*)

Prior to European arrival, the region supported a wide range of faunal species hunted by the Aboriginal people. Larger species, such as kangaroos, possums, wallabies, and emu, were common. Other species recorded at the time of early European contact, which have since largely or wholly disappeared, included quolls, pademelons, potoroos, fat-tailed dunnart, and eastern barred bandicoot (LCC 1991:107). There is likely to have been seasonal variation, with higher numbers in summer. Aboriginal subsistence activities would also have focused the large swamplands of the area, such as Kelly Swamp. This extensive swamp would have provided a wider range of resources for Aboriginal people than the plains and a much more reliable water source, with freshwater mussels, fish, eels, waterbirds, lizards, and small marsupials a reliable food source throughout most of the year (Map 5).



Map 3: Geology of Geographic Region



Legend

- | | | |
|-------------------|---|-------------------------------|
| Activity Area | Bridgewater Formation (Qxr) | Alluvium (Qa1) |
| Geographic Region | Brighton Group (Nb) | Coastal dune deposits (Qd1) |
| 25m Contour | Newer Volcanic Group - basalt flows (Neo) | Coastal lagoon deposits (Qg) |
| Watercourse | Port Campbell Limestone (Nhp) | Swamp and lake deposits (Qm1) |
| Waterbody | Tower Hill Tuff (Nept) | |

Map 3: Geology of the Geographic Region (ESRI 2022. Vic DataShare 2022).



Map 4: Geomorphology of Activity Area



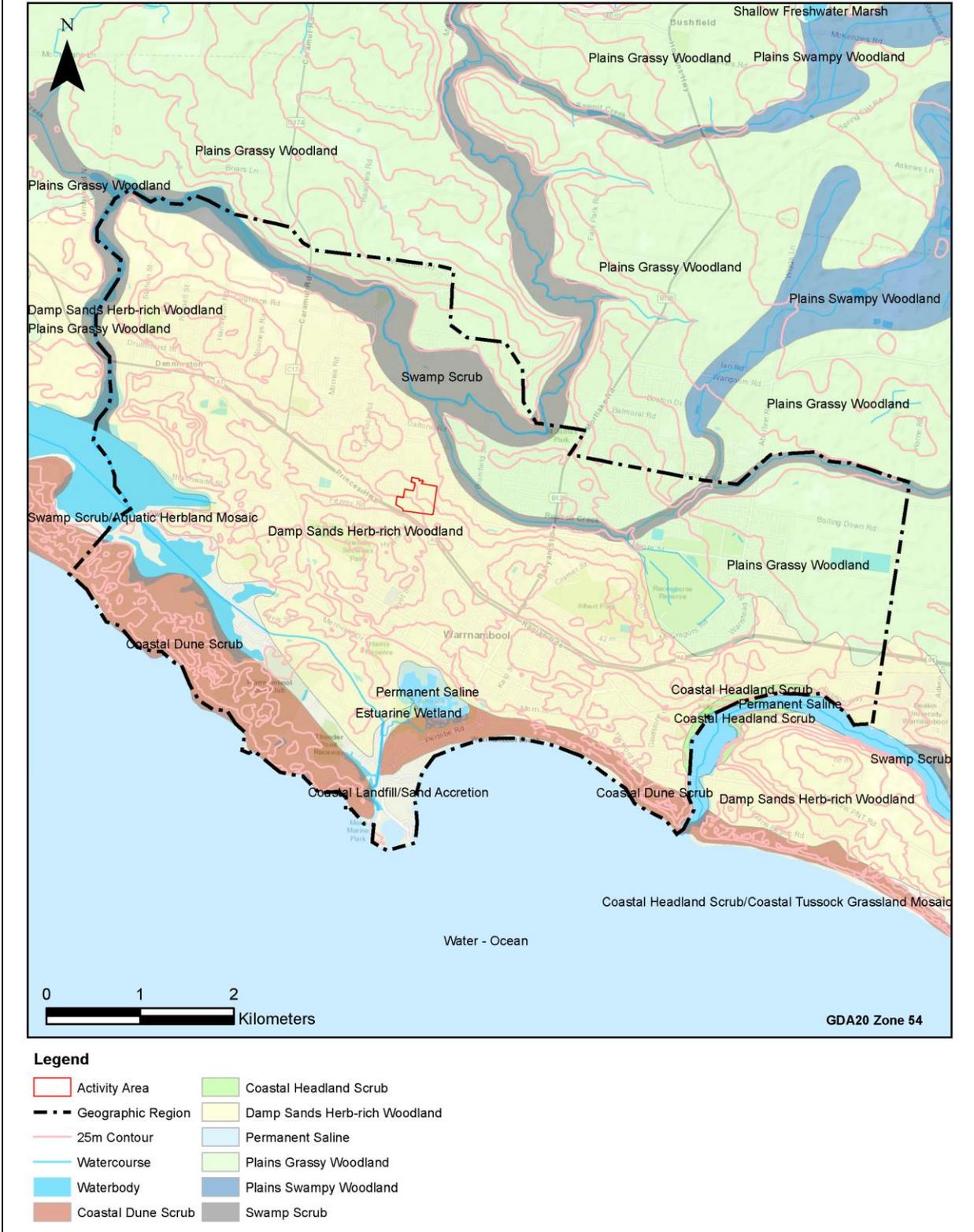
Legend

- Activity Area
- 25m Contour
- Watercourse
- Waterbody
- Plains with ridges
- Plains with poorly developed drainage and shallow regolith (Wingeel)
- Terraces, floodplains and lakes, swamps and lunettes and their deposits

Map 4: Geomorphology of the Activity Area (ESRI 2022. Vic DataShare 2022).



Map 5: 1750 EVC of Geographic Region



Map 5: 1750 EVC of the Activity Area (ESRI 2022. Vic DataShare 2022).

7.6 Historical and Ethno-Historical Accounts in the Geographic Region

Archaeological evidence suggests that Aboriginal people have occupied south-eastern Australia for at least 40,000 years BP (Flood 1995: 284–7). One of the oldest dated archaeological sites in Victoria is at Keilor in Melbourne where charcoal from a hearth excavated in 1973 has been dated to 31,000 years BP (Flood 1995: 286). The information used to establish pre-settlement Aboriginal spatial organisation is mostly based on observations made by Europeans during the initial period of contact and subsequent settlement of the activity area.

There are two documented Dhauwurd wurrung (Gundidjmara) clans – the Mum keelunk gundidj and Pyipgil gundidj – who occupied land in close proximity to the activity area and it is likely that these clans utilised resources in the region (Clark 1990, Figure 2). The Pyipgil gundidj were located at Port Fairy, and Robinson met six members of this clan in 1842 when he visited the Western District (Clark 1990, 76). According to Kilgour (Clark 1990, 76) in 1842, the Port Fairy tribe numbered about 60, and by 1859 George Stewart the Police Magistrate at Belfast (Port Fairy) informed the Victorian Select Committee on the Aborigines that the Port Fairy Aboriginal group numbered 10 men, four women and three children.).

The Dhauwurd Wurrung moved over their country in small, fluid, bands of between 20 and 120 persons (Dawson 1881, Lourandos 1977). A band could be made up of people from several clans, most of whom were related through kinship ties. Each band had its own section of country, its range, which it moved over in a regular seasonal pattern dictated primarily by the presence of food and water resources. It is significant that an eye-witness at Yambuk in the 1840s, Annie Dawbin (as reported by Critchett 1980:14), mentioned “upwards of one hundred Aborigines” passed by on their way to Port Fairy for a corroboree, and Robinson encountered even larger groups in the Moyne lagoon at this time in European settlement at Port Fairy (Robinson in Clark 1998 Vol 2:149-162.).



Figure 3: Dhauwurd Wurrung Language Boundary and Clans (Clark 1990: 54).

Aboriginal clans in the Western District lived a hunter-gatherer lifestyle, moving from one locality to another to make use of seasonal resources, trading opportunities and to meet ritual and kinship obligations. Ethno-historical records suggest that in some seasons Aboriginal people of the Western District lived a more settled life than Aboriginal people in other areas of south-east Australia. These beliefs are based on the presence and observations of shelters and 'villages' in the Western District (Schell 1995: 8).

Thomas received a description of a 'village' near Caramut from a local informant:

There was on the banks of the creek between 20 and 30 huts of the form of a beehive or sugar loaf, some of them capable of holding a dozen people ... These buildings were all made of a circular form, closely worked and then covered with mud (Cited in Williams 1984: 174).

Robinson observed the presence of many huts in Western Victoria (Presland 1977: 36, 38, 73, 85). He records that in the stony rises there were "plenty of huts of dirt and others built of stones" (Clark 1998b: 19). However, whether these huts or villages were inhabited on a permanent or semi-permanent basis, or were returned to seasonally, is not known.

Critchett (1992) theorises that Tower Hill Lake was an important meeting place for different clan groups and speculates that ceremonial and trading activities took place there. The freshwater source combined with mixed deposits of cultural heritage material (indicating domestic activity) and the number of burial sites in the region supports her theory.

The diet of the Western District Aboriginal people consisted of a wide range of mammals, fish, birds, plant food and fungi (Dawson 1881: 18–22). Ethno-historical accounts suggest the daisy yam was a staple plant food, being available year-round, although less palatable in early winter (Gott 1983: 6–8).

Dawson (1881) refers to a gum which was used by the Aboriginal people near the Hopkins River; his reference reflects how the distribution and availability of a food source was affected by the arrival of the Europeans: Another kind of manna, also called buumbuul, is deposited in considerable quantities by the large dark coloured cicadae on the stems of white gum trees near the River Hopkins. The natives ascend the trees and scrape off as much as a bucketful of waxen cells filled with a liquid resembling honey, which they mix with gum dissolved in cold water and use as a drink. They say that, in consequence of the great increase of opossums, caused by the destruction of the wild dog, they never get any buumbuul now, as the opossums eat it all (Dawson 1881:21).

Eels were seasonally exploited and would have been an important food source in the autumn months. There are numerous accounts of eel fishing and trapping and the eel trapping infrastructure remains in some places including along the Hopkins River (Schell, 1995: 9).

Plants such as myrnong, bracken and tree ferns provided staple foods for Aboriginal people, while medicines could be made from species such as Black Wattle (*Acacia mearnsii*), and the wood or bark from Silver Wattle (*Acacia dealbata*) could be used to manufacture implements. The grasses and water reeds, paperbark trees and Eucalypts all provided raw material for baskets and bark and wooden implements. The bark from stringy bark (yangoro) and mountain ash (yowork) was selected for the manufacture of bark canoes. Apart from the manufacture of implements and access to food and medicinal resources, the bark from these trees would also have been removed for other ceremonial and social non-utilitarian purposes. The roots (rhizomes or tubers) of the Cumbungi

(*Typha orientalis*), Water ribbon (*Triglochin procerum*) and Common Reed (*Phragmites australis*) were harvested and cooked in earth ovens (Gott & Conran 1991: 8–9). In the case of the Cumbungi, after being cooked, the centre part of the rhizome was knotted then chewed to extract starch, and the remaining fibre was used for string (Gott & Conran 1991: 8). These resources would have existed within or adjacent to the activity area.

Some stone resources used by Aboriginal people would have been available in locations near the present activity area. Silcrete, flint and quartz were favoured stone materials for the manufacture of stone implements. These materials would have been readily available from nearby sources. Quartz pebbles were widely available in riverbeds, beaches and alluvial deposits. Flint was readily available in the form of nodules originating from undersea Miocene limestones which could be collected on the beaches. Basalt was used occasionally as it was in plentiful supply along the volcanic plains but was not a preferred material as it is harder to work with due to its porous nature. The most important raw material used in the manufacture of axes was greenstone. There are accessible source points for this material, the most well-known being Mount William, near Lancefield (Coutts et al 1976).

7.6.1 Post-Contact History

From 1839–1849 the British Government established an Aboriginal Protectorate to mediate between Aboriginal communities and European colonists, with George Augustus Robinson employed as the Chief Protector of Aborigines. Four Assistant Protectors were employed and each assigned jurisdiction over an area. C. W. Sievwright was assigned to the Western District in 1841 (Cannon 1983: 365).

In 1850 William Gray, the Commissioner of Crown Lands for Portland Bay, provided a census of the Aboriginal population in the district. He recorded 20 adult males, 15 adult females and four children (Clark 1990: 45). In 1858, a select Committee of the Legislative Council was appointed to inquire into the condition of Aboriginal people in the State. Reports from squatters in the area estimated that the Aboriginal population in the area had been reduced by 75 per cent during the 1840s and 1850s (Clark 1990: 197–8).

Violence between Aboriginal groups and European pastoralists was common throughout the region. Aboriginal people were forced off their traditional lands, with many squatters prohibiting Aboriginal people access to their runs (Clark 1998b: 153–155). There are extensive reports of ‘guerrilla warfare; between Aboriginal people and squatters and their employees’ throughout the 1840s. There are stories of Aboriginal people using the stony rises around Eumeralla River as a base for attacking the European settlers who had dispossessed them. This conflict has been called the Eumeralla War (Clark 1990).

Aboriginal people in search of food and other basic items began living on the fringes of Warrnambool, where government rations were available from 1860 onwards (Clark 1990: 40). These people were moved to the Framlingham Aboriginal Mission when it opened in 1861. This Aboriginal reserve covered 3500 acres near the Hopkins River; a large section of land that included the Framlingham forest, the only forested area in the region. In 1867 the Board decided to close Framlingham and move the inhabitants to the new station at Lake Condah, however the people

living on the mission refused to leave and successfully protested: Framlingham was reopened in 1869.

In 1877, a census conducted by the police listed 69 Aborigines at the Framlingham Aboriginal Station (Barwick 1971: Table 20: 2). The number of people at Framlingham represents the gathering together of people at the station rather than an increase in population, as the total Aboriginal population of south-western Victoria decreased from 727 in 1863 to 236 in 1877. By 1863 the Aboriginal population of Victoria was less than 2000, or 13 per cent of the estimated pre-European Aboriginal population (Barwick 1971: 288).

In 1886, the introduction of the Aborigines Protection Act meant that only people considered as 'full-blooded', or 'half-caste' people over 35 years of age, were allowed to remain on the Mission Stations. This led to a decreased labour force on the stations and an increase in fringe-dwelling Aboriginal people in the Melbourne region (Presland 1994: 105, 107).

In 1890 the Colonial government reserved an area of 582 acres for the use of Aboriginal people at Framlingham, but refused to staff the station, or provide assistance such as teachers, equipment, and livestock. In the 1930s public concern was raised regarding conditions of the Aboriginal people at Framlingham. Under mounting pressure, the government agreed to build an additional twelve cottages, and a school was opened, and residents given weekly rations. There were multiple attempts to close Framlingham over the years, however the residents remained strongly attached to their land and defeated attempts to remove them.

Prior to European arrival, the Aboriginal population of Victoria was estimated at 10,000–20,000 people (Presland, 2010: 90). By 1861, some 540,000 Europeans immigrants were living in Victoria and fewer than 2,000 Victorian Aboriginal people remained (Presland, 2010: 90). At the beginning of the 20th century, when the colonies of Australia became a federation, the reported number of Aboriginal people in the entire state of Victoria was estimated to be 650 (Presland, 2010: 90). European Contact had taken a deathly toll on the Aboriginal peoples of Victoria.

