

ADVERTISED PLAN

Proposed Upgrade Works, Presbyterian Ladies' College, 141 Burwood Highway, Burwood Cultural Heritage Management Plan



Aboriginal Victoria Management Plan Identifier: 17008

Sponsor: Presbyterian Ladies' College

Heritage Advisor/Author: Jessica Hardy

May 1, 2020

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Heritage
Insight
Pty Ltd



Heritage Insight P/L 53 Stubbs Street Kensington VIC 3031 T: +61 3 9376 6569
6 Jennings Street Kyneton VIC 3444 T: +61 3 8578 3779

FAX: +61 3 9376 6526

INQUIRIES: archaeology@heritageinsight.com
WEB: www.heritageinsight.com

Title Page

TITLE: Proposed Upgrade Works, Presbyterian Ladies' College, 141 Burwood Highway, Burwood
ACTIVITY: Education centre
LOCATION: 141 Burwood Highway, Burwood, VIC 3125
LEVEL OF ASSESSMENT: Desktop
SIZE OF ACTIVITY: Medium
ABORIGINAL HERITAGE PRESENT: No
AV PLAN IDENTIFIER: 17008
DATE OF COMPLETION: May 1, 2020
SPONSOR: Presbyterian Ladies' College
ABN: 16 005 650 386
HERITAGE ADVISOR: Jessica Hardy
AUTHOR: Jessica Hardy

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Boonwurrung Land and Sea Council (Aboriginal Corporation)

Manager: Robert Anthony

Bunurong Land Council Aboriginal Corporation

Cultural Heritage Manager: Robert Ogden

Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

Heritage Unit Manager: Catherine La Puma

Heritage Insight Staff

GIS mapping: Katarina Audy
Report editing: Bronwyn Hislop

The Sponsor

Presbyterian Ladies' College
Attn: Hamish Blair

Sponsor's Agent

Taylors
Attn: Jennifer Lim

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Aboriginal Heritage Act 2006
Section 65

Cultural Heritage Management Plan – Notice of Approval

CHMP Name: Proposed Upgrade Works, Presbyterian Ladies' College, 141 Burwood Highway, Burwood

CHMP Number: 17008

Sponsor: Presbyterian Ladies' College **ABN/ACN:** 16 005 650 386

Heritage Advisor(s): Jessica Hardy

Author(s): Jessica Hardy (Heritage Insight)

Cover date: 1 May 2020

Pages: Cover, Title, i-iv, 1-94

TO BE COMPLETED BY THE SECRETARY (OR DELEGATE)	Yes	No
I have considered the Evaluation Report for this CHMP and:		
<i>I am 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.</i>	✓	
<i>I am satisfied that the CHMP adequately addresses the matters set out in section 61.</i>	✓	
<i>In considering this application, I consulted with and considered the views of Aboriginal persons or bodies I considered relevant to the application.</i>	✓	
<i>I have given proper consideration to any relevant human rights</i>	✓	
<p>I, Harry Webber, Director Heritage Services Aboriginal Victoria, acting under authority delegated to me by the Secretary, Department of Premier and Cabinet, and pursuant to section 65(2) of the <i>Aboriginal Heritage Act 2006</i> hereby <u>approve / refuse to approve</u> this cultural heritage management plan:</p>		
<p>Signed:  HARRY WEBBER</p> <p>Dated: 4 May 2020</p>	<p style="font-size: 24px; color: red; margin: 0;">ADVERTISED PLAN</p>	
<ul style="list-style-type: none"> This notice of approval should be inserted after the title page and bound with the body of the management plan. The recommendations in this management plan are now compliance requirements. Officers from the Department of Premier and Cabinet may attend the subject land to monitor compliance with the recommendations. 		

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Executive Summary

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

Introduction

This Cultural Heritage Management Plan (CHMP) has been undertaken at the request of the Sponsor, Presbyterian Ladies' College (PLC), for a proposed upgrade of education facilities at Presbyterian Ladies' College, 141 Burwood Highway, Burwood. The eastern margin of the activity area is within an area of cultural heritage sensitivity as defined by r. 26 of the *Aboriginal Heritage Regulations 2018*. A mandatory CHMP is not required for the proposed works as the proposed works are not considered a high impact activity as they are for or associated with the same purpose for which the land was lawfully being used immediately before May 28, 2007 (*Aboriginal Heritage Regulations 2018*, r. 46 (1)(a)(b)(viii)(2)(3)). Despite this, the Sponsor has elected to do a voluntary CHMP to mitigate any cultural heritage concerns. This CHMP comprises a desktop assessment.

Location of the Activity Area

The activity area covers an area of land approximately 154,175m² or 15.42ha. This comprises the PLC Burwood campus located at 141 Burwood Highway, Burwood. The activity also incorporates a portion of the adjacent road reserve of Elgar Road, Parer Street and Burwood Highway. The activity area is located within the Parish of Nunawading and the City of Whitehorse (Map 1) and is approximately 12.5km east of the Melbourne CBD. Gardiners Creek is located approximately 155m to the west (Map 1). No registered Aboriginal Places lie within 200m of the activity area.

Activity Description

The proposed activity is for a number of upgrade works at PLC Burwood Campus (Map 3). These proposed works will include the construction, demolition and alteration of facilities within the PLC Burwood campus. A number of new pick up/drop off zones and improved car entry/exit points to the campus will also be constructed, as well as playground installation and general landscaping. The majority of these activities will be undertaken outside of the mapped area of cultural heritage sensitivity, which overlaps with the activity area along the eastern margin of PLC Burwood campus (see Map 4 & Map 8).

Results of the Assessment

Desktop Assessment

A search of the VAHR identified 31 registered Aboriginal Places within the geographic region, comprising a total of 57 components (Table 3; Appendix 2). These included LDADs (n=34), artefact scatters (n=5), scarred trees (n=3) and object collections (n=15). No Aboriginal Places are within 200m of the activity area. The desktop assessment concluded that it was not reasonably possible that Aboriginal cultural heritage material is present within the activity area. This is due to the repeated episodes of substantial ground disturbance, the shallow nature of the Anderson Creek Formation and Red Bluff Sandstone soils on which the activity area is situated and the removal of potentially artefact bearing soils. In addition, clearance of native vegetation prior to the 1945 aerial (Figure 2) and the lack of mature eucalyptus trees (Appendix 6) means the area contains no potential for the discovery of scarred trees.

Aboriginal Cultural Heritage in the Activity Area

No Aboriginal cultural heritage or areas of archaeological potential were identified during the assessment. Based on the research undertaken during this CHMP, it is considered not reasonably possible for Aboriginal cultural heritage to be present within the activity area.

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Abbreviations

ACHRIS – Aboriginal Cultural Heritage Register and Information System
ASL – Above Sea Level
AV – Aboriginal Victoria
BLCAC – Bunurong Land Council Aboriginal Corporation
BLSC – Boonwurrung Land and Sea Council (Aboriginal Corporation)
CBD – Central Business District
CHMP – Cultural Heritage Management Plan
DBYD – Dial Before You Dig
dGPS or differential GPS – Differential Global Positioning System
DPC – Department of Premier and Cabinet
EVC – Ecological Vegetation Class
GDA94 – Geocentric Datum of Australia 1994
HA – Heritage Advisor
LDAD – Low Density Artefact Distribution
LGA – Local Government Area
MGA – Map Grid of Australia
NOI – Notice of Intent to Prepare a CHMP
OHS – Occupational Health and Safety
PAS – Potential Archaeological Sensitivity
PLC – Presbyterian Ladies' College
RAP – Registered Aboriginal Party
RTP – Radial Shovel Test Pit
STP – Shovel Test Pit
TO – Traditional Owner
TP – Test Pit
VAHC – Victorian Aboriginal Heritage Council
VAHR – Victorian Aboriginal Heritage Register
WWCHAC – Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

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Please note that all maps and plans in this CHMP are prepared using Victorian Government Standard GDA94 MGA coordinates (Zone 55).

A glossary of terms is provided in Appendix 4.

Part One: 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.

1.0 Cultural Heritage Management Conditions

1.1 General Cultural Heritage Management Conditions

1.1.1 Condition 1: Contingency Plans

There must be a system for reporting any possible Aboriginal cultural heritage which may be discovered or uncovered during the conduct of the proposed activity. To this end, the contingency plans in Section 2 must be incorporated into the development documentation and risk assessment for the project.

1.1.2 Condition 2: Approved CHMP to be Kept On-site

An approved hard copy of this management plan must be held on-site at all times for the duration of the activity.

1.2 Specific Cultural Heritage Management Conditions

As no Aboriginal cultural heritage was found during the assessment and no areas were identified as likely to contain Aboriginal cultural heritage, no specific cultural heritage management activities are required.

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2.0 Contingency Planning

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

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

Contingency plans are required even in situations where it has been assessed that there is a low probability of Aboriginal cultural heritage being located within an activity area.

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

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

Permitted uses for the subdivision will be compliant with the General Residential Zone 1 (GRZ1) Planning Scheme for the City of Whitehorse (Appendix 5).

2.1 Section 61 Matters

Section 61 of the *Aboriginal Heritage Act 2006* is concerned with the avoidance and/or minimisation of harm to Aboriginal cultural heritage and with any specific measures required for the management of Aboriginal cultural heritage during and following the activity. Section 61 matters pertaining to previously unknown, unexpected or undiscovered cultural heritage that is discovered, uncovered or may become exposed during the conduct of the activity are discussed in Section 2.3.

2.2 Dispute Resolution

As no RAP has yet been appointed for the region in which the activity area is located and the Secretary is evaluating the CHMP, there is no requirement for a dispute resolution between a RAP and the Sponsor at this time.

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2.3 Discovery of Aboriginal Cultural Heritage During Works

2.3.1 Unexpected Discovery of Human Remains

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

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

1. Discovery:

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

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2. Notification:

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

3. Impact Mitigation or Salvage:

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

4. Curation and Further Analysis:

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

5. Reburial:

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

Note:

- a) do not take any photographs without the express request of the Coroner's Officer and
- b) do not contact the media.

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2.3.2 Unexpected Discovery of Other Aboriginal Cultural Heritage

In the event that unexpected Aboriginal cultural heritage is discovered in the activity area, the following steps must be taken:

- a) all works must cease and temporary webbing or fencing erected without ground disturbance at a distance of 10m (buffer zone) around the location of the suspected Aboriginal cultural heritage, with signage displayed at all times clearly identifying the location as a 'no-go zone'. A heritage advisor must be notified of the discovery by the site supervisor within two working days. The heritage advisor must then contact the relevant Traditional Owner representatives (or RAP, if one has been appointed) to facilitate their participation in investigating the suspected discovery. Work may continue in other parts of the activity area away from the buffer zone;
- b) the relevant Traditional Owner representatives (or RAP, if one has been appointed) must be contacted in the first instance. A heritage advisor must facilitate their involvement. This will include an on-site investigation and assessment of the significance of the suspected Aboriginal cultural heritage;
- c) the suspected Aboriginal cultural heritage must be examined by a qualified heritage advisor, a representative of the relevant Traditional Owner representatives (or RAP, if one has been appointed) and a representative of the Sponsor. Within a period not exceeding five working days, the heritage advisor, in consultation with the relevant Traditional Owner representatives (or RAP, if one has been appointed), will make a decision or recommendation regarding the appropriate management of the Aboriginal cultural heritage and how to proceed with works;
- d) if the find is confirmed as Aboriginal cultural heritage, the heritage advisor must record and register the Aboriginal Places with the VAHR. This includes recording the location of the cultural material with a differential GPS and photography of the location of the cultural heritage. Additional measures to manage or salvage the Aboriginal cultural heritage must also be provided (see Section 2.3.3); and
- e) if the find is determined to not be Aboriginal cultural heritage, works at the location may recommence and temporary fencing and signage must be removed.

2.3.3 Management or Salvage of Aboriginal Cultural Heritage Discovered During the Activity

Section 2.1 stipulates that Section 61 of the *Aboriginal Heritage Act 2006* is concerned with the avoidance and/or minimisation of harm to Aboriginal cultural heritage during and following the activity. This section outlines the steps that must be followed when there is an unexpected discovery of Aboriginal cultural heritage during the activity (confirmed at time of inspection as outlined in Section 2.3.2).

- a) the heritage advisor, in consultation with the Sponsor and the relevant Traditional Owner representatives (or RAP, if one has been appointed), must provide a process to be followed to manage or salvage the Aboriginal cultural heritage in a manner which complies with the *Aboriginal Heritage Regulations 2018* and which is culturally appropriate. This process must be provided within

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a period not exceeding five working days of the Aboriginal cultural heritage being inspected and confirmed; and
b) a process to manage or salvage the Aboriginal cultural heritage must consider the significance of the find in relation to the known archaeological and cultural heritage significance of existing Aboriginal Places in the region surrounding the activity area (see below).

In addition to recording and registering the Aboriginal cultural heritage (Section 2.3.2):

- c) an Aboriginal Place that is determined to be a commonly occurring archaeological site type by a heritage advisor in consultation with the relevant Traditional Owner representatives, for example, isolated stone artefacts or fewer than five (5) artefacts (in either a surface or subsurface context):
 - i. must be collected (salvaged) and the appropriate documentation completed and submitted to AV. Post-salvage management of Aboriginal cultural material is discussed in Section 2.5; and
 - ii. no further management of the Aboriginal Place is required once the above step has been completed to the satisfaction of the Sponsor, heritage advisor and relevant Traditional Owner representatives.
- d) an Aboriginal Place that is determined to be a less commonly occurring archaeological site type by a heritage advisor in consultation with the relevant Traditional Owner representatives, for example, medium to high density artefact scatters, stratified occupation deposits, hearths or, occasionally, middens:
 - i. must be protected in the first instance. A meeting with the Sponsor, heritage advisor and the relevant Traditional Owner representatives (or RAP, if one has been appointed) must be held to discuss strategies for avoiding harm to the Aboriginal cultural heritage. If it is not possible to protect the Place in its entirety, a process to minimise harm to the Aboriginal cultural heritage must be developed. If it is not possible to minimise harm, a salvage process must be designed that uses an appropriate methodology as defined by the *Guide to Preparing a Cultural Heritage Management Plan* (Aboriginal Victoria 2016), *Guidelines for Conducting and Reporting on Aboriginal Cultural Heritage Investigations* (Aboriginal Victoria 2018b) and *Practice Note: Salvage Excavation* (Aboriginal Victoria 2018a);
 - ii. at the conclusion of salvage works, the Aboriginal cultural heritage removed from the location must be recorded, catalogued and analysed and a salvage report produced of the salvage works. The salvage report must meet the standards as outlined in *Practice Note: Salvage Excavation* (Aboriginal Victoria 2018a) and be submitted to AV, the RAP (if one has been appointed) and the Sponsor within three months of the completion of fieldwork, as well as registering any updates to the existing Place registration on the VAHR. Post-salvage management of Aboriginal cultural material is discussed in Section 2.5;
 - iii. in the event that the Aboriginal cultural heritage is protected or a process of harm minimisation is developed, works may recommence near the location of the Aboriginal cultural heritage once the agreed measures have been put in place to the satisfaction of the Sponsor, heritage advisor and relevant Traditional Owner representatives; and
 - iv. in the event that salvage of the Aboriginal cultural heritage is undertaken, works may recommence within or near the location of the Aboriginal cultural heritage when the on-

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site salvage and recording has been completed to the satisfaction of the Sponsor, heritage advisor and relevant Traditional Owner representatives.

g) an Aboriginal Place that is determined to be a rarely occurring or unique archaeological site type by a heritage advisor in consultation with the relevant Traditional Owner representatives, for example, earth features (mounds, rings and ovens), quarries, stone arrangements or middens:

- i. must be protected; and
- ii. works may only recommence near the location of the Aboriginal cultural heritage once the agreed protection measures have been put in place to the satisfaction of the Sponsor, heritage advisor and relevant Traditional Owner representatives.

2.3.4 Protocol for Handling Sensitive Information

Where Aboriginal cultural heritage is identified before, during or after the proposed activity, the Sponsor and heritage advisor must ensure that all actions carried out to manage and protect Aboriginal cultural heritage are completed in a culturally appropriate manner. The Secretary and the relevant Traditional Owner representatives consider all Aboriginal Places, objects and Ancestral Remains to be culturally sensitive.

Accordingly, unless undertaken by the heritage advisor for the purposes of recording Aboriginal Places or objects, during the course of implementing the management conditions, there must not be any contact with the media, including the use of social media, photography, film and digital images in relation to any aspect of Aboriginal cultural heritage without the written permission of the Secretary and the relevant Traditional Owner representatives (or RAP, if one has been appointed).

2.4 Reporting Discovery of Aboriginal Cultural Heritage During Works

It is a requirement to report the discovery of an Aboriginal Place or object to the Secretary as soon as practicable under the *Aboriginal Heritage Act 2006* (Section 24). A system of reporting any possible Aboriginal cultural heritage items which are discovered during works must be built into the development documentation and risk assessment for the site (see Section 2.3.1 and 2.3.2).

The Sponsor must appoint a suitably qualified heritage advisor for the duration of the project. The heritage advisor will need to:

- a) be available to visit the site and inspect any reported items of suspected Aboriginal cultural heritage that may be found during works;
- b) facilitate the involvement of the relevant Traditional Owner representatives (or RAP, if one has been appointed) during the investigation of the suspected Aboriginal cultural heritage, completion of Aboriginal Place documentation and the further management or salvage of the cultural heritage;
- c) facilitate the involvement of an appropriately qualified archaeologist for any required excavation works;
- d) document any items of Aboriginal cultural heritage that are found during works and report the Place/s to AV by means of registering the cultural heritage on the VAHR;
- e) advise on appropriate treatment or salvage of any Aboriginal cultural heritage; and

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provide adequate reporting on the treatment of any Aboriginal cultural heritage to standards required by AV

2.5 Management of Aboriginal Cultural Heritage Discovered During Works

1. When previously unrecorded Aboriginal cultural material is located during the works, it will be the responsibility of the heritage advisor to:

- a) catalogue the Aboriginal cultural heritage;
- b) label and package the Aboriginal cultural heritage with reference to provenance;
- c) arrange storage of the Aboriginal cultural heritage in a secure location with copies of the catalogue and assessment documentation;
- d) at the conclusion of all site works and within a period of no longer than 12 months, the Aboriginal cultural heritage must be reburied together with relevant documentation in a durable sealed container, unless alternative arrangements are requested by the relevant Traditional Owner representatives (or RAP, if one has been appointed). The Aboriginal cultural heritage must be reburied at a location agreed upon with the relevant Traditional Owner representatives (or RAP, if one has been appointed). The reburial location must be recorded by a heritage advisor using a differential GPS, followed by lodgement of the relevant VAHR forms to AV for entry into the VAHR; and
- e) the Sponsor, as well as the relevant Traditional Owner representatives (or RAP, if one has been appointed), must be involved in the discussions about the reburial location to ensure that the reburied cultural heritage will not be disturbed in the future.

2. Custody of any Aboriginal cultural heritage material identified during the activity must be ascribed in the following order of priority:

- a) any relevant RAP for the land from which the Aboriginal heritage is salvaged;
- b) any relevant registered native title holder for the land from which the Aboriginal heritage is salvaged;
- c) any relevant native title party (as defined in the Act) for the land from which the Aboriginal heritage is salvaged;
- d) any relevant Traditional Owner or Owners of the land from which the Aboriginal heritage is salvaged;
- e) any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal heritage relating to the land from which the Aboriginal heritage is salvaged;
- f) the owner of the land from which the Aboriginal heritage is salvaged;
- g) Museum Victoria.

2.6 Reviewing Compliance with the Plan

It is an offence under the *Aboriginal Heritage Act 2006* (s. 27 and s. 28) to harm Aboriginal cultural heritage unless it is in accordance with an approved CHMP or cultural heritage permit or Aboriginal cultural heritage land management agreement that applies specifically to that Aboriginal cultural heritage. Under the Act, an individual or corporate found responsible for harming Aboriginal cultural heritage can be

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subject to a substantial fine. A person found guilty of an offence under s. 27 of the Act is liable to a penalty not exceeding 1800 penalty units (individual), or 10 000 penalty units (corporate).

The Sponsor must ensure that compliance with this plan is reviewed. A review process must be incorporated in the risk assessment or similar document for the project. The management conditions in Section 1 must be listed in the risk assessment. There must also be a mechanism included (such as a checklist or database) to indicate when the management conditions for Aboriginal cultural heritage have been carried out. The Sponsor is responsible for maintaining this list. Any associated documentation which accompanies the conditions must be recorded on the checklist or database.

The record of compliance must be maintained by the Sponsor at all times and must be available for inspection by either an Authorised Officer under the *Aboriginal Heritage Act 2006* or other representative of the Secretary. It is illegal to harm cultural heritage outside of the conditions contained within this CHMP. Authorised Officers from AV or Aboriginal Heritage Officers (if a RAP has been appointed) may conduct CHMP compliance audits. A checklist is provided below that specifies what measures will be undertaken to review compliance with the CHMP. The Sponsor must verify that the measures specified below have been undertaken.

Contingency Table 1: Checklist for reviewing compliance with CHMP 17008*

	Yes	No
Prior to works occurring		
1. Have the contingency plans contained in Section 2 of this report been incorporated into the development documentation and risk assessment for the project?		
2. Is a copy of this CHMP kept on-site at all times for the duration of the activity?		
3. Have the management conditions been undertaken and completed as specified in Section 1?		
Identification of human remains during works		
1. Has all work ceased and has webbing or fencing been erected with 'no-go zone' signage displayed at all times?		
2. Have Victoria Police and the Coroner's Office (and the Coronial Admissions and Enquiries on 1300 888 544 for suspected Aboriginal Ancestral Remains) been notified?		
3. Has a suitably qualified heritage advisor been engaged to document the find?		
4. If the remains are confirmed as Aboriginal Ancestral Remains, has the VAHC been notified?		
5. Have the VAHC management measures for the Aboriginal Ancestral Remains been implemented?		
Identification of unexpected Aboriginal cultural heritage during works		
1. Has all activity within 10m ceased and has webbing or fencing been installed with 'no-go zone' signage displayed at all times?		
2. Have a heritage advisor and the relevant Traditional Owner representatives (or RAP, if one has been appointed) been notified?		
3. Has an on-site investigation of the suspected Aboriginal cultural heritage taken place?		
4. Has harm to Aboriginal cultural heritage occurred?		
5. Has an appropriate mitigation/salvage strategy been developed and/or implemented?		
6. Has the salvaged cultural heritage been treated in accordance with the direction of the relevant Traditional Owner representatives (or RAP, if one has been appointed)?		
Reburial Procedure for Aboriginal cultural heritage		
1. Once a reburial site has been agreed upon with the relevant Traditional Owner representatives (or RAP, if one has been appointed), has a suitably qualified heritage advisor been engaged to fully document the location when the reburial takes place?		
2. Has the reburial location been clearly marked, accurately recorded and details provided to the VAHR?		
3. Has a strategy been developed to ensure no further disturbance?		