As a result, Aboriginal culture has been greatly altered since 1834, but not totally so. Aboriginal attachment to the country, to cultural group and kin to family and Aboriginal core values remain indelible (Broome, 2002 p.375). The political recognition of Aboriginal land rights provides another aspect of the ongoing resilience of Aboriginal culture. In 1970, under the Aboriginal Lands Act, Framlingham was handed to the Framlingham Trust and resumed operation under Aboriginal ownership and management. In the 1980s, Land Rights claims were issued for 1,000 acres of the Framlingham Forest surrounding the Mission Station. This continued from 1980–87, when the land was handed over to the Kirrae Whurrong Aboriginal Corporation at Lake Condah and Framlingham. Aboriginal people still live on the mission land and continue to manage the land there (ATNS Database 2020: Framlingham Aboriginal Reserve).

Today, the Eastern Maar Aboriginal Corporation and the peoples it represent maintain a strong connection to country and continue to maintain traditional cultural practices. Ongoing cultural connection to Country is shown by events such as the Lake Bolac eel festival, Kuyang Lapakira. The timing of the festival, always in late March/early April, continues to reflect the timing of the traditional pre-colonial eel harvest gatherings which occurred at Lake Bolac long before European arrival (Lake Bolac Eel Festival 2022).

7.7 Land Use History of the Region

Visits by sealers to the coastal regions of south-west Victoria may have begun as early as the late 18th century. These visits appear to have been almost entirely restricted to the coastal area. Periodic visits by whalers may have begun as early as 1810. The first shore-based whaling station appears to have been that of William Dutton, who established a station at Portland in 1828 (Townrow 1997: 11).

Thomas Mitchell's account of his explorations of 'Australia Felix' provided a significant impetus to the movement of squatters to the west and south-west of Victoria. As details of his travels became known, there was a rapid influx of settlers to the region. Edmund Henty established his settlement at Portland in 1834 (Kiddle 1963: 31). From 1837 onwards squatting runs were rapidly established throughout the region. Occupation of the country progressed from several directions at once – overland from the north, from Melbourne and Geelong in the east and Portland in the west (Powell 1996). During the 1850–1860 gold rush the European population of Victoria dramatically increased, with demand for land being particularly great among men returning from the diggings. This resulted in widespread clearance of land for sheep grazing and agriculture. This in turn destroyed many traditional hunting areas and led to conflict with Aboriginal people (Powell 1996).

As a result of the districts increasing agricultural settlement, it became necessary that another port in the west should be established. During May 1845, Charles La Trobe, Superintendent of the Port Phillip District, along with a party of other prominent men from the district, visited the area, selecting the site for a township that would become known as Warrnambool. The first lots within the new township area were sold in 1847 (Osbourne 1887: 1). Warrnambool's name is thought to have been derived from an Aboriginal word with several attributed meanings, including place of plenty, running swamps and a growing tree (Victorian Places 2020: Warrnambool).

Warrnambool made little progress during its first years as it was dependent on the sea for the arrival of people and goods, as the overland route to Warrnambool was slow and difficult (Beavis 1993: vii). However, by late 1848, the town had two blacksmiths, a wheelwright, a tailor, carters, carpenters, two butchers, two stonemasons, two general stores, two hotels, the commencement of a postal service and a Sunday school. A National School and a hospital opened in the following two years. The town grew steadily over the coming years and Warrnambool was declared a municipality on 6 December 1855. (O'Callaghan 2004).

Today Warrnambool is the capital city of the south west coastal region of western Victoria, it is the fifth largest city in Victoria. The mainstay of the economy is agriculture and its support industries. Other major industries and services include retail, education, health, meat processing, clothing manufacture and construction (Victorian Places 2022: Warrnambool).

7.8 Land Use History of the Activity Area

The current activity area is within the grounds of Emmanuel College, Warrnambool. The school began when the order of the Sisters of Mercy purchased the property "Wyton House" and established their convent and "A Day and Boarding School for Young Ladies" by July 1872 on the present site of the Ardlie Street Campus. The dedication of their chapel in 1888 resulted in the school's name becoming St Ann's College. The college was offering matriculation by the late 19th

century. The college's junior school (kindergarten to grade 6) had been phased out by 1975 and its boarding school had closed by 1978. From this point until its amalgamation in 1991, St Ann's was a day school, providing its girls with a year's 7-12 curriculum (History of the College 2022).

The Christian Brothers opened a private day school for boys in 1902 on the corner of Jamieson Street and Banyon Street, Russells Creek, Warrnambool. 16 boys enrolled, "ranging from grade 3" - the level at which its junior school commenced - and up "to matriculation" (year 12). The school was known as both 'St Mary's High School' and 'The Monastery' in its early years. In 1911, the purchase of the Canterbury Road grounds, previously the Hohenlohe Girl's College, saw the establishment of St Joseph's Christian Brothers' College. For many decades the school maintained its primary school, enrolling boys at grade 3. By 1987 "the long tradition of combined primary and secondary education" had drawn to a close and the college provided its boys with a year's 7 – 12 curriculum. The two schools amalgamated in 1991 to become the co-educational Emmanuel College (History of the College 2022).

The land use history of the geographic region surrounding the activity area has broadly established the local area has been used for residential and educational purposes since 1872. An 1891 Wangoon parish maps shows that the activity area at this time was split in ownership between a W M Lane & J Badcock and J Cust, it is likely that the activity area consisted largely of agricultural paddocks at this time, with the exception of any educational facilities present, but these are not denoted in this parish map (Figure 4). The parish maps provide only a limited range of data about the land use history of the activity area. As a result, the current activity area land use history has been broadly established via the analysis of historic aerial imagery (Christopher. et al 2018. Yang, et al. 2014) (Table 3).

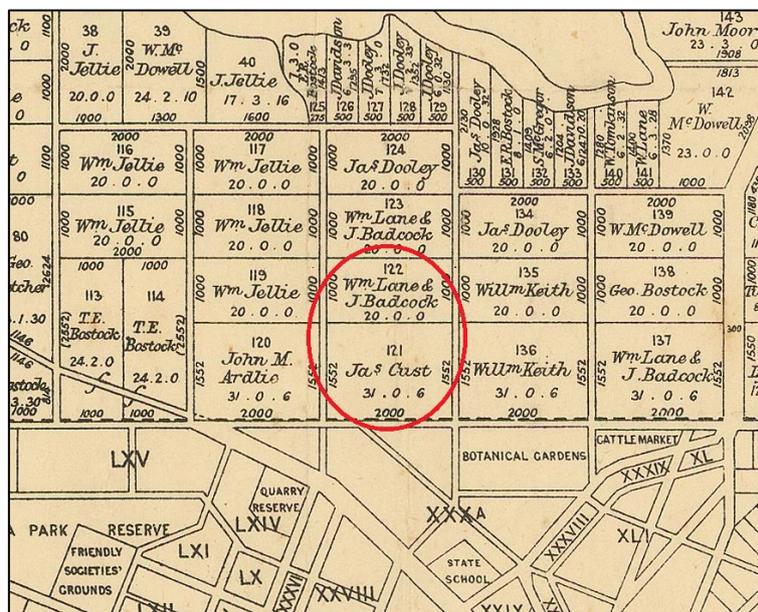


Figure 4: 1891 Wangoon Parish Map (State Library Victoria 2022).

This review of historic aerial imagery has established that the primary land use history of the activity area since 2003 has been primarily as an educational facility. Across the south west of the it is also likely that livestock grazed across the activity area (Table 3. Figure 5 – 6).

The previous land use history of the activity area means the activity area has been impacted by vegetation clearance, agricultural activities, and construction activities. The construction of educational facilities across the activity area would have likely to have disturbed, or potentially destroyed surface and subsurface Aboriginal cultural material in these buildings construction footprints. Associated infrastructure across the activity area, such as services to educational facilities, surfaced roads, carparks and sporting facilities, such as ovals and asphalt courts represent additional areas of surface and subsurface disturbance.

The previous land use history across the activity area means it is likely that any remaining surface Aboriginal cultural material should not considered in situ of its original depositional location. In areas of construction activity, it is likely that Aboriginal cultural material has been destroyed. In the greenfield areas across the activity area subsurface Aboriginal cultural heritage material would have also likely been disturbed, particularly at depths between 0 – 300mm below the ground surface across the activity area. At depths greater than this there remains the potential for in situ Aboriginal cultural heritage. Due to the clearance of native vegetation means that the potential for culturally scarred trees is low.

Table 3: Historic Aerial Imagery Analysis.

Date	Activity Area Ground Conditions
1968	Activity area has been cleared of native vegetation. A residential structure is present in the north east of the activity area. Structures associated with the school are concentrated across the south east corner of the activity area. Sporting ovals are found across the centre and north east of the activity area. The west, south west and north west of the activity area consist of vacant paddocks at this time.
2003	Activity area has been cleared of native vegetation. A residential structure is present in the north east of the activity area. Structures associated with the school are concentrated across the south east corner of the activity area. Sporting infrastructure, such as ovals and asphalt courts are found across the centre and north east of the activity area. The west, south west and north west of the activity area consist of vacant paddocks at this time.



Figure 5: 1968 Historic aerial of activity area (Landata 2022).



Figure 6: 2003 Historic aerial of activity area (Google Earth 2022).

8 ABORIGINAL PLACES IN THE GEOGRAPHIC REGION

Edward East (UCA Heritage Advisor) accessed the VAHR initially on 7th March 2022. A search was conducted for previously registered Aboriginal places within the geographic region. A search was also conducted for previous archaeological investigations undertaken within the geographic region.

This assessment found that 84 Aboriginal places have been previously recorded across the geographic region, comprising 104 components (Table 4 – 5). The majority of previously recorded Aboriginal places in the geographic region consist of 37 shell middens (44%). Other site types found across the geographic region include 29 artefact scatters (34%), 8 low density artefact distributions (9%), 7 object collections (8%) and 4 earth features (4%). All of these site types provide evidence of the exploitation of the geographic region for subsistence purposes (Table 4 – 5).

The majority of these VAHR places in the geographic region are located within 1km of the coastline or fresh water sources, such as the Merri River, the Hopkins River and Russell's Creek. Close proximity to freshwater and subsistence resources offered by the watercourses and the coastal environment is the most likely reason to explain this site distribution pattern. No places listed on the VAHR are located within the current activity area (Table 4 – 5).

The landforms that registered VAHR places are recorded on show that 58 (69%) are located on dune landforms, 10 do not have a landform type recorded (11%), 4 are located on plain landforms (5%), 4 are located on rise landforms (5%), three are located within a railway reserve (3.5%), three are located on hill landforms (3.5%), 1 on a floodplain landform (1%) and one on a levee landform (1%). Proximity to coastal subsistence resources and the ability of elevated landforms to provide views across a nearby area while undertaking subsistence activities such as hunting, and butchering is a possible reason for this site distribution pattern (Table 4. Map 6).

Artefacts scatters and LDADs have been recorded in both surface and subsurface contexts, but it is especially common for either site type to be exposed by eroding dune surfaces. Raw materials found within these site types consist primarily of flint, chert, quartz and silcrete. Stone scatters are primarily low density within the geographic region.

The closest registered Aboriginal place is VAHR 7321-0114-1 WARRNAMBOOL 1 (Table 4 – 5. Map 6). Recorded in 1976 this VAHR place comprises a single surface quartz core, located in association with marine shells, located on a dune landform.

The current distribution of registered Aboriginal places across the geographic region indicates that Aboriginal cultural heritage material is most likely to be found in subsurface contexts within the immediate coastline or within 100 meters of fresh water, primarily the Merri River and Hopkins River, with the likelihood of Aboriginal places decreasing with their distance from flowing freshwater and the immediate coastline. Site types most likely to be found across the geographic region consist of shell middens followed by lithic artefact scatters.

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Table 4: Previously recorded VAHR Places within the geographic region

Aboriginal Place Name	Component Place Numbers	Component Type	Landform
WOLLASTON ROAD 1	7321-0450-1	Artefact Scatter	Levee
WOLLASTON ROAD 2	7321-0451-1	Artefact Scatter	Floodplain
Wollaston Rd 1	7321-0479-1	Artefact Scatter	Rise
Wollaston Rd 2	7321-0480-1	Artefact Scatter	Rise
Wollaston Rd 3	7321-0481-1	Artefact Scatter	Rise
Wollaston Road 4 IA	7321-0482-1	Artefact Scatter	Plain
Wollaston Road 5 IA	7321-0483-1	Artefact Scatter	Plain
Wollaston Road 3 AS	7321-0486-1	Artefact Scatter	Plain
Wollaston Road 6 AS	7321-0487-1	Artefact Scatter	Plain
Wollaston Rd 4	7321-0489-2	Artefact Scatter	Rise
WARRNAMBOOL DUNES 2	7321-0085-2	Artefact Scatter	Dune
WARRNAMBOOL DUNES 5	7321-0088-1	Artefact Scatter	Dune
WARRNAMBOOL DUNES 6	7321-0089-2	Artefact Scatter	Dune
WARRNAMBOOL DUNES 9	7321-0092-1	Artefact Scatter	Dune
WARRNAMBOOL DUNES 10	7321-0093-2	Artefact Scatter	Dune
WARRNAMBOOL DUNES 11	7321-0094-2	Artefact Scatter	Dune
WARRNAMBOOL 1	7321-0114-1	Artefact Scatter	Dune
MERRI RIVER 2	7321-0117-1	Artefact Scatter	Dune
MERRI RIVER 3 DENNINGTON	7321-0118-2	Artefact Scatter	Dune
SPRING ONIONS	7321-0355-1	Artefact Scatter	Hill
WARRNAMBOOL GOLF COURSE 1	7321-0404-2	Artefact Scatter	Dune
HARRINGTON ROAD 1	7321-0471-1	Artefact Scatter	Not specified
HARRINGTON ROAD 2	7321-0472-1	Artefact Scatter	Not specified
Warrnambool Rail Warrnambool Shell Midden 1	7321-0513-3	Artefact Scatter	Railway Reserve
Pickering Point Shell Midden	7321-0514-2	Artefact Scatter	Dune
HOPKINS MOUTH 2	7421-0007-1	Artefact Scatter	Dune
Hopkins Rd Path Shell Midden 1	7421-0212-2	Artefact Scatter	Dune
Point Ritchie Road Shell Midden 1	7421-0213-2	Artefact Scatter	Dune
Granny's Grave Shell Deposit	7421-0214-2	Artefact Scatter	Dune
WARRNAMBOOL DUNES 1	7321-0084-2	Earth Feature (Hearth)	Dune
THE TROTS 1	7321-0376-1	Earth Feature (Mound)	Dune
Pickering Point Shell Midden	7321-0514-3	Earth Feature (Soil Deposit)	Dune
Pickering Point Shell Midden	7321-0514-4	Earth Feature (Hearth)	Dune
Botanic Road LDAD	7321-0493-1	LDAD	Not specified
Younger Street LDAD	7321-0500-2 – 9	LDAD	Dune
Merrivale LDAD 1	7321-0505-2	LDAD	Dune
Warrnambool Rail Warrnambool LDAD 1	7321-0512-1	LDAD	Railway Reserve