*Review of this CHMP can be undertaken at any time by project delegates representing the Sponsor, or by an agreed independent reviewer to ensure that the Sponsor, heritage advisor and relevant Traditional Owner representatives are complying with the terms of this CHMP.

2.7 Resolution of Non-Compliance with the Plan

Compliance with the conditions of an approved CHMP is a requirement of the *Aboriginal Cultural Heritage Act 2006*. To ensure compliance with the terms of this CHMP, the Sponsor must verify that the measures specified in the above checklist have been undertaken. If there is non-compliance with the conditions or contingency plans contained within Part 1 of this CHMP, the Sponsor must contact Aboriginal Victoria immediately.

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3.0 Other Considerations

3.1 Communication

The Sponsor and any personnel involved with supervision of future construction must read the CHMP and be aware of the legal requirements and contingency procedures concerning Aboriginal cultural heritage within the activity area. The Sponsor (or other relevant supervisory staff) must be responsible for implementing any conditions contained in the CHMP.

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

Contact Details

The Sponsor

Presbyterian Ladies' College
Attn: Hamish Blair

Phone: 9805 7814
Email: hblair@plc.vic.edu.au

The Sponsor's Agent

Taylor's
Attn: Jennifer Lim

Phone: 9501 2800
Email: j.lim@taylor'sds.com.au

Bunurong Land Council Aboriginal Corporation

Rob Ogden
Heritage Manager
16/395 Nepean Hwy
Frankston VIC 3199

Phone: (03) 9770 1273
Email: heritagemanager@bunuronglc.org.au

Boonwurrung Land and Sea Aboriginal Corporation

208–220 Banks Street
South Melbourne VIC 3205

Phone: (03) 9682 9578
Email: info@boonwurrung.org.au

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Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

Catherine La Puma
Acting Heritage Unit Manager – Cultural
Heritage Unit
Wurundjeri Woi-wurrung Cultural Heritage
Aboriginal Corporation

1st Floor Providence Building
Abbotsford Convent
1 St Heliers Street
Abbotsford VIC 3067

Phone: (03) 9416 2905
Email: catherine@wurundjeri.com.au

Aboriginal Victoria

GPO 2392
Melbourne VIC 3001

Phone: 1800 762 003
Email: aboriginal.heritage@dpc.vic.gov.au

Victorian Aboriginal Heritage Council

GPO Box 2392
Melbourne VIC 3001

Phone: (03) 8392 5392
Email: vahc@dpc.vic.gov.au

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Part Two: Assessment

4.0 Introduction

Reasons for Preparing a Cultural Heritage Management Plan

This Cultural Heritage Management Plan (CHMP) has been undertaken at the request of the Sponsor, Presbyterian Ladies' College (PLC), for a proposed upgrade of education facilities at Presbyterian Ladies' College, 141 Burwood Highway, Burwood.

A CHMP is a mandatory requirement when:

- all or part of the activity area is an area of cultural heritage sensitivity (*Aboriginal Heritage Regulations 2018*, Division 1, 7(a)); and
- the proposed activity is a high impact activity (*Aboriginal Heritage Regulations 2018*, Division 1, 7(b)).

A small section of the eastern side of the activity area is within an area of cultural heritage sensitivity:

Waterways (r. 26):

- 1) Subject to subregulation (2), a waterway or land within 200m of a waterway is an area of cultural heritage sensitivity.

The proposed works are not considered a high impact activity as they are for or associated with the same purpose for which the land was lawfully being used immediately before May 28, 2007:

Buildings and works for specified uses (r. 46):

- (1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—
 - (a) would result in significant ground disturbance; and
 - (b) is for, or associated with, the use of the land for any one or more of the following purposes—
 - (viii) an education centre;
- (2) The terms used in subregulation (1)(b) have the same meanings as they have in the VPP.
- (3) Despite subregulation (1), the construction of a building or the construction or carrying out of works on land is not a high impact activity if it is for, or associated with, a purpose listed under subregulation (1)(b) for which the land was being lawfully used immediately before 28 May 2007.

Therefore, a mandatory CHMP is not required as the proposed works are not considered a high impact activity as they are for or associated with the same purpose for which the land was lawfully being used immediately before May 28, 2007 (*Aboriginal Heritage Regulations 2018*, r. 46 (1)(a)(b)(viii)(2)(3)). Despite this, the Sponsor has elected to do a voluntary CHMP to mitigate any cultural heritage concerns.

Sponsor for the Cultural Heritage Management Plan

The Sponsor for this CHMP is Presbyterian Ladies' College (ABN 16 005 650 386).

Notice of Intent to Prepare a CHMP

In accordance with Section 54(1) of the *Aboriginal Heritage Act 2006*, a Notice of Intent to Prepare a CHMP (NOI; Appendix 1) was submitted on December 18, 2019 to Aboriginal Victoria (AV). AV replied to the NOI on December 18, 2019 and allocated the project number 17008. A copy of the NOI was also provided to Whitehorse City Council on January 6, 2020.

Name, Qualifications and Experience of Heritage Advisor

The heritage advisor who conducted this assessment is Jessica Hardy. Jessica is a Project Archaeologist at Heritage Insight Pty Ltd. She holds a Bachelor of Archaeology (Honours) from La Trobe University, Victoria (2016), with formal academic qualifications in pre-Contact Aboriginal archaeology and non-Aboriginal historic archaeology. She has three years' professional experience in connection with a range of development and research projects in Victoria and has taken part in a wide range of archaeological and heritage assessments.

Location of the Activity Area

The activity area covers an area of land which is approximately 154,175m² or 15.42ha. This area comprises an education centre (Presbyterian Ladies' College) located at 141 Burwood Highway, Burwood (1\TP77772, 7\TP79471, 6\TP79471, 5\TP79471, 4\TP79471, 3\TP79471, 2\TP79471, 1\TP79471, 24\TP79471, 23\TP79471, 22\TP79471, 21\TP79471, 20\TP79471, 19\TP79471, 18\TP79471, 17\TP79471, 16\TP79471, 15\TP79471, 14\TP79471, 13\TP79471, 12\TP79471, 11\TP79471, 10\TP79471, 9\TP79471, 8\TP79471, 25\TP79471, 26\TP79471 & 27\TP79471). The activity also incorporates a portion of the adjacent road reserve of Elgar Road, Parer Street and Burwood Highway. The activity area is located within the Parish of Nunawading and the City of Whitehorse (Map 1) and is approximately 12.5km east of the Melbourne CBD. The activity area is bordered to the east by Elgar Road, to the west by Parer Street, to the south by Burwood Highway and to the north by residential housing. Gardiners Creek is located approximately 155m to the west (Map 1).

No registered Aboriginal Places lie within 200m of the activity area.

Landowners

The activity area is owned by Presbyterian Ladies' College.

RAPs with Responsibility for the Activity Area

At present there is no Registered Aboriginal Party (RAP) with the responsibility for the activity area. AV is currently administering the region until a RAP is appointed, in accordance with Section 54 of the *Aboriginal Heritage Act 2006*. The Secretary is evaluating the plan under s. 65(1)(b)(i).

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Map 1: Location of the activity area – 141 Burwood Highway, Burwood (Parish of Nunawading, City of Whitehorse)

5.0 The Activity Area and Proposed Works

5.1 Extent of the Activity Area Covered by the Management Plan

The activity area covers an area of land which is approximately 154,175m² or 15.42ha. This area comprises an education centre (Presbyterian Ladies' College) located at 141 Burwood Highway, Burwood (1\TP77772, 7\TP79471, 6\TP79471, 5\TP79471, 4\TP79471, 3\TP79471, 2\TP79471, 1\TP79471, 24\TP79471, 23\TP79471, 22\TP79471, 21\TP79471, 20\TP79471, 19\TP79471, 18\TP79471, 17\TP79471, 16\TP79471, 15\TP79471, 14\TP79471, 13\TP79471, 12\TP79471, 11\TP79471, 10\TP79471, 9\TP79471, 8\TP79471, 25\TP79471, 26\TP79471 & 27\TP79471). The activity also incorporates a portion of the adjacent road reserve of Elgar Road, Parer Street and Burwood Highway (Map 2).

5.2 Activity Description

The proposed activity is for a number of upgrade works for Presbyterian Ladies' College (PLC) Burwood Campus (Figure 1, Map 3). These proposed works will include the construction, demolition and alteration of facilities within the PLC Burwood campus. A number of new pick up/drop off zones and improved car entry/exit points to the campus will also be constructed, as well as playground installation and general landscaping.

These proposed upgrade works include:

- construction of sports aquatic fitness function centre;
- construction of Junior School oval car park;
- current grounds office relocation;
- boarding house trimming/alterations;
- construction of Junior School kiss & drop;
- construction of Senior School kiss & drop;
- alteration of Junior School tennis court to construct Covered Outdoor Learning Area (COLA);
- expansion of Early Learning Centre (ELC);
- construction of Parer St left turn;
- construction of Norman Oval Pavilion;
- alteration/demolition of current aquatic centre to construct new facility;
- construction of covered entrances to Betty Caldwell building;
- landscaping works and installation of play equipment across campus;
- expansion of existing Senior School administration building;
- alteration/demolition of current gym building to construct new facility; and
- alteration/demolition of current maintenance area to construct new facility.

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The majority of these activities will be undertaken outside of the mapped area of cultural heritage sensitivity, which overlaps with the activity area along the eastern margin of PLC Burwood campus (see Map 3 & Map 7).

Activities will be undertaken in accordance with the requirements outlined in the General Residential Zone 1 (GRZ1) Planning Scheme for the City of Whitehorse (Appendix 5).

5.3 Statement of Potential Impacts

The proposed activities outlined above will involve soil disturbance to both surface and buried land surfaces. Excavation will be required within the footprint of works areas across the activity area (see Map 4 for proposed works areas). Activities which will occur during the course of the proposed works are:

- site preparation, which will include site clearance, where some existing buildings, unwanted rubbish, vegetation and rocks will be removed from the site;
- stripping/removing topsoil, utilising heavy machinery. This will occur to a depth of 200mm. The topsoil will be stockpiled for later use in topsoiling;
- excavation for construction of above ground car parks, drop of lanes and turn outs;
- excavation for underground car parks;
- excavation for utilities, services and footings; and
- landscaping works.

Table 1 provides a list of the expected maximum depth of excavation below existing ground surface required for the activities.

Table 1: Maximum depth and width of potential impacts

Activity	Maximum Depth (m)
Building slabs and foundations	15.75
Roads and parking areas	0.75
Drainage	7.5
Utility installation	7.5
Basement car park	6
Playground equipment	1.5
Landscaping	5

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Proposed Upgrade Works, Presbyterian Ladies' College, 141 Burwood Highway, Burwood CHMP 17008 – Heritage Insight Pty Ltd



Map 2: Aerial image showing the current (31/08/2019) conditions in the activity area

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PLC Project List

02/12/2019

Project Name	Description
1 Sports Aquatic Fitness Function Centre (SAFFC)	<ul style="list-style-type: none"> Large multi-functional building to the south of the site Includes tree removal, excavations for basement, realignment of internal roads, alteration of existing access to Gate 2 (slip lane), potential new exit point to Burwood Hwy (including creation of signalised access)
2 Junior School Oval Car Park	<ul style="list-style-type: none"> Excavation beneath the existing Junior School oval to create car parking area, with a sporting oval on top
3 Grounds Relocation	<ul style="list-style-type: none"> Grounds facility removed from the southern portion of the site, to accommodate new SAFFC Grounds buildings and facilities to be relocated within the north eastern corner of the site adjacent to the existing car park and within the existing gravel car park adjacent to the northern boundary This may involve levelling of the site
4 Boarding House Trimming	<ul style="list-style-type: none"> Trimming approx. 8m off the southern wing of the boarding house to accommodate the SAFFC and associated works.
5 Junior School Kiss & Drop	<ul style="list-style-type: none"> Letter of advice has been obtained Reconfiguration of the existing junior school car park into a one-way loop, including creation of a median strip, tree removal, landscaping, partial upgrade of the eastern boundary fence, alterations to existing crossovers
6 Senior School Kiss & Drop	<ul style="list-style-type: none"> Reconfiguration of the existing gravel car park / temporary site facilities area for a kiss & drop, with two drop-off lanes and 90° parking spaces Includes removal of trees, extension of formal pedestrian path to Parer St, partial upgrade to western boundary fence, creation of a new crossover (exit point) and installation of pedestrian covers
7 Covered Outdoor Learning Area (COLA)	<ul style="list-style-type: none"> Planning Permit has been issued for this project Involves reconstruction and slight expansion of the existing junior school tennis courts, with a structured cover Also includes tree removal, excavation and path construction
8 Early Learning Centre Extension (ELC)	<ul style="list-style-type: none"> Expansions to the existing ELC to the south and west. West extension to largely cover existing tennis courts Expansion of the car parking area to the south along Elgar Road and Burwood Hwy. Undercroft car parking spaces to be provided beneath the new building Includes removal of trees and installation of signage to the southern eastern corner of the site
9 Parer St left turn	<ul style="list-style-type: none"> Excising portion of land within the south western corner and vesting into Council to provide an expanded left turn lane onto Burwood Hwy (Section 35 agreement with Council) Signage and partial upgrades to south western corner fence May include removal of trees and/or the relocation of service poles
10 Norman Oval Pavilion	<ul style="list-style-type: none"> Construction of a pavilion adjacent to the existing sporting oval
11 Current aquatic centre	<ul style="list-style-type: none"> Possible demolition of the existing building, to be replaced with another new building or car park
12 Betty Caldwell entrances	<ul style="list-style-type: none"> Minor works to create covered east and west entrances to the existing Betty Caldwell building
13 Landscape works and installation of play equipment	<ul style="list-style-type: none"> Works throughout school site
14 Senior School admin	<ul style="list-style-type: none"> Works to expand the existing senior school administration building towards the north
15 Existing gym building	<ul style="list-style-type: none"> The current gym building may be replaced with a new building (Chapel)
16 Existing maintenance area	<ul style="list-style-type: none"> The existing maintenance area may be removed and replaced with a new school building

Figure 1: Development plan (provided by Taylors)

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Map 3: Development map (provided by Taylors)

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6.0 Documentation of Consultation

Consultation with AV and the relevant Traditional Owner representatives (TO) took place from the outset of this project and is documented below.

6.1 Consultation in Relation to the Assessment

No RAPs have yet been appointed for the activity area. There are three Traditional Owner (TO) groups with an interest in this area: the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC), the Bunurong Land Council Aboriginal Corporation (BLCAC) and the Boonwurrung Land and Sea Council (Aboriginal Corporation; BLSC). The activity area falls within the *Traditional Owner Settlement Act 2010* claimant area for the WWCHAC and the RAP applicant area for the BLCAC.

No formal discussion was held with the TO groups prior to the desktop assessments, however, an email notifying the project's commencement and requesting oral history information was sent out to all three Traditional Owner groups on January 6, 2020. The BLSC responded via email on January 6, 2020 and did not provide any oral history. The WWCHAC responded via email on January 7, 2020, stating that they did not have any specific oral history relating to the area. The BLCAC did not respond to the oral history request.

A project inception meeting was held at AV's Melbourne office on January 30, 2020 between Jessica Hardy (Heritage Insight) and David Thomas (Manager, Metropolitan Heritage Programs, Aboriginal Victoria). The results of the desktop assessment were presented by Jessica Hardy, including the land-use history and geology of the activity area. It was agreed that based on the desktop assessment that presented the shallow nature of the soil profile and a history of multiple phases of substantial ground disturbance across the entire activity area, likely including soil removal, that a standard assessment and complex assessment were most likely unnecessary.

6.2 Participation in the Conduct of the Assessment

This assessment concluded at the desktop level. No standard or complex assessment was undertaken.

6.3 Consultation in Relation to the Conditions

No formal consultation was undertaken with the BLCAC, the BLSC or the WWCHAC in relation to the management conditions contained within this CHMP.

6.4 Summary Outcomes of Consultation

The management conditions discussed in Section 1 of this CHMP were discussed with Aboriginal Victoria during the meeting at AV's Melbourne office on January 30, 2020. No formal consultation was undertaken with the BLCAC, the BLSC or the WWCHAC in relation to the management conditions contained within this CHMP.

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7.0 Report on the Desktop Assessment

In accordance with Clause 8, Schedule 2 of the *Aboriginal Heritage Regulations 2018*, this section contains the results of the desktop assessment.

7.1 Aims and Methodology for the Desktop Assessment

The aim of the desktop assessment was to produce an archaeological site prediction model to identify the likelihood of Aboriginal cultural heritage to be located within the activity area. In turn, this assists in the design of fieldwork (survey and/or subsurface testing) and subsequent management conditions.

The desktop assessment involved a review of:

- historical and ethno-historical accounts of Aboriginal occupation of the geographic region and a review of any written and oral local history relevant to activity area;
- environmental resources available to Aboriginal people within the region of the activity area;
- the site registry at AV and previous archaeological studies to identify any previously registered Aboriginal archaeological sites either within or surrounding the activity area and the results of previous archaeological assessments;
- the land-use history of the activity area, particularly evidence for the extent and nature of past land disturbance; and
- the landforms or geomorphology of the activity area and identification and determination of the geographic region of which the activity area forms a part that is relevant to the Aboriginal cultural heritage that may be present in the activity area.

This information was used to produce an archaeological site prediction model. The site prediction model assists in determining the type of archaeological sites which may potentially occur within the activity area, the possible contents of these sites, the possible past use of the landscape by Aboriginal people and the likely extent of ground disturbance to archaeological sites.

7.2 Results of the Desktop Assessment

7.2.1 The Geographic Region

The activity area is located on the south western edge of the extensive geomorphic sub-division known as the Eastern Uplands. The Eastern Uplands are centred on the main divide in eastern Victoria, separating streams draining north to the Murray-Darling Basin from those flowing southwards directly to the sea. This divide is commonly called the Great Dividing Range but is also referred to as the Great Divide because for much of its length it is not a prominent and distinct mountain range. The activity area is therefore located within an undulating landscape of ridges and valleys.

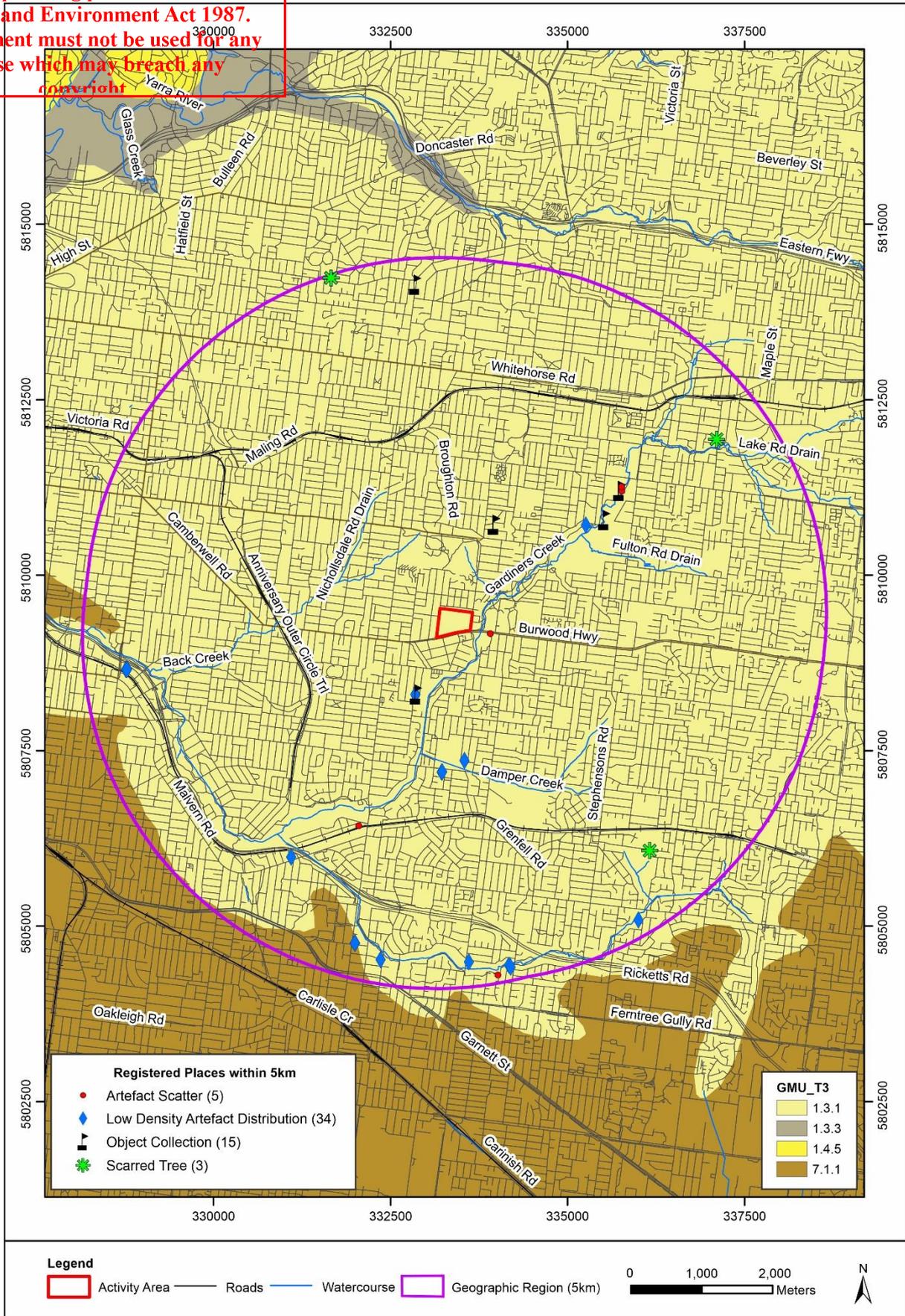
The Eastern Uplands are quite variable in height and follow a meandering path as they part north and south draining river systems in an extensive area of mountain ridges and high plateau-like surfaces (Eastern Uplands – Victorian Resources Online, accessed 14/01/2020). Three east flowing waterways within this extensive drainage system are particularly relevant based on proximity to the current activity area, Gardiners Creek (160m east), Damper Creek (2km south) and Scotchmans Creek (3.65km south). These waterways (and their smaller tributaries) eventually drain into the Yarra River which is located approximately 6.9km to the west.