Dennington LDAD 1	7321-0521-1 – 2	LDAD	Hill
Raglan Parade 1	7421-0243-1 – 4	LDAD	Hill
Warrnambool Rail Warrnambool LDAD 2	7421-0244-1 – 19	LDAD	Railway Reserve
Botanic Road LDAD	7321-0493-2	Object Collection	n/a
n/Moyjil Aboriginal Place	7421-0006-2	Object Collection	n/a
Brucknell Creek IA	7421-0218-2	Object Collection	n/a
Rodgers Road LDAD	7421-0226-4	Object Collection	n/a
Ondit Low Density Artefact Distribution	7621-0423-2	Object Collection	n/a
Ondit LDAD 2	7621-0425-13	Object Collection	n/a
Ondit Artefact Scatter	7621-0426-2	Object Collection	n/a
DENNINGTON	7321-0003-1	Shell Midden	Dune
SEWERAGE OUTLET	7321-0013-1	Shell Midden	Dune
SEWERAGE OUTLET 2	7321-0014-1	Shell Midden	Dune
THUNDER POINT 1 TP/1	7321-0015-1	Shell Midden	Dune
THUNDER POINT 2	7321-0016-1	Shell Midden	Dune
THUNDER POINT 3	7321-0017-1	Shell Midden	Dune
THUNDER POINT 4	7321-0018-1	Shell Midden	Dune
THUNDER POINT 5	7321-0019-1	Shell Midden	Dune
WARRNAMBOOL DUNES 1	7321-0084-1	Shell Midden	Dune
WARRNAMBOOL DUNES 2	7321-0085-1	Shell Midden	Dune
WARRNAMBOOL DUNES 3	7321-0086-1	Shell Midden	Dune
WARRNAMBOOL DUNES 4	7321-0087-1	Shell Midden	Dune
WARRNAMBOOL DUNES 5	7321-0088-2	Shell Midden	Dune
WARRNAMBOOL DUNES 6	7321-0089-1	Shell Midden	Dune
WARRNAMBOOL DUNES 7	7321-0090-1	Shell Midden	Dune
WARRNAMBOOL DUNES 8	7321-0091-1	Shell Midden	Dune
WARRNAMBOOL DUNES 9	7321-0092-2	Shell Midden	Dune
WARRNAMBOOL DUNES 10	7321-0093-1	Shell Midden	Dune
WARRNAMBOOL DUNES 11	7321-0094-1	Shell Midden	Dune
THE TROTS 1	7321-0376-2	Shell Midden	Dune
THE TROTS 2	7321-0377-1	Shell Midden	Dune
WARRNAMBOOL GOLF COURSE 1	7321-0404-1	Shell Midden	Dune
The Trots 3	7321-0507-1	Shell Midden	Dune
Warrnambool Rail Warrnambool Shell Midden 1	7321-0513-1	Shell Midden	Dune
Pickering Point Shell Midden	7321-0514-1	Shell Midden	Dune
Moyjil Aboriginal Place	7421-0006-1	Shell Midden	Dune
Moyjil Aboriginal Place	7421-0006-3	Shell Midden	Dune
Moyjil Aboriginal Place	7421-0006-4	Shell Midden	Dune
HOPKINS MOUTH 3	7421-0008-1	Shell Midden	Dune
HOPKINS MOUTH 4	7421-0009-1	Shell Midden	Dune
HOPKINS MOUTH 5	7421-0010-1	Shell Midden	Dune
HOPKINS MOUTH 6	7421-0011-1	Shell Midden	Dune
Hopkins Rd Path Shell Midden 1	7421-0212-1	Shell Midden	Dune
Point Ritchie Road Shell Midden 1	7421-0213-1	Shell Midden	Dune

Granny's Grave Shell Deposit	7421-0214-1	Shell Midden	Dune
Hopkins River Path Shell Midden 1	7421-0215-1	Shell Midden	Dune
Hopkins River Path Shell Midden 2	7421-0216-1	Shell Midden	Dune

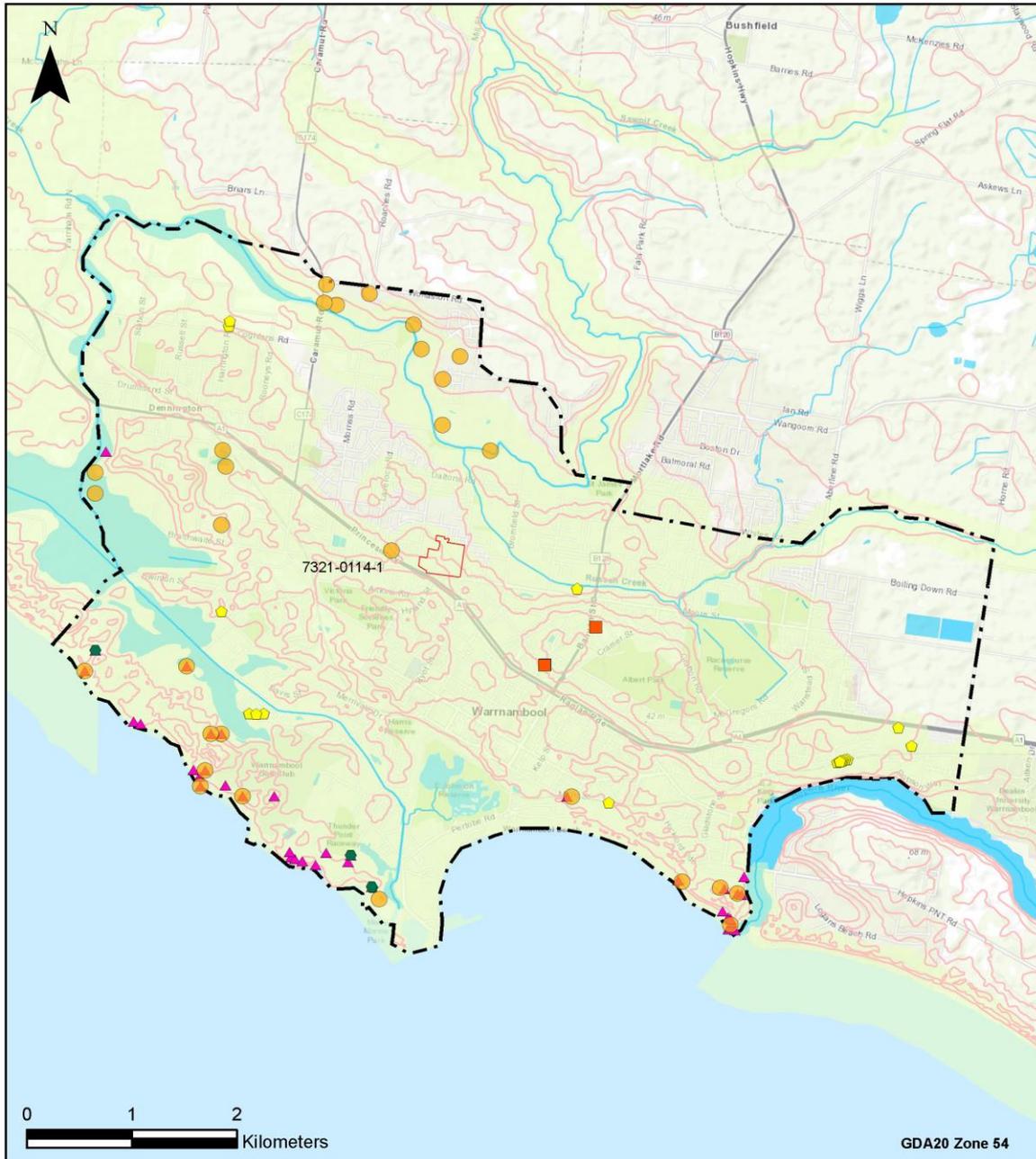
Table 5: Summary of the VAHR Place Components within the geographic region.

Component Type	Amount	Frequency (%)
Shell Midden	37	44%
Artefact Scatter	29	34%
LDAD	8	9%
Object Collection	7	8%
Earth Feature	4	5%
Total	37	100%

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Map 6: VAHR Places in Geographic Region



Legend

- Activity Area
- Cultural Heritage Sensitivity Area
- Waterbody
- Geographic Region
- Watercourse
- 25m Contour
- Artefact Scatter
- Earth Feature
- LDAD
- Object Collection
- Shell Midden

Map 6: VAHR Places in Geographic Region (ESRI 2022. Vic DataShare 2022. ACHRIS 2022).

8.1 Previous Studies in the Geographic Region

The results of prior archaeological studies relevant to, or conducted in the vicinity of, the present activity area, along with the current regional model of site distribution, are presented in this section. This information is reviewed in order to assess the archaeological sensitivity of the activity area and to inform the methodology of the field assessment program.

8.1.1 Regional Investigations

du Cros. 1993

du Cros (1993) investigated two areas located on Merri River closer to the coast and on either side of the existing Warrnambool Golf Course 7km to the south east of the current activity area. Two specific areas were investigated, Area A, the site of a proposed golf course expansion, extended as far west as Kennedy Street, while Area B, the site of a proposed sewerage treatment plant, extended almost to Pertrobe Lane in the east. Approximately 70% of both areas were examined during a pedestrian survey, although ground surface visibility within both survey areas was relatively poor. A midden and surface artefact scatter were recorded within one area, Warrnambool Golf Course 1 (VAHR 7321-0404). The midden contained a variety of materials including charcoal, burnt shellfish, hearth stones and stone tools made of chert that consisted of a retouched flake, a core and debitage. In addition, a sandstone manuport used as a hammer stone was discovered. The study concluded that the banks of the Merri River had the potential to contain Aboriginal cultural heritage material.

Paynter, Rhodes. 2005

Paynter and Rhodes (2005) completed an archaeological investigation along Wollaston Road that focused on three 'sectors'. The first sector concentrated upon the Merri River corridor and floodplains, the second examined the remaining grazing lands, and the third sector focused on the residences and roads within the area. Due to a lack of pedestrian access in places, the methodology used varied between a vehicle based survey and a pedestrian based survey. The survey resulted in the identification of two isolated artefacts: VAHR 7321-0450 Wollaston Road 1 (2.1km east of the current activity area) and VAHR 7321-0451 Wollaston Road 2 (3.2km south east of the current activity area). Artefacts located included an isolated silcrete angular fragment, a silcrete core, a retouched flake, and an angular fragment. The artefacts were considered to have washed down a bank slope or having been ploughed up in a paddock and as a result were not considered to be in situ of their original depositional location. A number of landforms within the study area were noted as areas of archaeological potential; areas along the Merri River's banks, as well as a floodplain, escarpment, and stony outcrops located on a floodplain. The study noted that Aboriginal places are unlikely to be located in surface contexts due to prior ground disturbance, but that the potential for intact subsurface cultural heritage material remained high.

Schell. 2007.

Schell (2007) undertook a cultural heritage assessment for a sewer pipe extension along Wangoom Road 6.3km east of the current activity area. The study area identified three geological units; scoria deposits, newer Volcanic's and phreatomagmatic deposits. Scoria deposits were described as being made up of black oxidised red-brown lapilli, while phreatomagmatic deposits were described as

being created from low temperature eruptions where there is a rapid conversion of ground water to steam due to the contact with hot magma. A floodplain and escarpment landform types were identified within the activity area (Schell 2007: 3). The proposed pipeline extension route was assessed by pedestrian survey, no Aboriginal cultural material was located. Ground surface visibility was recorded as poor, and the activity area was found to have low potential to contain archaeological deposits due to modern disturbance. Previous ground disturbances were attributed to vegetation clearance, ploughing and construction activity.

8.1.2 Local Investigations

A number of local archaeological studies have been undertaken across the geographic region of this desktop study.

Luebbers 2010. CHMP 11029.

Luebbers undertook a CHMP in response to a proposed 16 ha residential subdivision located between Aberline and Whites Roads and Russells Creek, 800m north of the current activity area. A desktop, standard and complex assessment was conducted. The desktop assessment did not locate any previously recorded Aboriginal places in the activity area. The activity areas archaeological potential was noted due to its proximity to Russell Creek, which runs across the south west to north east corner of the activity area.

A standard assessment was conducted, poor ground visibility was recorded, no new surface Aboriginal places were located. The complex assessment consisted of the hand excavation of a 1x1m test pit and the mechanical excavation of seventeen 2x1m test pits. The recorded stratigraphy consisted of a light brown silty clay onto mottled orange clay. No new Aboriginal places were located during the complex assessment.

Dugay-Grist, McAlister 2010. CHMP 11321.

Dugay-Grist and McAlister (2010) undertook a CHMP in response to the proposed construction of a drainage basin at Harrington Road, Warrnambool 1.3km to the southeast of the current activity area. The third tier geomorphological unit of the activity area is mapped by the VRO as 6.2.1 Plains with ridges. A desktop, standard and complex assessment was conducted. The desktop assessment determined that the activity area was located on a sand dune landform associate with the lower flood plain of the Merri River and as a result was considered to be archaeologically sensitive.

The standard assessment confirmed the presence of landforms of moderate to high archaeological potential, being rise across the central northern and south-eastern sections of the activity area. However, the entire activity area was considered to have moderate to high potential for the location of Aboriginal cultural heritage places in areas that have not been subject to prior disturbance due to its location on the Bridgewater Dune deposit. No Aboriginal cultural material was located during standard assessment. however, very poor ground surface visibility recorded.

The complex assessment conducted consisted of the hand excavation of one 1x1m test pit (TP01) and two 50x50cm test pits (TP02 & TP03) and thirty one 40x40 cm shovel test pits. TP01 was located within an area of significant proposed impact on a rise in the central northern section of the activity area. TP 02 was located on a rise in the south-eastern section of the activity area and TP03 in the south-western section of the activity area. Two Aboriginal places were located during complex

assessment. VAHR 7321 – 0471 Harrington Road 1 and VAHR 7321 – 0472 Harrington Road 2. Both places in were located in subsurface contexts on small rises within the activity area. The assemblage of VAHR 7321 – 0471 consisted of a single crystal quartz fragment identified at 100mm depth in a deposit of humic topsoil. The assemblage of VAHR 7321 – 0472 consisted of three lithic artefacts manufactured from coastal flint and crystal quartz and were identified at 220mm depth in a similar deposit. In both cases the soil profile was considered to have undergone disturbance due to agricultural activities. The soil profile identified across the activity area consisted of a dark brown, humic rich topsoil to between 200 and 250mm depth, overlying a deposit of brown sandy loam which commonly extended to around 500mm depth, overlying a sterile limestone bedrock. It was concluded that the activity area was used in a transitory fashion instead of a more intensively used locale.

Luebbers 2011. CHMP 11574.

Luebbers (2011) undertook a CHMP in response to a proposed rail track development located at the southern end of Millers Lane, south of the Princes Highway at Dennington within 2km southwest of the current activity area. The third tier geomorphological unit of the activity area is mapped by the VRO as 6.2.1 Plains with ridges. A desktop, standard and complex assessment was conducted. The activity area was located within the estuary of the Merri River. The activity area geomorphology was described as consisting of ‘wetland shore’.

During the standard assessment four landform units were identified within the activity area, hill slopes, base of hill slopes, wetland basin and a dune field. The standard assessment did not locate any new Aboriginal places but concluded that the most likely zones of cultural activity would have been the edges and shallows of the estuary on both sides of the wetlands.

The complex assessment involved the excavation of two 1x1m test pits and nine 40x40cm shovel test pits to a maximum depth of 710mm across the activity area. The sub-surface testing exposed two types of sediments: a dark brown estuarine and lacustrine mud and silt that was described as being derived from the development of wetlands, and an orange and reddish brown sandy loam that was found on the hill and hill slope landforms. Due to the age of both the Bridgewater dunes under the dark Kelly Swamp deposits and the tuff in the red sandy loam, the profiles excavated to a depth of profile were considered to span Aboriginal occupation of the Australian continent and on that basis sterile (Luebbers 2011: 29). No Aboriginal cultural heritage material was located in a subsurface context. It was concluded that any surviving Aboriginal culture material would be submerged below the wetland sediments, possibly as much as six metres below the surface.

Mitchell, McFarlane, Hill 2016. CHMP 11656.

Mitchell, McFarlane, and Hill (2016) undertook a CHMP in response to a proposed residential subdivision at the corner of Wollaston Road and Warrnambool-Caramut Roads, Warrnambool, 1.3km northeast of the current activity area. The third tier geomorphological unit of the activity area is mapped by the VRO as unit 6.1.5 Terraces, floodplains and lakes, swamps and lunettes and their deposits. A desktop, standard and complex assessment was conducted. The standard assessment did not identify any Aboriginal cultural heritage, and poor ground surface visibility was recorded due to thick grass. The standard assessment identified a number of landforms, with the majority of the activity area being recorded as consisting of gentle slopes. Areas of terracing were recorded on edge of the Merri River flood plain to the south. Several areas of archaeological potential were identified

as a result of the standard assessment. Areas identified as having the highest potential for subsurface cultural heritage material were the floodplain/alluvial terrace landform in the south of the activity area, a slope landform in the northwest of the activity area and a hill crest and slope landform in the northeast corner of the activity area. An area of depression located in the centre of activity area was recorded as having lower archaeological potential.

A complex assessment was undertaken which consisted of the hand excavation of sixteen 1x1m test pits (TP), eighteen 50x50cm shovel test pits (STP) and of thirty-nine 90x90 centimetre mechanical test pits (MTP). The complex assessment located four new Aboriginal places. VAHR 7321 – 0479 Wollaston Rd 1 was located on a low alluvial rise, 40 meters north of the Merri River. The recovered assemblage consisted of eight lithic artefacts which comprised two complete basalt flakes, a basalt angular fragment, two chert angular fragments, one chert complete flake, one complete silcrete flake and one complete quartz flake. The artefacts were recovered from a deposit of dark brown/greyish brown clayey silt between 0 – 500mm deep. Artefacts were recovered from TP1, TP3 and STP 2. The stratigraphy from these test pits was recorded as consisting of an initial layer of a hard compaction dark brown/greyish brown clayey silt deposit, with a base comprised of either limestone or basalt excavated to a maximum depth of 810mm. The assemblage was interpreted as providing evidence that the manufacture of lithic artefacts had occurred within the site extent.

VAHR 7321 – 0480 Wollaston Rd 2 was located on a low rise, 330 meters north of the Merri River. The recovered assemblage consisted of eleven lithic artefacts which comprised one chert multi-directional core, six complete chert flakes, one chert angular fragment, one silcrete complete flake, one silcrete backed blade and one quartz angular fragment. The presence of the backed blade was noted as a marker of the Australian small tool tradition which has been attributed to the mid to late Holocene. The artefacts were recovered from TP7 and MTP43, 45, 48, 53 and 56 at depths between 0 – 400mm deep in loamy clay. The stratigraphy of TP 7 was recorded as consisting of medium to hard compaction dark yellowish brown fine grained loamy clay with a sterile limestone base at 260mm. The stratigraphy of the MTPs consisted of an initial deposit of medium/hard compaction, dark brown, dry fine grained loamy clay with a base of very hard compaction, orange/grey/dark brown colour, dry clay base to a maximum depth of 460mm.

VAHR 7321 – 0481 Wollaston Rd 3 was located on a low rise, 220 meters north of the Merri River. The recovered assemblage consisted of two chert whole flakes, two basalt whole flakes and a quartz proximal flake. The artefacts were recovered from TP4 and MTP19 – 20 at depths between 200 – 400mm deep in loamy clay. The stratigraphy of these test pits consisted of an initial deposit of moderately compacted dark brown/dark grey silty loam/clayey silt, with a base of consisting either of orange, grey mottled clay or limestone excavated to a maximum depth of 450mm. European rubbish was recorded in MTP 19 – 20 to a depth of 200mm.

VAHR 7321 – 0489 Wollaston Rd 4 was located on the floodplain landform running along the bank of the Merri River. The assemblage recovered consisted of sixty three lithic artefacts manufactured from basalt (n=2, 3.1%), chert (n=33, 52.4%), quartz (n=25, 39.7%) and silcrete (n=4.8%). Chert is artefact types include one bidirectional core, eleven complete flakes, five distal flakes, one split flake, seven angular fragments and eight debris. Quartz artefact types one unidirectional core, five complete flakes, three proximal flakes, one medial flake, two distal flakes, one split flake, ten angular fragments and two pieces of debris. Basalt artefact types consist of a whole flake and an angular

fragment. Silcrete artefact types consist of a proximal flake, a split flake, and an angular fragment. The wide range of raw material and artefact types present within the site provides evidence that extensive lithic tool manufacturing occurred within the site extent. The artefacts were recovered from TP2 – 3, MTP 23 – 35, 37 and STP2, 11, 17 between depths of 0 – 600mm deep in loamy clay. The site extent of Wollaston Rd 4 was registered based on landform, using the flood level contours as the north boundary of the site. The stratigraphy of these test pits consisted of an initial deposit of hard compacted fine grained friable dark brown clayey loam silty loam with a base of consisting either of orange/grey very compact mottled clay excavated to a maximum depth of 700mm.

O'Reilly, McAlister 2011. CHMP 11662.

O'Reilly and McAlister (2011) undertook a CHMP in response to a proposed residential subdivision at Wollaston Road, Warrnambool 1.8km east of the current activity area. A desktop, standard and complex assessment was conducted. The third tier geomorphological unit of the activity area is mapped by the VRO as unit 6.1.5 Terraces, floodplains and lakes, swamps and lunettes and their deposits. The desktop assessment recorded the presence of a previously registered Aboriginal place, VAHR 7321 – 0450 WOLLASTON ROAD 1 within the activity area, which was recorded as an isolated surface lithic artefact.

The standard assessment did not identify any Aboriginal cultural heritage material and poor ground surface visibility was recorded due to thick grass. The standard assessment confirmed the presence of landforms of moderate to high archaeological potential, being land within 200 metres of Merri River in the southern and western parts of the activity area. However, the entire activity area was considered to have moderate to high archaeological potential in areas that have not been subject to prior disturbance, due to its location adjacent to the Merri River. The extent of a previously registered Aboriginal place, VAHR 7321 – 0450 was inspected during the standard assessment but no surface Aboriginal cultural material was located.

A complex assessment was undertaken which comprised the hand excavation of eleven 1x1m test pits and two hundred and fifty seven 40x40cm shovel test pits. Aboriginal cultural heritage material was located floodplain and the more elevated volcanic plain landforms. The complex assessment located four new Aboriginal places and subsurface cultural material associated with previously registered Aboriginal place VAHR 7321 – 0450.

VAHR 7321-0450 Wollaston Road 1 Wollaston Road 1 was located on an elevated bank of Merri River, along the western boundary of the activity area. A total of twenty five lithic artefacts were located in subsurface sandy deposits up to 400mm deep. The recovered assemblage raw material types consisted of ten silcrete artefacts, ten quartz artefacts, one 'FGV' artefact and four 'other' artefacts. The artefact typology consisted of four complete flakes, fifteen flake fragments and six debitage fragments. The artefacts were recovered from TP05, SP66 – 69, 73 and 75. The stratigraphy of these test pits consisted of an initial deposit of very dark brown friable clayey silt, a secondary deposit of very dark brown/greyish brown friable coarse sand with a base comprised of very dark brown compact clayey silt excavated to a maximum depth of 1100mm.

VAHR 7321-0486 Wollaston Road 3 AS was located on a on a low rise or basalt outcrop mound feature 80 metres east of Merri River. A total of four lithic artefacts were located in subsurface silty clay deposits up to 400mm deep. The recovered assemblage raw material types consisted of two quartz artefacts and two silcrete artefacts. The artefact typology consisted of two complete flakes,

one flake fragment and one debitage piece. The artefacts were recovered from test pits SP09, SP09 W15 and SP09 S5. The location of the artefacts was recorded as concentrated in sandy deposits extending to 400mm deep.

VAHR 7321-0482 Wollaston Road 4 IA consists of a single silcrete flake fragment located on a plain landform. The artefact was recovered from TP02 in silty clay deposits between 200 – 300mm deep. The stratigraphy of this test pit consisted of an initial deposit of dark yellowish brown friable silty clay, followed by a deposit of very dark grey compact fine sand and a base of brown compact clay.

VAHR 7321-0483 Wollaston Road 5 IA consists of a single silcrete flake fragment located on a plain landform. The artefact was recovered from SP 52 in silty clay deposits between 100 – 200mm deep.

VAHR 7321-0487 Wollaston Road 6 AS was located on a river terrace and plain landform types. A total of six lithic artefacts were located in subsurface silty clay deposits up to 400mm deep. The artefacts were recovered from test pits TP04, TP04 N5, TP04 S15, TP04 W15, TP04 S20 and TP04 W5S20. The recovered assemblage raw material types consisted of silcrete and quartz. The artefact typology consisted of flakes, flake fragments and debitage. The artefacts were recovered from sandy deposits extending to 400mm deep.

Miller-Armstrong 2012. CHMP 11925.

Miller-Armstrong (2012) undertook a CHMP in response to a proposed development for Wannan Water on the corner of Braithwaite and Watson Streets approximately 2.4 kilometres to the southeast of the activity area. The third tier geomorphological unit of the activity area is mapped by the VRO as 6.2.1 Plains with ridges. A desktop and standard assessment was conducted. The desktop assessment indicated that Aboriginal places in the geographic region would be located close to the coast and major watercourses. The standard assessment did not identify any Aboriginal cultural heritage, and poor ground surface visibility was recorded due to thick grass. The previous use of the activity area as a landfill site was identified during the course of this assessment. As a result, a complex assessment of the activity area was not considered undertaken.

O'Reilly. 2012. CHMP 12329.

O'Reilly (2012) undertook a CHMP in response to a proposed pipeline along Wollaston Road, approximately 2.7km east of the current activity area. The third tier geomorphological unit of the activity area is mapped by the VRO as unit 6.1.5 Terraces, floodplains and lakes, swamps and lunettes and their deposits. A desktop based assessment was conducted. The desktop assessment determined that a large number of Aboriginal places were likely to be present in the geographic region with these sites concentrated along the Merri River and coastline. The site prediction model determined that artefact scatters would be the most common site type in close proximity to a permanent water source, while lower density artefact distributions would be located with decreasing proximity. The desktop assessment concluded that the activity area was not located an area of cultural heritage potential as it was located over 500 metres from the Merri River. On that basis further cultural heritage assessment was deemed unnecessary.

MacManus, T., Ward, B., Power, R. 2014. CHMP 13321.

MacManus, Ward and Power (2014) undertook a CHMP in response to a proposed sewer main at the Midfields Meat works approximately 2.4km to the southeast of the current activity area. The third

tier geomorphological unit of the activity area is mapped by the VRO as 6.2.1 Plains with ridges. A desktop, standard and complex assessment was conducted. The desktop assessment determined that a large number of Aboriginal places were likely to be present in the geographic region in close proximity to water sources and areas of resource extraction. The standard assessment did not identify any Aboriginal cultural heritage material and poor ground surface visibility was recorded due to thick grass. Landforms identified in the activity area consisting of undulating sandy and limestone based rises were identified as areas of archaeological potential, a large sandy rise in the west of the activity area was noted as having moderate to high archaeological potential.

The complex assessment consisted of the hand excavation of one 1x1m test pit and thirty three 40x40cm shovel test pits. No Aboriginal cultural heritage was identified during the complex assessment. A highly disturbed deposit of calcareous sandy soil comprised the initial deposit with a calcareous bedrock base present in some shovel test pits at a depth of 300mm. The 1x1m TP01 was excavated to a maximum depth of 1000mm below ground surface but was highly disturbed and no formal base was encountered, the excavation was concluded on the basis that this depth exceeded the activity depth of impact.

Fiddian, J., Patton, K. 2018. CHMP 15636.

Fiddian and Patton (2018) undertook a CHMP in response to a proposed rehabilitation centre construction at 43 Atkinsons Lane, Dennington, and 1.4km to the southwest of the current activity area. The activity area as mapped by the VRO straddles two tier three geomorphological units, unit 6.2.1 Plains with ridges and unit 6.1.5 Terraces, floodplains and lakes, swamps and lunettes and their deposits. A desktop, standard and complex assessment was conducted. The desktop assessment recorded that the activity area was located on coastal dunes associated with the Bridgewater Formation, which was formed by a succession of high sea stands in the mid-to-late Pleistocene. The standard assessment did not identify any Aboriginal cultural heritage, and poor ground surface visibility was recorded due to thick grass. An area of archaeological potential was recorded in the north east of the activity area.

The complex assessment consisted of the hand excavation of one 1x1m test pit, fifteen 50x50cm shovel test pits, and twelve auger holes. No Aboriginal cultural heritage was identified during the complex assessment. The stratigraphic profile consisted of very dark brown sandy loam topsoil for a depth of 500mm, overlying a dark reddish grey to light brown sand until 800mm, becoming more compact with depth. A yellow beach sand deposit is present to a maximum depth of 1200mm.

Dugay 2018. CHMP 15752.

Dugay (2018) undertook a CHMP in response to a proposed a proposed sewerage line extending along road reserve at Shaw St and into 221 Wollaston Rd and 9 Goodall St, Warrnambool, approximately 2.78km southeast of the current activity area. The third tier geomorphological unit of the activity area is mapped by the VRO as unit 6.1.5 Terraces, floodplains and lakes, swamps and lunettes and their deposits. A desktop, standard and complex assessment was conducted. The desktop assessment recorded the activity area was located on a deposit of within Tower Hill Tuff (Nhp) to north-east of the Merri River. The standard assessment did not identify any Aboriginal cultural heritage, and poor ground surface visibility was recorded due to thick grass. However, areas of moderate archaeological potential were identified.

The complex assessment consisted of the hand excavation of 1 x 1m test pit and six 50 x 50cm shovel test pits and revealed a subsurface profile that comprised a shallow silty clay to solid sticky clay at depths of between 290 – 300mm across a floodplain landform. No Aboriginal cultural heritage was located during the complex assessment.

Jones, Z. 2019. (CHMP 15397).

Jones undertook a CHMP 360 meters south west of the current activity area. A desktop, standard and complex assessment was conducted. The desktop assessment did not locate any previously registered VAHR places in the activity area. The standard assessment recorded poor ground visibility. One landform was identified within the activity area, comprising a dune system. This landform was subdivided based into units based on evidence of ground disturbance. A complex assessment was conducted that consisted of the hand-excavation of one 1x1 m test pit, and 39 shovel test probes. Excavations reached a maximum depth of 1200 mm. No Aboriginal cultural heritage material was identified during the complex assessment.

James 2020. CHMP 16539.

James conducted a CHMP in response to the proposed construction of water infrastructure along the road reserves of Mcgregors, Aberline and Wangoom Roads, Warrnambool. A desktop, standard and complex assessment was conducted. The desktop assessment did not locate any previously recorded Aboriginal places in the activity area. The activity areas archaeological potential was noted due to its proximity to Russell Creek, which runs across part of the activity area.

The standard assessment did not locate any new Aboriginal places, with this attributed to poor ground surface visibility and ground disturbance associated with road construction. The complex assessment consisted of the hand excavation of four 1x1m test pit and twenty six 50x50cm shovel test pits. No new Aboriginal places were located during the complex assessment.

Patton & Fiddian 2020. CHMP 16777.

Patton & Fiddian conducted a CHMP in response to a proposed construction of a supermarket and associated surfaced car park. A desktop, standard and complex assessment was conducted. A desktop, standard and complex assessment was conducted. The desktop assessment did not locate any previously recorded Aboriginal places in the activity area. The standard assessment did not locate any new Aboriginal places, with this attributed to poor ground surface visibility.