Due to the extensive area covered by the Eastern Uplands and the length of Gardiners Creek, Damper Creek, Scotchmans Creek and Yarra River, it is impractical to utilise this vast area as the geographic region. The geographic region is therefore defined as a 5km radius around the activity area as this provides a suitable sample size to investigate and discuss the conditions of the local hydrological profile and undulating landscape in relation to Aboriginal utilisation of the region (Map 4).

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Map 4: Geographic region in relation to the activity area

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7.2.2 Landforms and Geomorphology of the Activity Area

Description of Geology, Landforms and Soils

The majority of the activity area lies on a geomorphic unit known as East Victorian Dissected Uplands, which is characterised by a low hill landform (relative relief 30–90m; Department of Jobs, Precincts and Regions – Earth Resources GeoVic, accessed 14/01/2020). The activity area itself is located on gently undulating terrain with a general slope toward Gardiners Creek in the east.

The East Victorian Dissected Uplands form the largest region in Victoria, extending north east from Melbourne towards the New South Wales border (Cochrane, Quick & Spencer-Jones 1995, p.68). The East Victorian Dissected Uplands were established after a long erosion period between 150 and 300 million years ago when the area would have been characterised by low-lying flat ground. The East Victorian Dissected Uplands are characterised by sedimentary rocks such as sandstone and mudstone (Cochrane, Quick & Spencer-Jones 1995, p.68). Given the sloping nature of this geomorphic unit, these areas are well-drained and are at high risk of water erosion. In steep areas of the East Victorian Dissected Uplands the soils are quite young as a result of the continual movement of materials down the slopes (Cochrane, Quick & Spencer-Jones 1995, p.68).

A small section of the north west corner of the activity area is located on the geomorphic unit known as the Sand and Clay Plains – Moorabbin which is part of the larger geomorphic unit known as the South Victorian Coastal Plains that stretches from Melbourne southwards towards Frankston (Rowan, Russell & Ransom 2000, p.25). The Sand and Clay Plains – Moorabbin geomorphology was formed as ridges with intervening clay swamps across the south eastern suburbs as a result of the retreating sea levels in the late Pleistocene (Cochrane, Quick & Spencer-Jones 1995, p.86).

Geological mapping (Map 6) notes that the south, central and eastern portions of the activity area are located on the Anderson Creek Formation (Sxa), an alluvial formation associated with the creek line described as ‘Sandstone: thick to thin bedded; siltstone, minor conglomerate’ (Department of Jobs, Precincts and Regions – Earth Resources GeoVic, accessed 14/01/2020). The north west corner of the activity area is located on Red Bluff Sandstone (Nbr), a thin sheet of sediments which outcrops sporadically on the higher sections of the East Victorian Dissected Uplands east of Melbourne (VandenBerg 1971, p.16) and is described as ‘Sandstone, conglomerate: pale yellow and brown; fine to coarse-grained, massive to well bedded; cross-bedded; local ironstone’ (Department of Jobs, Precincts and Regions – Earth Resources GeoVic, accessed 14/01/2020).

There is no specific soil data for the study area, but soils on the Anderson Creek Formation and Red Bluff Sandstone are generally described shallow duplex soils. In the foothills above Berwick, soils on the Anderson Creek Formation are described as brownish-grey or grey very fine sandy clay loam to silty clay loams with a bleached zone at around 100mm. Steeper slopes which are subject to sheet erosion the surface soils are very stony. From 400–600mm yellow-brown mottled clay with a zone of ironstone concretions above the clay is noted (Sargeant 1975, p.9). Soil pits excavated at Baxter within the same sandstone group as Red Bluff Sandstone (both Baxter Sandstone and Red Bluff Sandstone are now both part of Sandringham Sandstone) record very dark greyish brown sandy clay loam to 150mm overlying bleached fine sandy clay loam to 300mm with yellowish-brown heavy clay from 300mm onwards (Department of Jobs, Precincts and Regions – Agriculture Victoria, Westernport Soil Pit Sites, accessed 14/01/2020).

Table 2 summarises the land system information for the region containing the activity area.

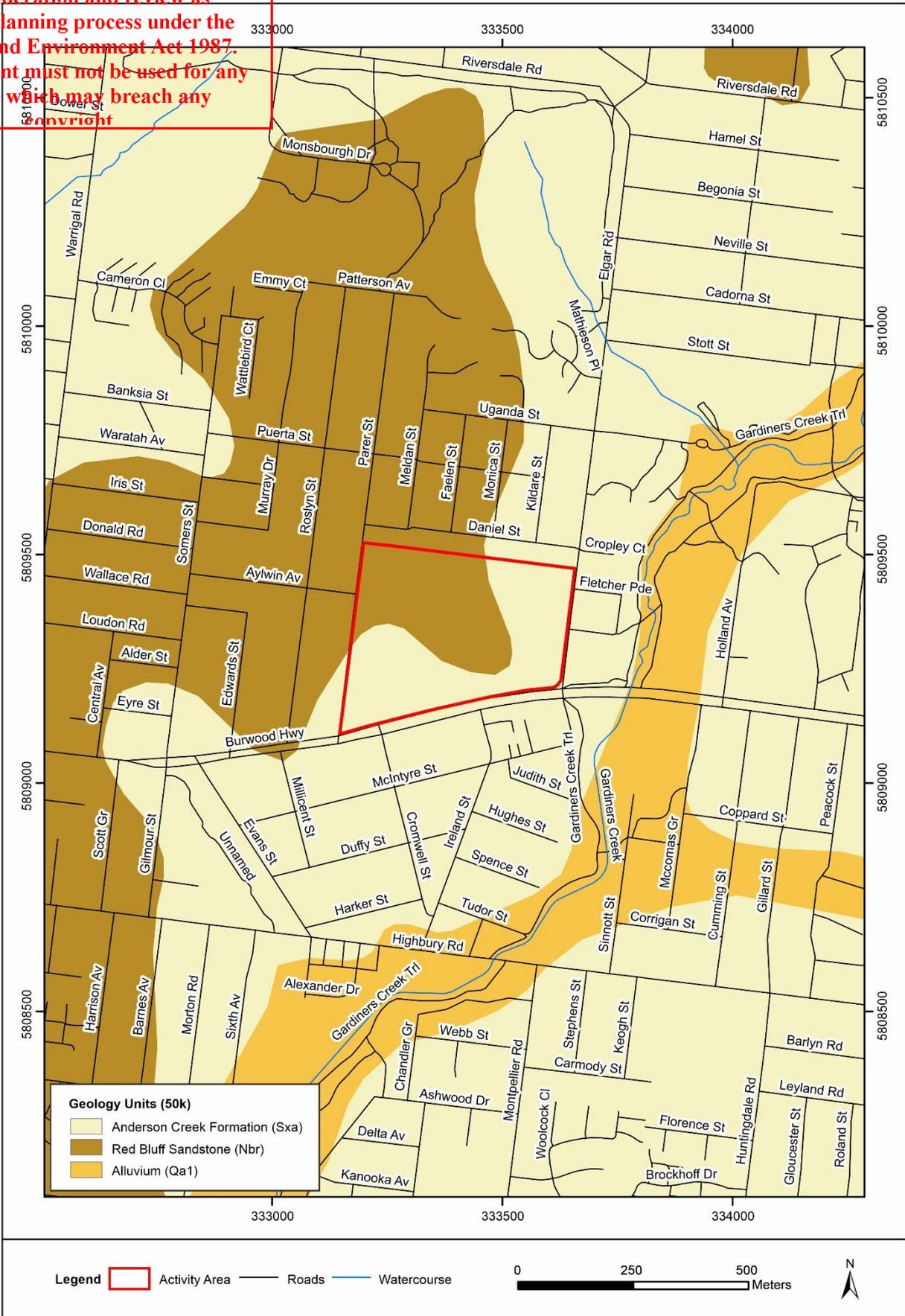
Table 2: Summary of land system data encompassing the activity area

Land System Code – Land Systems of Victoria at 1: 250 000	Land System Summary Description	
1.1LsP7-3 8.3PfcC7-1	Geomorphic Unit:	East Victorian Dissected Uplands Sand and Clay Plains – Moorabbin
	Landform:	Low hill (relative relief 30–90m) Plain above flood level (relative relief <9m)
	Lithology:	Sedimentary rocks i.e., sandstone, mudstone
	Soils:	Yellow duplex soils with high compaction and pH 5.5–6.5 Mottled duplex soils, Pale sands with high compaction and pH <5.5
	Pre-1750 EVCs:	EVC 47 Valley Grassy Forest EVC 175 Grassy Woodland
	Nearest Water Sources:	Gardiners Creek

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Map 5: Geology within the activity area

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7.2.3 Resources Available to Aboriginal People Within the Activity Area

Plant Resources and Pre-Contact Vegetation

The activity area is located within the Gippsland Plain bioregion, an area of south east Victoria that includes undulating low-lying coastal and alluvial plains with intermittent floodplains and swampy flats (Department of Environment, Land, Water and Planning – Bioregions and EVC Benchmarks, accessed 16/01/2020).

There are a number of plant species that would have been present across the region in which the activity area is situated which would likely have been utilised by Aboriginal people. The Ecological Vegetation Class (EVC) within the activity area prior to 1750 has been identified as Valley Grass Forrest (EVC 47; Map 7) in the south eastern half of the activity area and Grassy Woodlands (EVC 175; Map 6) in the north west half of the activity area (Department of Environment, Land, Water and Planning – Bioregions and EVC Benchmarks, accessed 16/01/2020). EVC 47 occurs on well-drained alluvial soils on gently undulating lower slopes and valley floors. It is typically dominated by open eucalyptus forest to 20m tall including species such as *Eucalyptus radiata s.l.* (Narrow-leaf Peppermint), *Eucalyptus leucoxylon* (Yellow Gum) and *Eucalyptus melliodora* (Yellow Box). Understorey vegetation includes medium herbs such as *Poranthera microphylla* (Small Poranthera) and *Gonocarpus tetragynus* (Common Raspwort) as well as medium to small tufted graminoids such as *Themeda triandra* (Kangaroo Grass) and *Arthropodium strictum s.l.* (Chocolate Lily). EVC 175 is also described as open eucalypt forest (such as *Eucalyptus radiata s.l.* or Narrow-leaf Peppermint), usually to 15m tall with occasional Sheoak woodland (*Allocasuarina verticillata* or Drooping Sheoak) to 10m over a diverse ground layer of grasses and herbs. Understories or medium to small tufted graminoid include *Lomandra filiformis* (Wattle Mat-rush), *Themeda triandra* (Kangaroo Grass) and *Poa sieberiana* (Grey Tussock-grass).