The complex assessment comprised a total of three 1x1m test pits, seventeen 50x50cm shovel test pits, including eight radial shovel test pits, and 19 mechanically excavated 2x1m test pits. A new Aboriginal place was located during the complex assessment, VAHR 7421-0243 Raglan Parade 1. Lithic artefacts were located in one shovel test pit and in one 2x1m mechanical test pit. These artefacts were all located in a disturbed context, the ground surface having been subjected to ground disturbance through bulldozing and redistribution of soil. No former intact ground surface was detected within the activity area. It was considered unlikely that any additional cultural material was present within the activity area.

Mitchell, J. 2020. CHMP 16869.

Mitchel (2020) prepared a complex CHMP for a proposed sewer pump station at 391 Wollaston Road, Warrnambool. The third tier geomorphological unit of the activity area is mapped by the VRO

as unit 6.1.5 Terraces, floodplains and lakes, swamps and lunettes and their deposits. A desktop and complex assessment was undertaken, a standard assessment was not undertaken. The desktop assessment identified one registered Aboriginal place within the activity area VAHR 7321 – 0489 Wollaston Road 4. The desktop assessment identified landforms in the activity area consisting of a low-lying floodplain, an alluvial terrace, and a gentle slope/rise running north of the Merri River.

The complex assessment consisted of the hand excavation of one 1x1m test pit and eleven 50x50cm shovel test pit and resulted in the identification of three additional flaked stone quartz pieces all within the existing place extent of VAHR 7321 – 0489 Wollaston Road 4. The soil profile consisted of dark brown firm silt with fine grass roots and small stones, on top of very dark grey firm silty clay to 110mm. From 110 – 240mm is a very dark greyish brown firm silty clay (artefact bearing deposit) on top of very dark grey compact clay located at a maximum depth of 330mm. The subsurface testing revealed a broadly uniform stratigraphy comprising a clayey silt upper context sitting on a solid clay base.

Davison et al 2020. CHMP 16908.

Davison et al conducted a CHMP in response to the proposed construction of rail infrastructure and upgrades to the rail of the Melbourne to Warrnambool VLine train line. While originally part of the activity area for CHMP 16171, the activity area for this CHMP was separated from the original CHMP in October 2019 due to uncertainty about the final design plans for the Warrnambool section of the proposed work. As a consequence, what had originally been Section 8: Warrnambool of CHMP 16171 became a separate CHMP and was given CHMP number 16908. The activity area consists of a section of land in Warrnambool along the railway reservation. The total length of the activity area is 5.4km and its total surface area is 20.5 hectares. A desktop, standard and complex assessment was conducted. The desktop assessment identified 39 Aboriginal places within 2km of the activity area. The activity area runs close to several archaeological sites, including artefact scatters in surface and subsurface contexts, shell middens and near to a number of high significance Aboriginal places, such as Moyjil Aboriginal Place.

The standard assessment surveyed nearly the entire activity area, employing both opportunistic and systematic survey techniques. The standard assessment identified eight specific sensitivity areas throughout the activity area. The sensitivity of each area could not be confirmed during the standard assessment.

The complex assessment was completed in two stages. The complex assessment involved the excavation of fifteen 1x1m Test Pits and twenty one 50x50cm shovel test pits across two sensitivity areas. Identified sensitivity areas that were not subject to subsurface testing were subject to strict management conditions to avoid harming potential areas of cultural heritage. Three new Aboriginal places were identified during the complex assessment three locations, resulting in the registration of three new VAHR Places - VAHR 7321-0513 Warrnambool Rail Warrnambool Shell Midden 1; VAHR 7321-0513 Warrnambool Rail Warrnambool LDAD 1; and VAHR 7421-0244 Warrnambool Rail Warrnambool LDAD 2.

East 2020. CHMP 17253.

East conducted a CHMP in response to a proposed subdivision at 87 Russell Street, Dennington. Part of the activity area of this CHMP is located within the current CHMP activity area, being part of the

road reserve of Russell Street. A desktop assessment, which involved analysis of the known Aboriginal archaeology and the environment of a defined geographic region was undertaken. No previously recorded Aboriginal places were identified within the activity area as a result of the desktop assessment. It is considered that the activity area retains a low to moderate likelihood for the location of Aboriginal cultural heritage material in the form of lithic artefacts. This is primarily due to the possible presence of Tower Hill Tuff (Nhp) geologic deposits and the presence of geomorphologic unit 6.1.5. However, the archaeological potential of the activity area is reduced due to its distance from the Merri River, which is 445 meters north. Aboriginal places across the geographic region are concentrated within 200 meters of the Merri River.

A standard assessment of the activity area, which comprised a pedestrian survey of the activity area was conducted. The standard assessment located two landforms, an open, grassed, north running hill slope located across the east of the activity area and a gently undulating plain across the west of the activity area. No new Aboriginal places were located within the activity area as a result of the standard assessment. However much of the activity area could not be effectively surveyed as a result of poor GSV. The activity area as a whole was considered to have a low to moderate potential of subsurface Aboriginal cultural material to be present due the presence of landforms associated with subsurface Aboriginal cultural material across the geographic region.

A complex assessment of the activity area, which comprised the excavation of four 1 x 1 m stratigraphic test pits (TP) and 24 50 x 50 cm shovel test pits (STPs). No subsurface Aboriginal cultural heritage material was located. The geomorphology recorded during the complex assessment was a silt onto clay deposit typical of the western Volcanic plains of Victoria. Subsurface disturbance was recorded across parts of the activity area. Based on the results of the complex assessment the activity area is considered to have a low potential to contain subsurface Aboriginal cultural material.

Strickland, Macklin & Sonego 2021. CHMP 17211.

Strickland, Macklin & Sonego conducted a CHMP in response to the proposed construction of a new water main within the road reserves of Harrington Road, Shannon Road, and Russell Street, Dennington. The proposed works comprise the installation of approximately 1.5 km of new pipeline to service a development occurring to the north of Harrington Road. Part of the activity area of this CHMP is located within the current activity area, being part of the road reserve of Russell Street.

The desktop assessment concluded that the Activity Area is located on a volcanic plain and a sedimentary dune rise. Potential locations for Aboriginal cultural heritage material to be present within areas of less disturbance within the alluvial flats and mid to lower slopes of the sedimentary dune rise landforms. The standard assessment concluded that the slope gradient within the mid slope would not have been a favourable location for short or long-term campsites. However, the lower slope was considered to have some archaeological potential, as it consisted of a gentler gradient and would have been slightly elevated land overlooking the alluvial flats/floodplain.

The complex assessment consisted of the controlled hand excavation of three 1x1m test pits (TP) and eight 50x50 cm shovel test pits (STPs). One new Aboriginal place was recorded during the assessment. VAHR 7321-0521 Dennington LDAD 1, which consisted of two lithic artefacts were identified in two subsurface testing locations, both of which were recorded on the mid slopes of a sedimentary dune rise within an in situ deposit of sandy silt at depths between 700 – 800 mm.

Burch, Green and Sinamai 2021. CHMP 17797.

Burch, Green and Sinamai conducted a CHMP in response to a proposed residential subdivision at 270-274 Russell Street and 195-207 Harrington Road, Dennington. A desktop, standard and complex assessment was conducted. No previously recorded Aboriginal places were identified within the activity area as a result of the desktop assessment.

A standard assessment of the activity area, which comprised a pedestrian survey of the activity area was conducted. Two distinct landforms were identified during the standard assessment, namely a ridge with gentle slopes in the eastern section of the activity area and a low-lying flat landform to the west. Several areas of disturbance were identified, including areas comprising built structures such as dwellings and associated infrastructure, sealed and unsealed driveways, fencing and livestock damage. GSV was poor across the majority of the activity area.

A complex assessment was conducted which consisted of the hand excavation of 5 1x1 meter test pits and 24 50x50cm shovel test pits. Recorded soils profiles were consistent across the activity area and conformed to the TPs, predominately exhibiting a dark brown loose to weak fine grained silt, over a dark brown loose to firm fine grained silt with inclusions of calcium carbonate, overlying a base layer of impenetrable calcium carbonate. These results confirm that the mapped culturally sensitive Bridgewater Formation (Qxr) was present within the area of archaeological sensitivity identified during the standard assessment. No Aboriginal cultural heritage was located during the complex assessment.

East 2021. CHMP 18043.

East conducted a CHMP at 15 Dales Road, Warrnambool in response to the proposed construction of a childcare centre, a surfaced car park and fifteen residential dwellings across activity area. The activity area is located at desktop, standard and complex assessment was conducted. No previously recorded Aboriginal places were identified within the activity area as a result of the desktop assessment.

A standard assessment was undertaken across the entire activity area. The standard assessment located a gentle east to west running hill slope, with the upper slope located on the west border of the activity area. No Aboriginal cultural heritage material was identified during the standard assessment.

A complex assessment was conducted which consisted of the hand excavation of one 1x1m stratigraphic test pits and ten 50x50cm shovel test pits. The primary soil deposit across the activity area comprised an initial deposit of dark grey silty clay, with an indurated dark grey clay forming the sterile horizon B2 deposit. No Aboriginal cultural heritage material was identified during the standard assessment.

Painter 2021. CHMP 18097.

Painter conducted a CHMP in response to a proposed residential subdivision at located at 7 Deverell Way, Warrnambool. A desktop, standard and complex assessment was conducted. No previously recorded Aboriginal places were identified within the activity area as a result of the desktop assessment.

A standard assessment of the activity area, which comprised a pedestrian survey of the activity area was conducted. Two landforms were identified during the standard assessment, a dune and a swampy floodplain. The assessment noted that the northern portion of the activity area contained a substantial amount of deposited fill to create a raised surface above the natural dune landscape.

A complex assessment was conducted which consisted of the hand excavation of one 1x1m test pit and 15 50x50cm shovel test pits were excavated during the complex assessment. The soil profile contained a silty loam A1 horizon with a gradual transition to sandier loam as elevation increased. There were some larger pockets of sand underlying calcareous accumulations within the dune landform and these were not located within the swampy floodplain landform. A culturally sterile clay was identified within the upper 600mm in all located except the sand pockets. The swampy floodplain was confirmed to contain up to 300mm of fill deposition and considerable ground disturbance which extended into culturally sterile clay in some locations. No Aboriginal cultural heritage was identified during the complex assessment.

East 2022. CHMP 18248.

East conducted a CHMP at 1/80 Pertobe Road, Warrnambool, in response to the proposed upgrade of the Warrnambool Surf Life Saving Club. A desktop, standard and complex assessment was conducted. No previously recorded Aboriginal places were identified within the activity area as a result of the desktop assessment.

A standard assessment was undertaken across the entire activity area. The standard assessment located two landform types within the activity area, consisting of an open sandy flat plain and an artificial sand dune system. Extensive disturbance was recorded across the activity area due to multiple construction events. No Aboriginal cultural heritage was identified during the standard assessment.

A complex assessment was undertaken across the entirety of the activity area. The complex assessment consisted of the hand excavation of 2 1x1m stratigraphic test pits, 6 50x50cm shovel test pits (STP) and 8 50x50cm radial shovel test pits (RTP). A subsurface lithic artefact was located in 1x1m TP A and recorded as Aboriginal place VAHR 7321-0527 Warrnambool Surf Club LDAD 1. Extensive subsurface disturbance was recorded during the complex assessment. This include the presence of a layer of fill across much of the activity area and the presence of subsurface structural remains in some test pits.

8.1.3 Site Predictive Model

The results of the previous local and regional studies can be used to construct a predictive site model for the geographic region and activity area. The findings of the review of previously registered places and prior studies within the geographic region are:

- Of the registered places, the majority were identified on dune landforms within 200m of the coastline and freshwater sources. The remainder were distributed across a number of landforms including rises, hills, plains, banks, plains, railway reserves and levees (Table 4 – 5. Map 6). Elevated dune landforms are the most common landform type for Aboriginal places to be located on across the geographic region.

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- The previously recorded Aboriginal places across the geographic region consist of 37 shell middens (44%). Other site types found across the geographic region include 29 artefact scatters (34%), 8 low density artefact distributions (9%), 7 object collections (8%) and 4 earth features (4%) (Table 4 – 5. Map 6). Away from the coast subsurface lithic artefact scatters are the most common Aboriginal places to be found across the geographic region.
- The current distribution of registered Aboriginal places across the geographic region indicates that Aboriginal cultural heritage material is most likely to be found in subsurface contexts within the immediate coastline or within 100 meters of fresh water, primarily the Merri River and Hopkins River, with the likelihood of Aboriginal places decreasing with their distance from flowing freshwater and the immediate coastline. Site types most likely to be found across the geographic region consist of shell middens followed by lithic artefact scatters.
- Across the geographic region lithic artefact scatters feature assemblages comprised of artefacts manufactured from a diverse lithology but primarily comprised of quartz and silcrete. Common artefact types will be waste flakes, flakes, and a small component of formal tool types. On the basis of these formal tool types assemblages have been commonly dated to the mid – late Holocene.
- The activity area has been impacted by land clearance, agricultural activities, and construction activities. Aboriginal cultural material located in surface contexts and subsurface contexts at 0 – 300mm deep, should not be considered in situ. At depths greater than this there remains the potential for in situ Aboriginal cultural heritage material. Widespread clearance of native vegetation makes the possibility of scarred trees in the study area low.

8.2 Conclusions from the Desktop Assessment

The desktop review has provided salient information from which areas of Aboriginal archaeological potential may be predicted and further tested through standard assessment.

The primary landforms of the activity area is mapped as Plains with ridges (Follett). This landform type includes sand sheets and dunes of this landscape include dunes with crests, slopes, and associated plains with little relief, as per Section 7.3. The prior land use across the activity area includes initial clearing, followed by multiple phases of construction activity across specific parts of the activity area. The impact of these construction events has potentially disturbed or even destroyed any surface or subsurface Aboriginal places that were located across the activity area.

The review of ethnographic evidence highlights the economic and cultural importance of the region to pre- and post-Contact Aboriginal people. The information suggests organised exploitation of the region. There is also evidence for seasonal movements along the Bass Strait coastline, particularly during summer. Proximity to both marine and fresh water sources appears to be a highly influential factor in Aboriginal place location. Shell middens are the most common place across the geographic region, and are primarily found within 200 meters of the Bass Strait coastline. Lithic artefact scatters, and low density artefact distributions are found within 200 meters of marine or fresh water sources, such as the Hopkins River and Merri River, as well as the coastline. The abundant

subsistence resources offered by both marine and fresh water environments is the likely explanation for this Aboriginal place distribution.

The most likely Aboriginal places to be found within the current activity area are lithic artefact scatters and isolated lithic artefacts, with all of these place types most likely found in a subsurface context on dune landforms. Reviews of previously registered Aboriginal places indicate that any sites identified are likely to date to the late Holocene.

Based on the desktop review, it is considered that the activity area retains low potential for the location of Aboriginal cultural heritage in the form of lithic artefact scatters and isolated lithic artefacts. This is due to the history of multiple construction events across the activity area.

As per Regulation 62 (*Aboriginal Heritage Regulations 2018*) a standard assessment is required as the results of the desktop assessment have determined it is reasonably possible that Aboriginal cultural heritage is present in the activity area. Previous research in similar landscapes across the geographic region has indicated there is a moderate to high potential for shell midden material and lithic artefacts to be present, particularly on dune landforms within the activity area.

9 STANDARD ASSESSMENT

9.1 Introduction

This section outlines the aims, methods, and results of the pedestrian ground surface survey of the activity area undertaken on 22nd March 2022. The standard assessment was conducted by Edward East (Heritage Advisor, Compass Heritage Services), Jake Osbourne (Assistant, Compass Heritage Services), Fid Chatfield, (EMAC field representative) and Jyran Chatfield (EMAC field representative).

9.2 Aims of the Standard Assessment

The aims of the standard assessment were to determine the cultural heritage sensitivity of the activity area by identifying the presence of any previously unrecorded surface Aboriginal cultural heritage material or places within the activity area and also to identify areas of significant ground disturbance which have resulted from prior land use history. This information was used to inform the complex assessment testing methodology and identify areas of subsurface archaeological potential.

9.3 Methodology of the Standard Assessment

Of the entire of activity area, 99,668.50m² in area, approximately 42,920.60m² was systematically surveyed during the standard assessment. Only the parts of the activity area to be subject to high impact construction activities were subject to the standard assessment (Map 7). The standard assessment methodology involved the participants walking in north to south transects with the survey team spaced at approximately 1.5m apart, with the survey team walking as a whole spaced at 6m. Photographs of the landforms as well areas of archaeological potential and disturbance were taken throughout the standard assessment. Detailed notes were taken in-field to assist in the assessment of ground conditions, landform details and in the assessment of areas of disturbance. This methodology was designed to maximise the opportunity for locating surface Aboriginal cultural material as well as areas of isolated exposure (Table 6. Plates 1 – 16. Map 7).

9.4 Ground Surface Visibility and Exposure

Ground surface visibility (GSV) was considered very poor (10%) across the areas of remaining paddocks, due to short but dense grass coverage. Areas of higher exposure were present along existing vehicle access roads, areas of open exposure, such as in the vegetable garden locations and due to a lack of grass coverage. However, as in the case of vehicle access tracks, a high degree of disturbance was associated with these areas (Table 6).

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Table 6: Effective survey coverage of the activity area.

Landforms	Property Area (m ²)	Area surveyed (m ²)	Percentage Surveyed (%)	Average GSV (%)	Effective Survey Coverage (m ²)
Crest/slope, landscaped, depression	109,103m ²	49,604.80m ²	45%	10%	4960.48m ²

9.5 Standard Assessment Limitations & Obstacles

The primary limitation to the standard assessment was a lack of GSV across parts of the activity area, associated with short but dense grass coverage. Another obstacle to the standard assessment was the presence of the existing structures and infrastructure across the activity area.

9.6 Standard Assessment Results

The following section outlines the results of the standard assessment and provides analysis of the landforms, areas of disturbance, areas of archaeological potential and any surface Aboriginal cultural heritage places or material identified within the activity area during the assessment.

9.6.1 Conditions & Landforms

The current activity area land use consists of an active school, which teaches pupils from primary through to secondary education levels. Across the activity area, associated with the operations of the school, are a large number of structures and facilities. The majority of structures across the activity area are utilised for education purposes. A number of structures are also utilised for sporting activities, several ovals are also present across the activity area. Maintenance sheds are also found in the centre of the activity area. A number of sealed and unsealed roads are present across the activity area, which provide access across either to the school grounds or across the school grounds (Plates 1 – 16. Map 7).

The standard assessment located three landform types within the activity area: a swampy depression landform, a slope/crest landform, and an artificially landscaped area, that appeared to have been subject to multiple cut and fill events.

The crest was located across the north of the activity area. This part of the activity area consists of an open, greenfield space that has not been utilised for modern construction purposes in the past. The crest landform provides for expansive north west and north east views across the Merri River valley. Across the ground surface limestone outcrops were visible. Dense grass coverage obscured most the ground surface across this part of the activity area. This part of the activity area appeared relatively undisturbed by modern construction activities (Plates 1 – 3. Map 7).

The artificially landscaped area was located across the east of the surveyed portion of the activity area. This part of the activity area featured a high concentration of school structures, a football oval, a gymnasium facility and one of the main entrances that provide access for vehicles to the school grounds. This part of the activity area appeared to have been built up to be considerable taller than the adjacent slope landform. The locations of the school structures and sporting oval were extremely

flat, appearing likely that such locations had been subject to cut and fill events as part of construction works in the past. Grass coverage obscured most the ground surface across this part of the activity area, however occasional areas of exposure were recorded, primarily in locations associated with school infrastructure. This part of the activity area appeared to have been considerably impacted by multiple historic construction events, associated with the operations of the school (Plates 4 – 6. Map 7).

The slope associated with the crest landform is found across the west part of the activity area. This part of the activity area featured areas of structures associated with the operations of the school, roads and large areas of open greenfield the westernmost and southern parts of this landform. The slope landform provides views across the south east and south west of the surrounding local area. Parts of this area have been significantly impacted by construction events, associated with school structures and roads. Large scale soil spoil piles are also found in the southern parts of this landform, presumably left over from past construction activities within the school grounds. Dense grass coverage obscured most the ground surface across this part of the activity area. Relatively undisturbed areas of greenfield are also found across parts of this landform, that appear to have not been impacted by construction events (Plates 8 – 12. Map 7).

The swampy depression landform is located across the south east and south west of the activity area. This part of the activity area consists of open greenfield and is currently being used for school purposes. A relic, possibly seasonal creek or drainage line runs east to west across this landform. Associated with the axis of this creek is a stormwater drainage pipe, that runs beyond the activity area towards the west. The construction of this stormwater drain would have caused localised disturbance across its axis. Dense grass coverage obscured most the ground surface across this part of the activity area. Relatively undisturbed areas of greenfield are also found across parts of this landform, that appear to have not been impacted by construction events (Plates 13 – 16. Map 7).

9.6.2 Areas of Disturbance

The primary type of disturbance noted across the activity area was due to the construction of structures and facilities associated with the historic operation of the school. Infrastructure, such as roads, were another area of disturbance found across much of the activity area. Across the southern parts of the slope landform large soil spoil piles were noted. Across the swampy depression landform, a subsurface stormwater drain was also recorded.

9.6.3 Aboriginal Cultural Heritage Identified During the Standard Assessment

No surface Aboriginal cultural heritage material was located within the current activity area during the standard assessment. No mature native trees were located across the activity area. No caves, cave entrances or rock shelters were located within the activity area during the standard assessment, the landform type of the activity area precludes such site types.

9.6.4 Areas of Aboriginal Cultural Heritage Likelihood

Large parts of the activity area have been considerably impacted by past construction and landscaping events associated with the operations of the school. As a result, areas in close proximity to existing structures and sporting facilities, such as ovals, are considered to have low potential for subsurface Aboriginal cultural heritage material. However, areas of greenfield, that appeared

relatively undisturbed were also present across the crest, slope and swampy depression landforms of the activity area. There remains the potential for subsurface Aboriginal cultural heritage material to be located across these landforms. Such material would most likely be in the form of shell midden material or lithic artefacts, as per Section 8.

9.7 Standard Assessment Conclusions

The standard assessment located three landform types within the activity area: a swampy depression landform, a crest/slope landform, and an artificially landscaped area, that appeared to have been subject to multiple cut and fill events.

No surface Aboriginal cultural heritage material was located during the standard assessment. No remnant native vegetation of sufficient age was identified within the activity area for scarred trees, nor were there any caves, cave entrances or rock shelters within the activity area. Ground surface visibility (GSV) was considered poor (10%) across the activity area, due to short but dense grass coverage, while there were higher exposures associated primarily with areas of modification due to school construction activities.

Section 8 indicated that Aboriginal places across the geographic region are located primarily within higher ground within close proximity to watercourses. As a result, it is possible that Aboriginal cultural heritage material may be located within the activity area, most likely in the form of shell midden material or lithic artefacts, as per Section 8.

A complex assessment was deemed necessary as per Regulation 64 (*Aboriginal Heritage Regulations 2018*) as the results of the desktop and standard assessment indicate that there is a low to moderate potential for Aboriginal cultural heritage material to be present within several greenfield locations across the activity area that will be subject to high impact activities as part of proposed activity.



Plate 1: East view across slope/crest landform, north of activity area.



Plate 2: West view across slope/crest landform north of activity area.



Plate 3: North view across slope/crest landform, north of activity area.



Plate 4: Southeast view of vegetable garden, landscaped landform, centre of activity area.



Plate 5: Southeast view of vegetable garden, landscaped landform, centre of activity area.



Plate 7: South view of sheds, landscaped landform, centre of activity area.



Plate 6: North view of vegetable garden/sheds, landscaped landform, centre of activity area.



Plate 8: South view across slope/crest landform, west of activity area.

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Plate 9: North view across slope/crest landform, spoil pile in centre of picture, southwest of activity area.



Plate 11: North view across slope/crest landform, spoil pile in centre of picture, southwest of activity area.



Plate 10: West view across slope/crest landform, southwest of activity area.

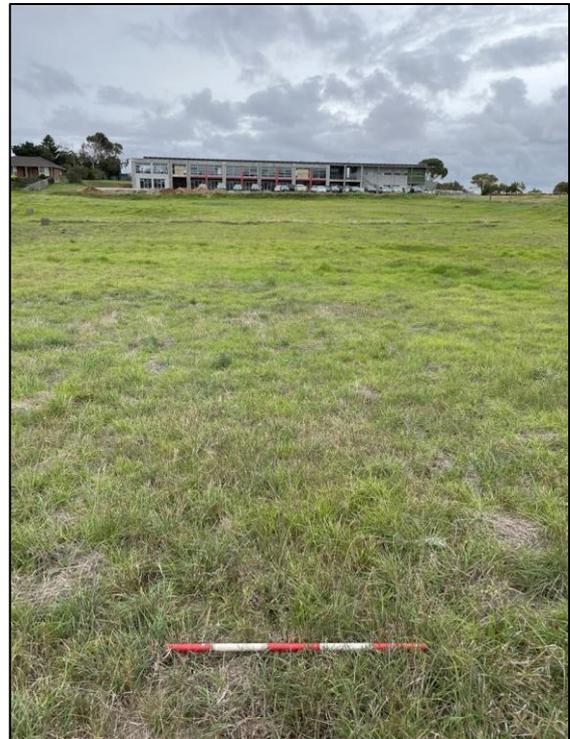


Plate 12: North view across slope landform, south of activity area



Plate 13: East view across swampy depression landform, south of activity area.

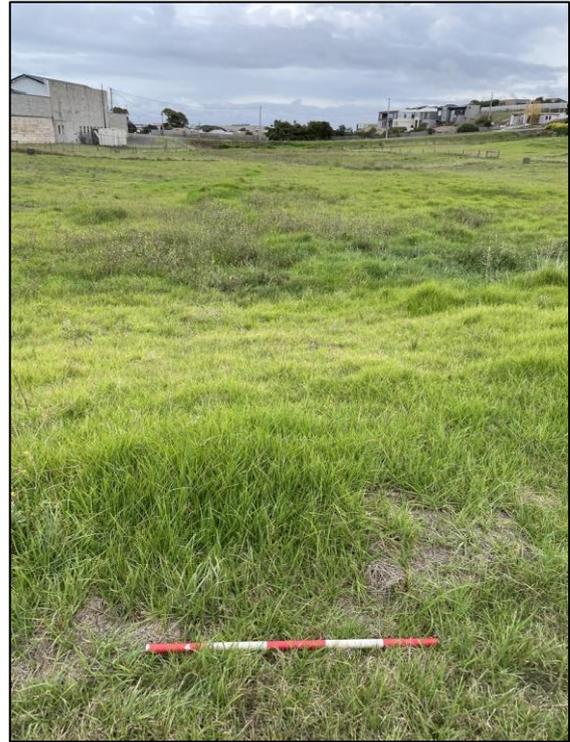


Plate 15: West view across swampy depression landform, southeast of activity area.



Plate 14: West view across swampy depression landform, stormwater drain lid visible, southwest of activity area.

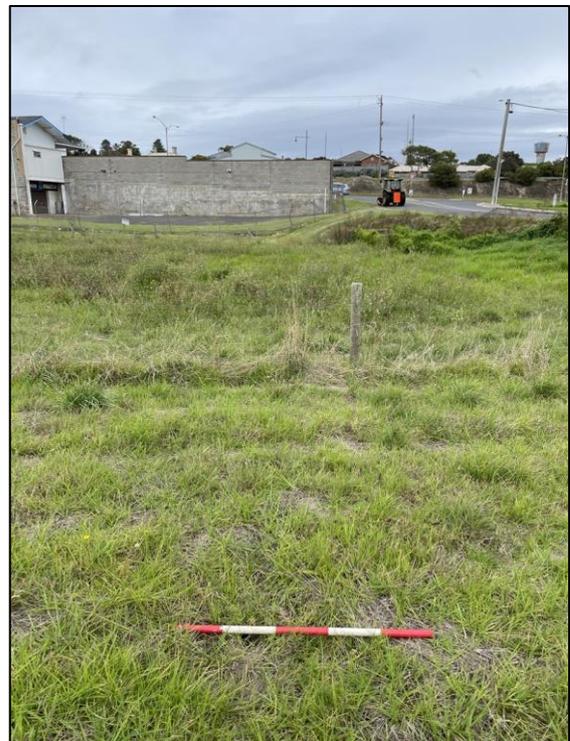


Plate 16: South view across swampy depression landform, southwest of activity area.



Map 7: Standard Assessment



Legend

-  Activity Area
-  Surveyed Area
-  Slope/Crest Landform
-  Swamy depression landform
-  Landscaped landform

Map 7: Standard assessment results (ESRI 2022. Landchecker 2022).

10 COMPLEX ASSESSMENT

This section outlines the aims, methods and results of the complex assessment undertaken across the activity area undertaken from 22nd – 24th March 2022. The complex assessment was conducted by Leigh Painter (Heritage Advisor, Compass Heritage Services), Fid Chatfield, (EMAC field representative) and Jyran Chatfield (EMAC field representative).

10.1 Aims of the Complex Assessment

The aims of the complex assessment were to:

- Determine the presence of Aboriginal cultural heritage material within the activity area.
- Establish the level of subsurface disturbance across the activity area.
- Establish the subsurface stratigraphic composition of landforms within the activity area.

10.2 Methodology of the Complex Assessment

The complex assessment consisted of the hand excavation of two 1x1m stratigraphic test pit (TP) and eighteen 50x50cm shovel test pits (STP). The testing program was designed to sample the subsurface of the activity area that were to be subject to high impact construction events, associated with proposed activity. Within these locations specific areas of increased cultural heritage sensitivity were located for subsurface excavation. The slope/crest landform and swampy depression landform were investigated during the complex assessment.

10.3 1x1m Test pit program

Two 1x1m stratigraphic test pits (TPs) were hand excavated as part of the complex assessment. The 1x1m testing program was designed to sample the slope/crest and swamp depression landforms present within the activity area while also targeting specific areas of increased cultural heritage sensitivity. All test pits were excavated in areas deemed to be the least disturbed, to have the highest level of archaeological potential while also providing a representative sample of the subsurface geomorphology and quantifying levels of subsurface disturbance. No Aboriginal cultural heritage material was recovered from any of the excavated 1x1m test pits. (Table 7. Plates 17 – 20. Figure 7 – 8).

All test pits were excavated by hand in 100mm spits using hand tools, until the underlying subsoil, comprising a sterile layer was reached. All excavated soils were screened using 5 mm aperture sieves. Images were taken at the base of each spit and soil samples were recovered from each stratigraphic horizon for further post-excavation analysis. Soil colour and pH were subsequently recorded during this later analysis. The stratigraphic sections of all excavated test pits were photographed and illustrated. All test pit locations were recorded utilising a Trimble brand handheld GPS. Range poles are shown in 20cm increments.

All RAP representatives present were consulted prior to and during this part of the complex assessment and approved of all aspects of the 1x1m test pit program.

Table 7: Location and description of each 1x1m TP excavated across the activity area.