Plants were extensively exploited by Aboriginal people for food, medicine and fibres for weaving. Plant components utilised would have included berries, fungi, roots, tubers, bulbs, leaves, pith from fleshy plants, seeds and sap. Gum was also collected from wattle and stored in known locations for seasons when food was less abundant (Zola & Gott 1992).

Fauna Resources

A number of animals would have been present within the activity area and are likely to have been hunted by Aboriginal people. These include a range of mammal species including gliders, possums, antechinus, bandicoots, bats, kangaroos, wallabies, echidnas and native rats. A large range of birds (dominated by waterbirds) would have been present and utilised for food (meat and eggs) and feathers. Reptiles in the region would have mostly comprised small skink species, but also several snakes and blue-tongue lizards (Atlas of Living Australia, accessed 16/01/2020).

As well being a valuable food source, kangaroos and possums provided raw materials for the manufacture of cloaks, while kangaroo teeth were worn (as well as bones and shells) as hair decorations and echidnas provided quills which were used to make necklaces (Sullivan 1981, p.23; Rhodes & Rawoteea 2007, p.18).

The native fauna in the geographic region is significantly diminished in modern times, largely as a result of the loss of habitat, with many animal species once present now locally or regionally extinct.

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Water Resources

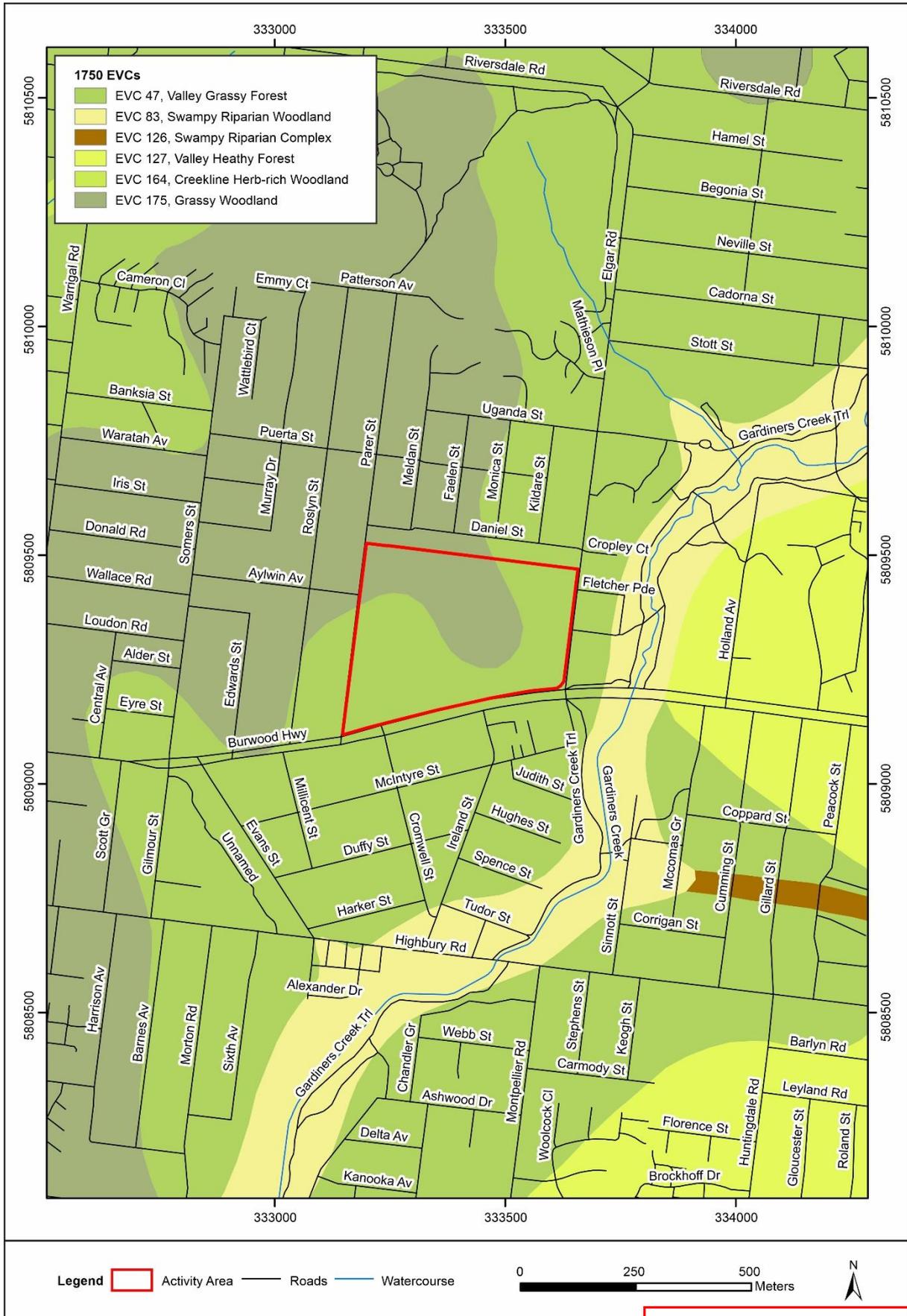
Gardiners Creek is the nearest water source to the activity area, approximately 160m to the east. Within the geographical region, fresh water could also be found to the east from the Yarra River and to the south from Damper Creek and Scotchmans Creek.

Stone Resources

No stone sources suitable for the manufacture of artefacts are located within the activity area, however, suitable material for the manufacture of stone artefacts was certainly available in the broader region. Silcrete is one of the more common sources of stone in the region and occurs in outcrops in creek or river valleys where drainage lines have incised through the basalt newer volcanics, exposing underlying marine and terrestrial sediments. Large quarries have been found in the Maribyrnong River Valley and tributaries several kilometres to the west. Silcrete is also available along Moonee Ponds Creek, Darebin Creek and Merri Creek. While silcrete outcrops were targeted for quarrying, alluvial quartz pebbles were readily available for collection in many streams, creeks and rivers.

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7.2.4 Search of the Victorian Aboriginal Heritage Register

The Victorian Aboriginal Heritage Register (VAHR), accessed through Aboriginal Cultural Heritage Register and Information System (ACHRIS), was searched to identify any previously registered Aboriginal Places within the geographic region for the activity area, as well as the results of previous archaeological assessments. The Register was accessed on January 14, 2020. An updated search of the VAHR was undertaken on February 17, 2020 prior to submission of the CHMP for evaluation.

7.2.4.1 Aboriginal Places in the Geographic Region

A search of the VAHR identified 31 registered Aboriginal Places within the geographic region, comprising 57 components (Table 3; Appendix 2). The most common Place type within the geographic region was Low Density Artefact Distributions (LDADs; n=34), followed by five artefact scatters and three scarred trees. There are also 15 object collections recorded within the geographic region. Object collections are an anomalous entry and will not be discussed, as they tend to document the location where the heritage is being stored, such as a heritage advisor's office. Excluding object collections, the low number of Aboriginal Places within the geographic region should be considered to reflect both a lack of detailed archaeological assessment within the region and the impact of the long-term urbanisation within the Burwood area. Within the geographic region, artefact scatters and low density artefact distributions have predominantly been found along waterways, such as the Gardiners Creek, Damper Creek and Scotchmans Creek. Scarred trees have also been found within the geographic region along creek corridors where remnant native vegetation is present.

Table 3: Summary of registered Aboriginal Places within the geographic region (5km)

Component Type	Frequency (No.)	Frequency (%)
Artefact scatter	5	9
LDADs	34	60
Object collection	15	26
Scarred tree	3	5
Total Components	57	
Total Registered Places	31	

There are no registered Aboriginal Places within 200m of the activity area (Map 7). The closest registered Aboriginal Place is an artefact scatter (VAHR 7922-1442) located approximately 300m to east. A total of 31 artefacts were identified in a subsurface context between depths of 10–100mm. The artefacts were identified in five shovel test pits (STPs) in a disturbed brown humic silt context with glass, metal, plastic and ceramic inclusions. It was determined that these artefacts were most likely brought onto the property through introduced fill.

Table 4: Previously recorded Aboriginal Places within 1km of the activity area

VAHR No.	Place Type	Site Contents	Depth of Artefacts	Landform
7922-1442	Artefact scatter	31 silcrete artefacts	10–100mm	Alluvial terrace, in fill contexts
7922-1437	LDAD	10 quartz artefacts	10–100mm	N/A

There are no historic references within the geographic region.

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Map 7: Areas of cultural heritage sensitivity in relation to the activity area

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7.2.4.2 Previous Work in the Geographic Region

A moderate number of reports have been undertaken within the geographic region (Appendix 3). The results of relevant regional and localised studies are presented below and in Table 5. This review of relevant reports within the geographic region has been undertaken to assist with the formulation of the site prediction model.

Previous Investigations in Close Proximity to the Activity Area

A review of previous relevant archaeological research and CHMPs in the geographic region has been carried out. The relevant information is presented below. These reports have been examined to review of the nature of the archaeology of the geographic region and to form the basis for the site prediction model.

Early archaeological research in the region tended towards broad regional studies (Amorosi & Murphy 2002), which noted that creek corridors within the region, including Gardiners Creek, retain some archaeological potential. This report noted that Gardiners Creek is surrounded by extensive urban residential development and has been subject to modifications of its original course and creek banks with only small sections maintaining its original alignment, reducing the archaeological potential of the creek corridor. It was considered that a very low potential for surface or subsurface artefact scatters exists in relatively undisturbed areas within 100m of Gardiners Creek, Damper Creek or Scotchmans Creek (Amorosi & Murphy 2002, p.32). In addition to regional studies, there have also been a moderate number of small-sized cultural heritage assessments in the region of the current study area. The findings of the most relevant regional studies and cultural heritage assessments are presented below.

The majority of nearby CHMPs have been conducted on small urban lots where earlier dwellings or other structures have previously existed. The surface surveys tended to be limited by poor ground visibility, while the excavation work often identified highly disturbed subsurface ground conditions, reflecting the long-term urbanisation of Burwood. Shallow silty clay soils associated with Anderson Creek Formation geology were often encountered in complex assessment. The Aboriginal Places identified during previous studies were low-to-medium density artefact scatters or LDADs and were located within disturbed, undisturbed and fill subsurface contexts.