TP 1	TP 2
<p><u>Location (GDA20 Zone 54):</u> Easting/Northing: 628894.8598/ 5752237.228</p> <p><u>Context 1: A1 horizon:</u> 0 – 100mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks.</p> <p><u>Context 2: B1 horizon:</u> 100-120mm+ Munsell 2.5YR/8. pH 7 Limestone rock.</p>	<p><u>Location (GDA20 Zone 54):</u> Easting/Northing: 628756.3596/ 5752009.702</p> <p><u>Context 1: A1 horizon:</u> 0-100mm. Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50mm). Small amounts of small/medium degraded limestone rocks.</p> <p><u>Context 2: A2 horizon:</u> 100-400mm. Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks.</p> <p><u>Context 3: B1 horizon:</u> 400-500mm. Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>



Plate 17: North view of TP 1 prior to excavation.



Plate 18: North view of TP 1 stratigraphy at excavation conclusion.



Plate 19: South view of TP 2 prior to excavation.



Plate 20: South view of TP 2 stratigraphy at excavation conclusion.

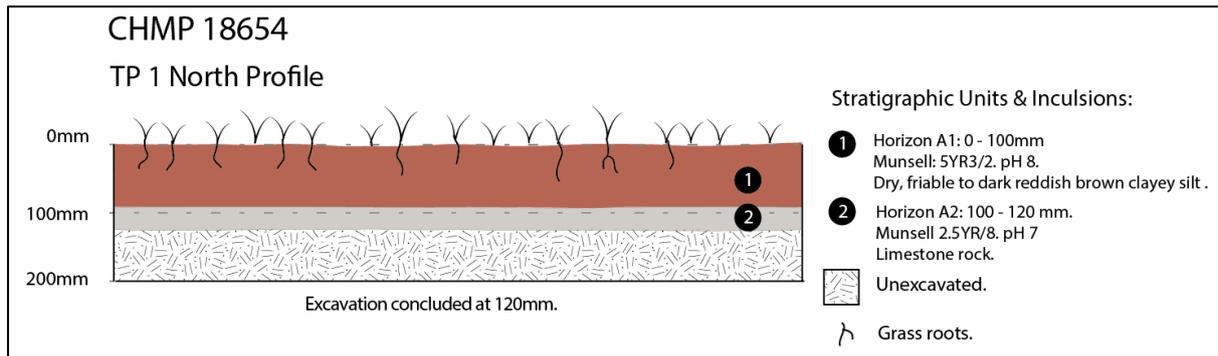


Figure 7: TP 1 stratigraphic profile at excavation conclusion.

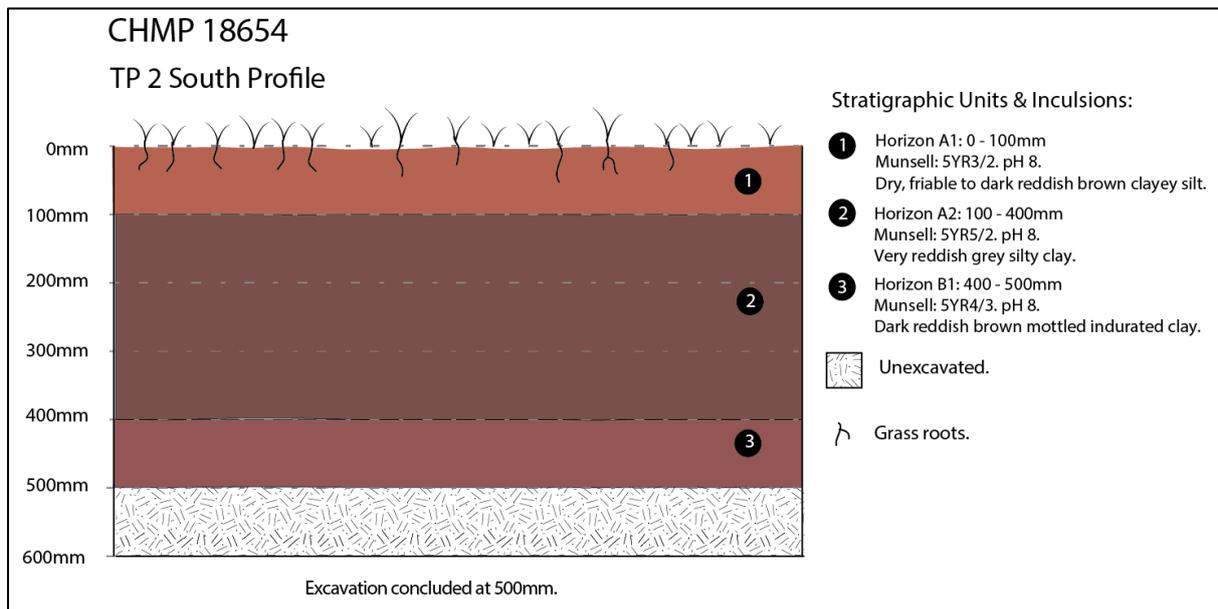


Figure 8: TP 2 stratigraphic profile at excavation conclusion.

10.4 Shovel Test Pit program

Eighteen 50x50cm shovel test pits (STPs) were excavated across the activity area (Table 8. Plates 21 – 32). The STP program was designed to locate any subsurface Aboriginal cultural heritage, to obtain stratigraphic data and establish levels of disturbance. The STP program was undertaken across the slope/crest and swampy depression landforms located in the activity area. No subsurface Aboriginal cultural heritage material was located during the STP program.

The STP program followed a similar excavation methodology to the 1x1 meter test pit program. All STP were excavated by hand in 100mm spits using hand tools, until the underlying subsoil, comprising a sterile layer was reached. All excavated soils were screened using 5 mm aperture sieves. Images were taken at the base of each spit and soil samples were recovered from each stratigraphic horizon for further post-excavation analysis. Soil colour and pH were subsequently recorded during this later analysis. The stratigraphic sections of all excavated test pits were

photographed and illustrated. All test pit locations were recorded utilising a Trimble brand handheld GPS. Range poles are shown in 20cm increments. All RAP representatives present were consulted prior to and during this part of the complex assessment and approved of all aspects of the STP program.

Table 8: Location and descriptions of each STP excavated across the activity area.

<p>STP 1 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628878.1935/ 5752256.499 <u>Context 1: A1 horizon:</u> 0-150mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 150-200mm. Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>	<p>STP 2 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628917.2909/ 5752222.217 <u>Context 1: A1 horizon:</u> 0-250mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 250-300mm. Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>	<p>STP 3 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628950.3934/ 5752226.623 <u>Context 1: A1 horizon:</u> 0-200mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 200-300mm. Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>
<p>STP 4 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628800.0737/ 5752128.49 <u>Context 1: A1 horizon:</u> 0-500mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 500-600mm. Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>	<p>STP 5 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628796.0236/ 5752107.988 <u>Context 1: A1 horizon:</u> 0-200mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 200-300mm. Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>	<p>STP 6 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628813.179/ 5751925.688 <u>Context 1: A1 horizon:</u> 0-100mm. Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon:</u> 100-200 mm. Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks. <u>Context 3: B1 horizon:</u> 250-300 mm. Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>
<p>STP 7 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628793.0947/ 5751947.318 <u>Context 1: A1 horizon:</u> 0-400mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 400-500mm. Munsell 2.5YR3/2. pH 8.0 Bridgewater rock.</p>	<p>STP 8 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628784.5336/ 5751982.849 <u>Context 1: A1 horizon:</u> 0-100mm. Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon:</u> 100-200 mm. Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks.</p>	<p>STP 9 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628762.7258/ 5751956.225 <u>Context 1: A1 horizon:</u> 0-500mm. Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon:</u> 500-600mm. Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>

	<p><u>Context 3: B1 horizon: 200-300 mm.</u> Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>	
<p>STP 10 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628740.8929/ 5751995.602 <u>Context 1: A1 horizon: 0-100mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon: 100-350 mm.</u> Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks. <u>Context 3: B1 horizon: 350-400 mm.</u> Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>	<p>STP 11 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628713.0123/ 5752001.387 <u>Context 1: A1 horizon: 0-100mm.</u>Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon: 100-500 mm.</u> Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks. <u>Context 3: B1 horizon: 500-600 mm.</u> Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>	<p>STP 12 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628718.5589/ 5752020.449 <u>Context 1: A1 horizon: 0-300mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon: 300-400mm.</u> Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>
<p>STP 13 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628756.9754/ 5752048.172 <u>Context 1: A1 horizon: 0-100mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon: 100-1000 mm.</u> Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks. <u>Context 3: B1 horizon: 1000-1100 mm.</u> Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>	<p>STP 14 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628724.9275/ 5752053.926 <u>Context 1: A1 horizon: 0-300mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon: 300-400mm.</u> Munsell 2.5YR1/8. pH 8.0 Limestone rock.</p>	<p>STP 15 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628796.1682/ 5752041.454 <u>Context 1: A1 horizon: 0-250mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon: 250-600 mm.</u> Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks. <u>Context 3: B1 horizon: 600-700 mm.</u> Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>
<p>STP 16 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628827.2739/ 5752026.557 <u>Context 1: A1 horizon: 0-200mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon: 200-300mm.</u> Munsell 2.5YR3/2. pH 8.0 Bridgewater rock.</p>	<p>STP 17 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628822.9782/ 5751994.823 <u>Context 1: A1 horizon: 0-200mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to dark reddish brown clayey silt with a small humic layer (50 mm). Moderate amounts of small/medium basalt rocks and small amounts of small/medium degraded limestone rocks. <u>Context 2: B1 horizon: 200-300mm.</u> Munsell 2.5YR3/2. pH 8.0 Bridgewater rock.</p>	<p>STP 18 <u>Location (GDA20 Zone 54):</u> Easting/Northing: 628786.2026/ 5751999.748 <u>Context 1: A1 horizon: 0-200mm.</u> Munsell: 5YR3/2. pH 8. Dry, friable to firm dark reddish brown clayey silt with a small humic layer (50 mm). Small amounts of small/medium degraded limestone rocks. <u>Context 2: A2 horizon: 200-400 mm.</u> Munsell: 5YR5/2. pH 8. Very reddish grey silty clay. Small amounts of small/medium degraded limestone rocks. <u>Context 3: B1 horizon: 400-500 mm.</u> Munsell: 5YR4/3. pH 8. Dark reddish brown mottled indurated clay.</p>



Plate 21: South view of STP 1 stratigraphy at excavation conclusion.



Plate 23: South view of STP 5 stratigraphy at excavation conclusion.



Plate 22: South view of STP 7 stratigraphy at excavation conclusion.



Plate 24: North view of STP 9 stratigraphy at excavation conclusion.



Plate 25: North view of STP 10 during excavation.



Plate 27: Southwest view of STP 13 during excavation.



Plate 26: South view of STP 10 stratigraphy at excavation conclusion.



Plate 28: North view of STP 13 stratigraphy at excavation conclusion

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Plate 29: East view of STP 15 stratigraphy at excavation conclusion.



Plate 31: North view of STP 16 stratigraphy at excavation conclusion.



Plate 30: North view of STP 17 stratigraphy at excavation conclusion.



Plate 32: North view of STP 18 stratigraphy at excavation conclusion.

10.5 Complex Assessment Results

The complex assessment consisted of the hand excavation of two TP and eighteen STP. No Aboriginal cultural heritage was identified during the complex assessment. Two primary geomorphologic deposits were encountered.

No significant obstacles were encountered during the complex assessment. While areas of existing structures and infrastructure prevented testing some locations, there was sufficient greenfield locations to permit a thorough assessment of the activity area.

The geomorphologic deposit encountered across the activity area was relatively homogenous. It consisted of an A1 – A2 deposit of dry, friable to firm dark reddish brown clayey silt with a small humic layer and small to moderate amounts of small/medium degraded limestone rocks. The sterile B1 layer of this deposit provided a point of differentiation throughout these test pits, with the sterile base consisting either of degraded limestone, red Bridgewater formation rock, or a concreted mottled clay. The presence of both degraded limestone and Bridgewater formation, or clay, broadly corresponds with the VRO geomorphology mapping of this part of the activity area, as per Section 7.3, with the geomorphology associated with either ancient marine processes or more recent alluvial activity. Ancient marine processes likely quantify the presence of either limestone or Bridgewater across the activity area, while pockets of clay are also associated with this geomorphology, but associated with more recent alluvial activities, that is paludal silt & clay of swamp deposits again as per Section 7.3.

Subsurface disturbance across the TP and STP excavated was limited. Occasional amounts of modern rubbish were located between the A1 – A2 deposits, consisting of plastic, brick and ceramic fragments. However, the geomorphologic deposit itself appear relatively undisturbed and natural in composition.

10.6 Complex Assessment Conclusions

A total of two TPs and eighteen STP were excavated across the activity area during the complex assessment.

The results of the subsurface testing program have shown that the activity area has been subject to only a limited amount of subsurface disturbance. It is likely that the past and ongoing use of the activity area for agricultural and the functions of the school has impacted the subsurface integrity of the soils investigated within the activity area to only a limited extent.

No Aboriginal cultural heritage was identified during the complex assessment. It is considered unlikely that any Aboriginal cultural is present within these areas. Any Aboriginal cultural heritage that may be present will be protected by the contingencies located in Section 2.

The hand excavation programs were able to achieve all the aims of the complex assessment:

- The geomorphology and stratigraphy of the activity area was investigated and established.
- The levels of subsurface disturbance across the activity area was quantified, which was limited in scope.

- The activity area was systematically investigated for subsurface Aboriginal cultural heritage material. No Aboriginal cultural heritage was located. It was considered unlikely that any Aboriginal cultural heritage is present within the areas subject to the proposed activity.



Map 8: Complex Assessment



Legend

-  Activity Area
-  Negative 1x1m TP
-  Negative 50x50cm STP

Map 8: Complex assessment results (ESRI 2022. Landchecker 2022).

11 CONSIDERATION OF S.61 MATTERS – IMPACT ASSESSMENT

This section assesses the potential for the proposed activity that requires this Cultural Heritage Management Plan to impact Aboriginal cultural heritage. A CHMP is required to address matters raised in s.61 of the *Aboriginal Heritage Act 2006*. These matters concern the management of Aboriginal cultural heritage prior to, during, and after the currently proposed activity. A discussion of these matters is provided below.

No Aboriginal cultural heritage was identified in the activity area during the preparation of this CHMP. It should be noted, however, that there exists the unlikely potential for unidentified Aboriginal cultural heritage to exist within the activity area. Consequently, the Sponsor, and/or agents of the Sponsor, must adhere to the General Conditions detailed in Section 1, above, as well as the Contingency Plans detailed in Section 2, above. These Contingency Plans consider matters relating to the avoidance and minimisation of harm to Aboriginal cultural heritage in accordance with Section 61 of the Act.

The cultural heritage management conditions presented in Section 1 must be adhered to as a condition of approval of the CHMP.

11.1 What are the cumulative impacts to Aboriginal cultural heritage in the activity area?

There is no known Aboriginal cultural heritage in the activity area. Therefore, the cumulative impact of the proposed works on the regional Aboriginal cultural heritage cannot be assessed.

However, the cumulative impacts to Aboriginal cultural heritage across the region has the potential to be high. Although the current proposed CHMP activity will not impact any part of the extent of the Aboriginal place located, future development has the potential too.

The activity area is in a part of Warrnambool that has been previously impacted by modern activities to a significant extent. The activity area has been previously impacted by land clearance, the construction of structures, infrastructure construction, road construction, and areas of extensive construction associated with Emmanuel College. The cumulative impact of these past activities would have affected any surface Aboriginal cultural heritage places that may have been present within the activity area, either extensively disturbing or destroying them and greatly reducing their visibility across the landscape. At specific locations across the activity area past activities would have also disturbed or destroyed subsurface Aboriginal cultural heritage places that may have been present in the activity area.

The historic, and ongoing urban development of Warrnambool has the potential to significantly impact the remaining Aboriginal places across the local region. Ongoing residential and infrastructure development has the potential to destroy the remaining Aboriginal places across the local region. However, the cultural values and scientific data associated with these places can potentially be partly preserved through proactive planning measures, such as incorporating place

extends as part of parkland/green areas within developments or through cultural heritage management projects such as CHMPs and salvage excavation programs.

11.2 Are There Particular Contingency Plans That Might be Necessary?

Contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity (Section 61d) are addressed in Part 1, Section 2.

11.3 What Custody and Management Arrangements Might be Needed?

Requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity (Section 61e) are addressed in Section 2 of this CHMP.

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**ADVERTISED
PLAN**

Online Resources

ATNS Database 2020: Framlingham Aboriginal Reserve

<https://database.atns.net.au/subjectmatter.asp?subjectmatterid=19>

DEWLP 2020

<https://www.environment.vic.gov.au/biodiversity/bioregions-and-evc-benchmarks>

ESRI 2022

<https://www.esri.com/en-us/home>

History of the College 2022

<https://web.archive.org/web/20130922233024/http://emmanuelalumni.com/Alumni/history-of-the-college/>

Landata 2022

<https://www.landata.vic.gov.au/>

Landchecker 2022:

<https://landchecker.com.au/>

Lake Bolac Eel Festival 2022

<http://www.eelfestival.org.au/History.html>

State Library Victoria, Parish Maps Online

<https://www.slv.vic.gov.au/search-discover/explore-collections-format/maps/victorian-county-parish-township-plans>

VRO 2020: Unit 6.1 Volcanic plains

http://vro.agriculture.vic.gov.au/dpi/vro/vrosite.nsf/pages/landform_geomorphological_framework_6.1

VRO 2020: 6.2.1 Plains with ridges (Follett)

http://vro.agriculture.vic.gov.au/dpi/vro/vrosite.nsf/pages/landform_geomorphological_framework_6.2.1

Victorian Places 2022: Warrnambool.

<https://www.victorianplaces.com.au/warrnambool>

Vic DataShare 2022

<https://www.data.vic.gov.au/>

Warrnambool District Historic Society. 2022: Brief History of Warrnambool.

<https://warrnamboolheritageworks.org.au/warrnambool-history/history/>

**ADVERTISED
PLAN**

Appendix 1: Notice of Intent

Premier
and Cabinet

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

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

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

SECTION 1 - Sponsor information

Sponsor: MERCY EDUCATION LIMITED

ABN/ACN: 69 154 531 870

Contact Name: Stephen Kerr

Postal Address: 140 Botanic Rd, Warrnambool VIC 3280

Business Number: 5560 0888 Mobile: _____

Email Address: skerr@emmanuel.vic.edu.au

Sponsor's agent (if relevant)

Company: _____

Contact Name: _____

Postal Address: _____

Business Number: _____ Mobile: _____

Email Address: _____

SECTION 2 - Description of proposed activity and location

Project Name: Emmanuel College, Warrnambool, School Facilities Upgrade

Municipal district: Warrnambool City Council

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

Education centre

SECTION 3 - Cultural Heritage Advisor

<u>Edward East</u>	<u>Compass Heritage Services Pty Ltd</u>	<u>compassheritage@gmail.com</u>
<i>Name</i>	<i>Company</i>	<i>Email address</i>

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

Start Date: 24-Feb-2022 Finish Date: 24-Feb-2023

Submitted on: 24 Feb 2022

Premier
and Cabinet

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

- A cultural heritage management plan is required by the Aboriginal Heritage Regulations 2007
What is the high Impact Activity as it is listed in the regulations?

Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? 1

- Other Reasons (Voluntary)
 An Environment Effects Statement is required
 A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs.
 An Impact Management Plan or Comprehensive Impact Statement is required for the activity

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

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

EASTERN MAAR Aboriginal Corporation RNTBC

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

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

Eastern Maar Aboriginal Corporation

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

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

The Eastern Maar Aboriginal Corporation will be requested to undertake the evaluation of the CHMP and EMAC field representatives to participate in any fieldworks that may be required.

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

The plan is to be evaluated by:

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

SECTION 9 – Preliminary Aboriginal Heritage Tests (PAHTs)

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

SECTION 10 - Notification checklist

Submitted on: 24 Feb 2022



Premier
and Cabinet

Ensure that any relevant registered Aboriginal party/ies is also notified. A copy of this notice with a map attached may be used for this purpose.
(A registered Aboriginal party is allowed up to 14 days to provide a written response to a notification specifying whether or not it intends to evaluate the management plan.)

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

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

Submitted on: 12 Jan 2022



Map 2: CHMP 18654 NOI Activity Area



Legend

-  Activity Area

Map 9: CHMP 18360 Notice of Intent Activity Area (ESRI 2022. Landchecker 2022).

Appendix 2: Notice to Evaluate



**Eastern Maar
Aboriginal Corporation**

PO Box 546
Warrnambool VIC 3280

Monday, 28 February 2022

Stephen Kerr
Mercy Education Limited
140 Botanic Rd, Warrnambool VIC 3280

Ngatanwarr Stephen Kerr,

EASTERN MAAR ELECTS TO EVALUATE CHMP 18654 – Emmanuel College, Warrnambool, School Facilities Upgrade (s55).

I refer to your notice of intent to prepare a cultural heritage management plan (CHMP), received on 1/02/2022, for Emmanuel College, Warrnambool, School Facilities Upgrade. The Eastern Maar Aboriginal Corporation, as the Registered Aboriginal Party (RAP) for the area, Elects to evaluate the CHMP.

As part of the CHMP process, Eastern Maar Aboriginal Corporation expects that Sponsors and Heritage Advisors will make reasonable efforts to consult with us before the design phase and during the preparation of the CHMP (s.59(2) of the Act). Eastern Maar Aboriginal Corporation expects consultation to take place in the form of cultural heritage meetings, typically three meetings, which will allow us to discuss assessment methodology, reburial and repatriation of artefacts, Aboriginal Place registration, CHMP conditions, and most importantly harm avoidance or minimisation of harm to cultural heritage values.

Please contact Nathalia Guimaraes (nathalia.guimaraes@easternmaar.com.au) to arrange an initial inception meeting (Tuesday and Wednesday Only), using the booking form attached, no sooner than two weeks after providing a copy of the completed desktop assessment and relevant mapping.

To book field representatives please complete the booking form attached and forward to Craig.Edwards@easternmaar.com.au with your preferences. Note that assessments can only be undertaken once the consultation has occurred.

A copy of the Eastern Maar Aboriginal Corporation schedule of fees is attached for your reference.

I look forward to consulting with you to protect our Aboriginal cultural landscape as an integral part of your project.

Yours sincerely,

Nathalia Guimaraes

RAP Technical Coordinator

Eastern Maar Aboriginal Corporation

Phone: 0452 350 728

Email: nathalia.guimaraes@easternmaar.com.au

Website: www.easternmaar.com.au

Attached: Booking Form and Schedule of Fees

www.easternmaar.com.au

Appendix 3: Glossary

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

Archaeological site: A place/location of either Aboriginal or non-Aboriginal origin that contains material remains relating to the human past

Artefact: Any product made by human hands or caused to be made through human actions.

Artefact scatter: A surface scatter of stone artefacts is defined as being the presence of items of cultural material within a given area.

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

Blade: A long parallel sided flake from a specially prepared core. Blade flakes retain observable and complete fracture planes, platform, lateral margins and termination and are twice as long as they are wide. A broken blade is any stone artefact retaining partial diagnostic features of a blade.

Bipolar: A core or a flake which, presumably, has been struck on an anvil. That is, the core from which the flake has been struck has been rotated before the flake has been struck off. Bifacial platforms often indicate that the flake has come off a heavily worked core.

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

Core: An artefact from which flakes have been detached using a hammerstone. Core types include blade, single platform, multiplatform and bipolar forms. These artefacts exhibit a series of negative flake scars, each of which represents the removal of a flake.

Cortex: Original or natural (unflaked) surface of a stone. This may be further divided into nodule, pebble and terrestrial cortex indicating the original source of the material.

Ethnography: The scientific description of living cultures.

Flake: **Broken flake:** Any stone retaining partial diagnostic features of a flake

Complete/whole flake: An artefact exhibiting a ventral surface (where the flake was originally connected to the core), dorsal surface (the surface that used to be part of the exterior of the core), platform, termination and bulb of percussion.

Distal flake: Any flake on which the breakage removes the platform but retains the termination

Proximal flake: Any flake on which the breakage removes the termination but retains the platform.

Primary flake: The first flakes struck off a core in order to create a platform from which other flakes can then be struck.

Secondary flaking/retouch: Secondary working of a stone artefact after its manufacture. This was often done to resharpen stone tools after use, or in the production of formal

tool types such as blade flakes and scrapers.

Focal platform: This is a term used to describe the shape of the platform on a flake. A focal platform is narrower than the body of the flake. Focal platform flakes are produced when flakes are struck off near the edge of the platform on a core.

Geometric microlith: Artefacts less than 80 mm in maximum dimension which are backed at one or other end, sometimes at both ends, and sometimes on one lateral margin as well, the result being a form that is symmetrical around its transverse axis.

Hammerstone: A cobble or cobble fragment exhibiting pitting and abrasion as a result of percussion.

Hearth: Usually a subsurface feature found eroding out of a river or creek bank or in a sand dune – it indicates a place where Aboriginal people cooked food. The remains of a hearth are usually identifiable by the presence of charcoal and sometimes clay balls (like brick fragments) and hearth stones. Remains of burnt bone or shell are sometimes preserved within a hearth.

Historic site: Sites/areas that contain extant (standing) remains of pre-1950 non-Aboriginal occupation. Historic sites may or may not also contain archaeological remains (Aboriginal and/or historic).

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

Implement: A general term for tools, weapons etc. made by people.

Microlith: Small (1–3 cm long) stone tools with evidence of retouch. Includes 'Bondi Points' segment, scrapers, backed blades, triangles and trapezoids.

In situ: Refers to cultural material that is discovered as being undisturbed and considered to be in its original context. That is, material which, when identified is considered to be in the same location as when the site was abandoned.

Lithic: Anything made of stone.

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

Retouch: Scalar: Shallow scale like scars on margin with feather terminations, usually small rounded scars.

Step: Small, abrupt flake scars on margin, with step terminations.

Rock shelter/cave: These are sites that are located within a rock shelter/overhang or cave. The archaeological deposits within such sites can vary considerably but are often predominantly lithic. Depending on their location, the archaeological deposits may also include midden deposits of shellfish, fish or terrestrial fauna. Due to the often undisturbed deposits at these sites, they are potentially very valuable sites and are generally considered of high scientific significance. Instances where rock shelter sites also possess artwork on the stone walls are considered rock shelters/art sites combined.

Scarred tree: Scars on trees may be the result of removal of strips of bark by Aborigines for the manufacture of utensils, canoes or for shelter; or resulting from small notches chopped into the bark to provide toe and hand holds for climbers after possums, koalas and/or views of the surrounding area. A scar

made by humans as opposed to being naturally made by branches falling off etc. is distinguished by the following criteria: symmetry and rounded ends, scar does not extend to the ground, some regrowth has occurred around the edges of the scar, and no holes or knots are present in the heartwood.

Silcrete: A sedimentary rock that is 'formed through the impregnation of a sedimentary layer with silica of quartz grains in a matrix of either amorphous or fine-grained Silica' (Holdaway & Stern 2004:24).

Stratigraphy: Layering.

Stone artefact: A piece of stone that has been formed by Aboriginal people to be used as a

tool or is a by-product of Aboriginal stone tool manufacturing activities. Stone artefacts can be flaked such as points and scrapers or ground such as axes and grinding stones.

Scraper: A tool used for scraping. A flake with one or more margins of continuous retouch.

Thumbnail scraper: A small flake with a convex scraper edge, shaped like a thumbnail and located opposite the flake's platform.

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

Use-wear: Tiny flakes or chips that have been broken off the edges of a stone artefact during use.

Appendix 4: Relevant Planning Scheme

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

32.08

31/07/2018
VC148

GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ**, **R1Z**, **R2Z** or **R3Z** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.08-1

27/03/2017
VC110

Neighbourhood character objectives

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

32.08-2

20/01/2022
VC205

Table of uses

Section 1 - Permit not required

Use	Condition
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast) Home based business Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

Use	Condition
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

Use	Condition
<p>Food and drink premises (other than Convenience restaurant and Take away food premises)</p> <p>Grazing animal production</p> <p>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</p> <p>Market</p> <p>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</p> <p>Plant nursery</p>	
<p>Service station</p>	<p>The site must either:</p> <ul style="list-style-type: none"> • Adjoin a commercial zone or industrial zone. • Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> • 3000 square metres. • 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
<p>Store</p>	<p>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</p>
<p>Take away food premises</p>	<p>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.</p>
<p>Utility installation (other than Minor utility installation and Telecommunications facility)</p>	
<p>Any other use not in Section 1 or 3</p>	
<p>Section 3 – Prohibited</p>	
<p>Use</p>	

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

Section 3 – Prohibited**Use****Amusement parlour****Animal production (other than Grazing animal production)****Animal training****Brothel****Cinema based entertainment facility****Domestic animal boarding****Extractive industry****Horse husbandry****Industry (other than Car wash)****Motor racing track****Nightclub****Office (other than Medical centre)****Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)****Saleyard****Transport terminal****Warehouse (other than Store)****32.08-3**
31/07/2018
VC148**Subdivision****Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where:	Clause 59.01
<ul style="list-style-type: none"> The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change. 	
Subdivide land into lots each containing an existing building or car parking space where:	Clause 59.02
<ul style="list-style-type: none"> The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	
Subdivide land into 2 lots if:	Clause 59.02
<ul style="list-style-type: none"> The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. Has started lawfully. 	

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

Class of application**Information requirements and decision guidelines**

- The subdivision does not create a vacant lot.

32.08-4
15/05/2018
VC143

Construction or extension of a dwelling or residential building**Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
 - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

32.08-5
31/07/2018
VC148

Construction and extension of one dwelling on a lot**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct an outbuilding or extend a dwelling if the development:</p> <p>Meets the minimum garden area requirement of Clause 32.08-4.</p> <ul style="list-style-type: none"> • Does not exceed a building height of 5 metres. • Is not visible from the street (other than a lane) or a public park. • Meets the requirements in the following standards of Clause 54: <ul style="list-style-type: none"> • A10 Side and rear setbacks. • A11 Walls on boundaries. • A12 Daylight to existing windows. • A13 North-facing windows. • A14 Overshadowing open space. • A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.14</p>
<p>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</p>	<p>Clause 59.03</p>

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

32.08-6
20/12/2021
VC174

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person's unit on a lot.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment

VICTORIA PLANNING PROVISIONS PLANNING SCHEME

VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-7
27/03/2017
VC110

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.08-8
26/10/2018
VC152

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-9
04/12/2020
VC180

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where: <ul style="list-style-type: none"> • The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or • The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and • The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> • A10 Side and rear setbacks. 	Clause 59.04

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Class of application**Information requirements and decision guidelines**

- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.08-10
26/10/2018
VC152

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

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A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-11 Application requirements

26/10/2018
VC152

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.
 - Adjacent buildings and uses.
 - The building form and scale.
 - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.08-12 Exemption from notice and review

26/10/2018
VC152

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

32.08-13 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.

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- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-14 Signs26/10/2018
VC152

Sign requirements are at Clause 52.05. This zone is in Category 3.

32.08-15 Transitional provisions26/10/2018
VC152

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
 - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.

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- A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
- A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.