202–204 Burwood Highway, Burwood Residential Development (Green 2016)

The activity area for this CHMP (14289) is located 120m east of Gardiners Creek (approximately 250m east of the current activity area) and consists of two property parcels. The activity area included existing residential buildings with connected services. The desktop assessment concluded that the activity area was within one of two possible geological units; the fluviially deposited generic alluvium or Anderson Creek formation siltstone and sandstone. There were also no previously registered Aboriginal cultural heritage Places located within the activity area, however, the authors identified that within the geographic region artefact scatters increase in concentration with proximately to waterways such as Gardiners Creek. The potential for Aboriginal cultural heritage for the activity area was deemed to be low-to-moderate. No Aboriginal cultural heritage was identified during standard assessment; however, the ground visibility was noted as poor with an average of 16%. The survey also identified significant evidence for extensive prior ground surface and subsurface disturbance within the grassed areas. The complex assessment included the excavation of one 1x1m test pit and 13 STPs. Depths of 0–360mm represented heavily disturbed sandy/silty topsoils (possibly introduced from an offsite location) with post-Contact materials intermixed. Aboriginal cultural heritage was found in five STPs for a total 31 stone artefacts, recovered from depths between 10mm and 100mm in disturbed contexts. It was determined that these artefacts were most likely

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brought onto the property through introduced fill and were registered as a single artefact scatter (VAHR 7922-1442).

Residential Subdivision 47–49 McIntyre Street, Burwood, Victoria (Ashton & Truscott 2016)

This CHMP (14122) was undertaken for a subdivision and construction of multiple dwellings at 47–49 McIntyre Street, Burwood which is within 200m of Gardiners Creek and approximately 100m south of the current activity area. No previously registered Aboriginal cultural heritage material was identified within the activity area. The activity area is located on a hillslope dropping down towards Gardiners Creek to the east. The desktop assessment identified that there have been limited archaeological investigations in the geographic region and from the few studies that have been conducted, stone artefact scatters with less than ten artefacts are the most likely Place type. The results of the standard assessment showed that the activity area has been cut and levelled into the natural hill slope with further additional ground disturbance associated with the construction of the existing residential buildings. Ground surface visibility was noted as extremely poor at 0–20% but areas at the front and rear of the properties were identified as having archaeological potential. The complex assessment consisted of one 1x1m test pit and five 400x400mm shovel test pits and results showed a stratigraphic profile of slightly sandy silt, slightly sandy and clayey silt, overlying mottled dark brown and yellow clay to a maximum depth of 730mm. No Aboriginal cultural heritage was identified and the likelihood of additional cultural heritage material being identified in the activity area was determined to be low.

Proposed Construction of Multiple Dwelling: 51–53 Elgar Rd, Burwood (Audy 2015)

This CHMP (13688) was conducted for a proposed residential development of multiple dwellings at 51–53 Elgar Road. The activity area is within 200m of Gardiners Creek. The desktop assessment reviewed previous archaeological investigations in the area and concluded that Aboriginal Places tend to be located next to waterways and in areas that have not been impacted by urban development. It also found that the activity area has been disturbed by the construction of existing residential dwellings and associated structures and so the potential for discovery of Aboriginal cultural material is extremely low. The standard assessment identified that large amounts of the activity area have undergone ground disturbance activities and the areas clear of structures were subject to opportunistic survey where the ground visibility ranged between less than 10% and 100%. No Aboriginal cultural heritage material was identified. The complex assessment involved the excavation of a single 1x1m test pit and 15 shovel test pits and revealed disturbed deposits across the activity area. The subsurface testing noted depths of 170–410mm across the activity area and a stratigraphic profile of silt and silty clay which has been mixed with deposits from the underlying soil horizon, most likely due to activities associated with the construction of the existing residential buildings and structures. No Aboriginal cultural heritage was recovered.

Burwood Interconnect, Deakin University (Barker 2010)

This CHMP (11014) was prepared for the proposed activity to construct an elevated pedestrian footbridge over Gardiners Creek at Deakin University, Burwood Campus. The desktop assessment identified that the activity area and Gardiners Creek itself have been subjected to substantial ground disturbance works prior to the CHMP. These works have involved flood mitigation measures involving manipulation of the creek itself and installation of existing infrastructure. These works have resulted in areas of fill with depths of between 500mm and 3.3m. No previously recorded Aboriginal Places were present within the activity area and no additional Aboriginal cultural heritage was identified in the standard and complex assessments. The complex assessment (one 1x1m test pit and two 400x400mm shovel test pits) did confirm that the creek corridor in the activity area contained 400–600mm of fill overlying an original Silurian soil horizon

of silty clay which predates Aboriginal occupation. The Holocene alluvium deposit which could have potential to contain Aboriginal cultural heritage was absent from the area subjected to subsurface testing.

Relevant Local and Regional Studies

City of Monash Desktop Aboriginal Cultural Heritage Assessment (Amorosi & Murphy 2002)

This report is a desktop study of the Aboriginal cultural heritage values within the City of Monash. The report identified areas of archaeological potential and also identified previously recorded archaeological Places. Most of the study area was heavily disturbed and had little or no potential for archaeological Places. The only areas that were determined to have archaeological potential were along creek corridors and significant rises/vantage points in the area, including Scotchmans Creek, Gardiners Creek and Damper Creek corridors and Dandenong Creek and the adjacent hills. As a result of this investigation, there were a number of areas assessed as being of low archaeological potential, one of these being the Gardiners Creek corridor. However, Amorosi and Murphy suggest that as Gardiners Creek is surrounded by extensive urban residential development, it has been subject to modifications of its original course and creek banks with only small sections maintaining its original alignment. It was considered that a very low potential for surface or subsurface artefact scatters exists in relatively undisturbed areas within 100m of Gardiners Creek, Damper Creek or Scotchmans Creek. Amorosi and Murphy recommend that the City of Monash commission an archaeological survey in several open space areas within the City of Monash, one of these being the Gardiners Creek corridor.

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Table 5: Previous studies relevant to the activity area

Study Name	Distance from Activity Area	Results
Residential Subdivision and Development 76 Foch Street Box Hill South CHMP No. 16402 (Day 2019)	2.1km north east	A desktop, standard and complex assessment were conducted for a proposed subdivision and development at 76 Foch Street, Box Hill. The proposed activity was specified as a high impact activity and was within 200m of an area of cultural sensitivity (Gardiners Creek). The desktop assessment revealed that Aboriginal Places had been recorded along Gardiners Creek and the Aboriginal archaeological potential within the proposed activity area was determined to be low-moderate. No Aboriginal cultural material was identified during standard assessment and 50–60% of the activity area was determined to have undergone disturbance. The complex assessment included one 1x1m test pit and an additional five shovel test pits. The test pits revealed natural brown sandy loam overlying grey silty clay subsoil at approximately 300mm with areas of fill up to 500mm. A single quartz artefact was discovered in a test pit at a depth of approximately 100–150mm in a shallow B horizon and registered as VAHR 7922–1599.
Residential Development 10–12 Spence Street Burwood CHMP No. 16246 (Painter & Patton 2019)	0.4km south	This CHMP (16246) was carried out to the level of desktop, standard and complex assessment at 10–12 Spence Street, Burwood. The activity area lies within 200 metres of Gardiners Creek. There were no existing registered Aboriginal Places within the activity area but there are VAHR registered Places within 500m of the activity area. The desktop assessment also determined that despite ground modification within the activity area, there could still be potential for Aboriginal cultural heritage material to be present. However, this potential was determined to be very low. No Aboriginal cultural heritage material was identified during the standard assessment, the author does note that the ground visibility was less than 5% which meant that the standard assessment was considered to be insufficient to determine the nature and extent of the any potential Aboriginal cultural heritage material in the activity area. The complex assessment included the excavation of one 1x1m test pit, four shovel test pits and auger probes (in locations where test pits were not possible). The stratigraphic profile consisted of three silty clay deposits overlying a fourth sterile deposit of compact clay at 500mm. No Aboriginal cultural heritage material was identified.

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Study Name	Distance from Activity Area	Results
Residential Development, 126 High Street Road, Ashwood, Victoria CHMP No. 14256 (Oataway 2016)	1.9km south	This CHMP (14256) was undertaken for a proposed four-lot subdivision located at 126 High Street Road, Ashwood, covering a total of 822m ² . The activity area is located 100m south of Damper Creek and 350m east of the larger Gardiner Creek. The report identified the activity area as being located on a hillslope dropping in elevation to the west in a low relief landscape and within the geographic region consisting of Red Bluff sandstone overlying the older Anderson Creek Formation sandstone. The desktop assessment determined that a large percentage of the activity area had experienced significant ground disturbance due to previous land use and that the front of the property had undergone levelling works with up to two metres of soil being removed, making it unlikely that any natural topsoils will be identified in this area. However, a considerable zone within the activity area was determined as unlikely to have undergone significant disturbance and to require further archaeological investigations. The standard assessment confirmed that areas of disturbance covered the majority of the activity area. No Aboriginal cultural heritage was identified during the standard assessment; however ground surface visibility was low across the activity area. One area identified as a potential location where archaeological material could remain in natural soil deposits. The complex assessment consisted of the excavation of one 1x1m test pit and five 400x400mm shovel test pits. Two silcrete artefacts were identified within the 1x1m test pit at a depth of 150mm and registered as an LDAD (VAHR 7922–1344). The subsurface testing identified a shallow stratigraphy consisting of a brown, firm silty clay deposit overlying a yellowish brown firm silty clay which extended to a maximum depth of 270mm.
38 Morton Road, Burwood – Residential Development CHMP No. 14297 (Patton & Fiddian 2016)	0.9km south	The proposed activity was for the development of three residential houses and associated groundworks. No previous Aboriginal Places were identified within the activity area during the desktop assessment and no new Aboriginal cultural heritage was identified in the standard assessment. The complex assessment involved the excavation of one 1x1m test pit and seven 400x400mm shovel test pits. No natural intact ground surfaces were identified. This disturbance was believed to have been from the construction of existing residential dwelling and past manipulation of a tributary for Gardiners Creek. Aboriginal cultural material was recovered in a disturbed context from a single STP, consisting of 10 quartz artefacts (nine flakes and one nosed scraper). The Aboriginal Place was registered as an LDAD (VAHR 7922–1437) with the activity area assigned low for potential for additional material and scientific significance.
30 Ashwood Drive, Ashwood CHMP Residential Subdivision CHMP No. 14058 (Stevens 2016)	1.0km south	This CHMP (14058) is an update and replacement of previously completed CHMP 13576 due to amendment changes. The activity area is within 200 metres of Gardiners Creek. The results of the desktop assessment showed that no Aboriginal cultural heritage sites had been previously recorded within the activity area and it had been impacted by construction of the existing buildings and associated infrastructure. The desktop assessment concluded that due to the broad-scale development and previous flooding events from Gardiners Creek, it was highly unlikely that there was <i>in situ</i> Aboriginal cultural heritage remaining in the activity area. The activity area thus had low potential for Aboriginal cultural heritage, either surface or subsurface, to be present, and a standard and complex assessment were considered unnecessary.

Study Name	Distance from Activity Area	Results
Three Dwellings, 2 Stephens Street, Burwood Victoria CHMP No. 14017 (Burch 2016)	0.7km south	This CHMP (14017) was prepared for residential development within 200m of Gardiners Creek. The desktop assessment identified five previously recorded Aboriginal Places within the geographic region (VAHR 7922-0576, 7922-0614, 7922-1251, 7922-1252 and 7922-1344). There was some possibility that either artefact scatters or isolated artefacts would be identified within the activity area due to its proximity to the creek. No Aboriginal cultural material was identified during standard assessment. No areas of moderate or high Aboriginal archaeological sensitivity were identified and it was determined that existing structures within the activity area had likely cause significant ground disturbance within their footprints. A total of one test pit and four shovel test pits were excavated across the activity area. A shallow soil profile of sandy silt overlying indurated silt overlying a compact, dry clay base between 340–430mm depth was encountered across the activity area. No Aboriginal cultural heritage was identified during complex assessment.
Residential Subdivision, 114 and 116 Argyll Street, Malvern East, Victoria Cultural Heritage Management Plan No. 13491 (Beaton & Ward 2015)	2.9km south	This CHMP (13491) was conducted for the proposed subdivision and subsequent construction of 10 residential dwellings at 114 and 116 Argyll Street, Malvern East. No Aboriginal cultural heritage was identified during standard assessment and although several parts of the activity area were considered disturbed, the southern section of the block retained a relatively undisturbed natural slope. The complex assessment included the excavation of a 1x1m test pit and six 400x400mm shovel test pits to a maximum depth of 850mm. A total of 207 artefacts were identified at depth of between 250–700mm. Artefacts were recovered underneath a layer of disturbed soils with modern inclusions from what were determined as natural sandy silts towards the rear of the properties, at the same location where the standard assessment had previously identified a possible remnant section of undisturbed flood plain landform. The artefact scatter was registered as VAHR 7922-1393.

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Study Name	Distance from Activity Area	Results
<p>An Archaeological Investigation, Gardiners Creek PCP</p> <p>Report No. 3682</p> <p>(Hyett & Webb 2006)</p>	<p>0.2km</p>	<p>This cultural heritage assessment was undertaken by TerraCulture for Melbourne Water who were implementing a series of Project Concept Plans along the Gardiners Creek, a 1.7km frontage on both sides of the creek between Station Street and the Burwood Highway. For this assessment a desktop study and site inspection were completed to fulfil the statutory requirements for the protection of cultural heritage Places. The assessment provides a description of the area as being vegetated with introduced grasses and a combination of native and European trees and bushes dissected with walking paths on either side. The creek itself is meandering with drops and weirs at several locations and the creek banks have been modified and stabilised; however, some sections of the bank appeared to be unmodified. At the time of this report's preparation, no Aboriginal Places were within the study area under investigation, however there were two registered Places within 3 kilometres: a scarred tree at Blackburn and a stone axe collected from Gardiners Creek at Box Hill. The results of the site inspection concluded that large areas of the creek and surrounding parkland are relatively unmodified and there is a good potential for Aboriginal cultural heritage material to be present in these areas. The lowest potential for archaeological material was determined to be at the creek's edge, an area which has received the greatest levels of alterations through bank modification works.</p>
<p>Artists Corner, Gardiner Creek, Box Hill</p> <p>(Murphy & Maitri 2004)</p>	<p>1.5km</p>	<p>This report presents the results of a site inspection at Artist's corner on Gardiners Creek which was completed for the Melbourne Water Corporation undertaking creek rehabilitation works. The study area comprised a level floodplain with a single stream within the Box Hill Golf Club. The high level of disturbance and the fact that the creek is subject to flooding and erosion suggested that the likelihood of identifying <i>in situ</i> Aboriginal cultural heritage Places within the study area was low. The results of the survey for the study area identified no Aboriginal cultural heritage in the exposed areas of the eroding creek bed or in the surface of the creek bank. As part of the monitoring works, each work area was scraped back to an approximate depth of 100mm and inspected for Aboriginal cultural heritage. No artefacts were identified.</p>

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7.2.5 Historical and Ethno-Historical Accounts in the Geographic Region

During European occupation, the central portion of what is now known as the state of Victoria was occupied by Aboriginal people who shared a common language and political, social, religious and economic affiliations. They identified themselves as *Kulin*, the label meaning 'man' in the dialect spoken in the Melbourne region (Blake 1991, p.31). The area of land occupied by the *Kulin* people extended as far north as present day Echuca, west as the Richardson River, Mt Avoca, Fiery Creek and Mt Emu Creek, south to the Victorian coastline and east to the Tarwin River and Wilsons Promontory (Blake 1991, p.30; Clark 1990).

Within the *Kulin*, a number of different but related dialects or *wurrung* (= lips, speech, mouth) were spoken. Generally speaking, different dialect groups among the *Kulin* were delineated by association with a specific area of country. Thus *Taungurong* was a *Kulin* dialect spoken north of the Great Dividing Range and west to the Campaspe River (Blake 1991, p.31). *Woivorong* was one of the *Kulin* dialects spoken in the Melbourne region, within the area drained by the Yarra River and its tributaries (Blake 1991, p.45). *Bunurong* was a dialect spoken along the coast from the Werribee River to Wilsons Promontory and in the country that took in rivers to the east of Melbourne, which drained from the highlands to the coast (Blake 1991, p.47).

Amongst the *Kulin*, political, social and economic relationships were shaped by affiliation with the main unit of social organisation (the clan) and affiliation with one of two groups linked with creation ancestors. A clan was usually formed from a number of related families (a lineal descent group), which claimed guardianship over a particular tract of land (Howitt 1904, p.41; Cotter 2001). *Kulin* clans supposedly traced descent through the male line (patrilineal descent), although this is disputed by some contemporary descendants of Traditional Owners.

The activity area lies within boundary land for clans speaking the *Bunurong* and the *Woivorong* dialects of the *Kulin* language.

The *Kulin* were also divided into two groups (described as moieties¹ by western anthropologists) linked with creation ancestors. These groups were *Waa* (crow or Australian Raven) and *Bunjil* (Wedge-tailed Eagle; Barwick 1984, p.105). Affiliation of an individual with either *Waa* or *Bunjil* was determined at birth by the group/moiety affiliation of the father and the father's clan (Barwick 1984, p.105; Clark 1990).

In traditional *Kulin* law, moiety and clan affiliation determined marriage. Individuals were required to marry outside their clan and to a person belonging to the opposite moiety. Thus, an individual who belonged to the *Waa* descent group could only marry a person from another clan and from the *Bunjil* descent group. Marriages were often arranged at large ceremonies involving clans from a number of different geographical locations.

Marriage had an extremely important influence on social and economic relationships and individuals could acquire considerable status and economic power through marriage ties, particularly men who could afford to support more than one wife. Access to the land and resources of another clan was most often gained by a kin relationship formed by marriage (Barwick 1984, p.106), although geographical proximity of birth or descent could also form grounds for access. Marriage also imposed a mutual obligation of each clan to provide access to some or all of the resources of another, so that reciprocal sharing of resources was fundamental to land management (Barwick 1984, p.106).

¹ In anthropological terms, a 'moiety' is defined as one of two (or in some Australian Aboriginal societies more than two) unilateral descent groups into which a tribe or other large social group is divided.

William Thomas stated that the *Bunurong* claimed “all the country south of the Yarra River, whose creeks and inlets fall into the sea from the Werribee River west to the Tarwin River, east of Cape Patterson” (Thomas papers Vol.7 17/1/1860 in Clark 1990, p.363).

The description given by *Bunurong* clans of the area covered by their own country, transcribed in a discussion between *Bunurong* descendants Nana Ida West, Auntie Lennah Newson, Sheldon Thomas and Sonia Murray (reproduced in Murphy 2002, p.28), reveals that:

All the rivers, creeks and small streams that run into the two bays or Bass Strait east of the Werribee River are Bunurong land and waters...These rivers and mountains are living spiritual beings, they interact with all that is around them. There is no line separating the rivers from the mountains and living things move between them both without fighting. That is how my old people lived!

The *Bunurong* language group comprised six clans who occupied the coastal tract stretching east from the Werribee River and encompassing the Port Phillip and Western Port Bays and ceasing at the Tarwin River watershed (Howitt 1904, p.71; Clark 1990, p.366). The *Bunurong* clan associated with the region of the activity area was the *Ngaruk willam* (Clark 1990, p.365). *Ngaruk willam* literally translates as ‘stone dwellers’ (Clark 1990, p.367). The *Ngaruk willam* were associated with the area south of the Yarra River from Gardiners Creek to the junction of the Yarra and Maribyrnong rivers.

It is possible that the land within the activity area was shared country with the neighbouring *Woiworung* (now known as the Wurundjeri), similar to that described by Barak as ‘half bad country’ (Barwick, 1984: 119). The closest documented *Woiworung* clan to the activity area was *Wurundjeri balug* (white gum tree people; Clark 1990, p.384), who were associated with the area drained by the Yarra River and all its tributaries). Clark describes the *Wurundjeri balug* as:

...composed of two patrilineal occupying adjacent localities: the *Wurundjeri willam* on the Yarra River from its northern sources at Mt. Bawbaw to its junction with the Maribyrnong (Saltwater) River at Melbourne, and the *Bulluk willam* extending south to Dandenong, Cranbourne and swamps at head of Western Port Bay (Clark 1990, p.384).

Oral History Relating to the Activity Area

The BLCAC, the BLSC and the WWCHAC were invited to provide oral history in relation to the activity area and surrounding region via email on January 6, 2020. The BLSC responded on January 6, 2020 and WWCHAC responded on January 7, 2020 stating they had no specific oral history relating to this area. The BLCAC did not respond.

7.2.6 Land-Use History of the Activity Area

During the 1830s and 1840s, pastoralists largely ignored the region south east of Melbourne owing to its dense vegetation. One of the few early settlers of the region was Jack Gardiner, who arrived in Port Phillip in 1836 in search of grazing lands. He built himself a homestead at the mouth of the Kooyongkoot Creek. The creek has since passed part of its name over to the suburb of Kooyong and taken Gardiner’s name in exchange. Gardiner’s run extended as far as the present-day suburbs of Ringwood and Croydon (Brennan 1972, p.6). What Gardiner did was imitated by many others; most notably, Arundel Wright who arrived in 1837. In 1838 Wright established the station ‘Beadesert’ or, Nunawading, on 315 acres of ‘good country’ extending from what is now Middleborough Road between Koonung Creek and present-day Canterbury Road (Thomson 2005, p.12). Despite numerous boundary and leasing disputes – with the land sales of the 1850s expropriating sections of the ‘Beadesert’ lease – Wright remained in the area on what remained the highest value property in the region until his death in 1887 (Spreadborough & Anderson 1983, p.259; Thomson 2006, p.12).

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Timber cutters aided in the clearance of land throughout the district when the demand for the sale of firewood to Melbourne became profitable. As well as selling timber for immediate income, the timber-cutters encouraged settlement of the region by clearing the dense vegetation that had initially caused the south east of Melbourne to be largely ignored. By the 1860s most of the tall timber had been cut (Anderson 1974, p.14; Thomson 2006, p.12). In 1852, the area was surveyed for the sale of small allotments and by January 1854 most of the land comprising the former 'Beaudesert Run' south of Whitehorse Road had been sold at auction. Following the land sales of the 1850s, firewood cutting gave way to the development of small dairy farms, vineyards and mixed farming. Although the area proved to be well suited to fruit-growing in particular, the area's population growth remained relatively slow (Thomson 2006, p.12).

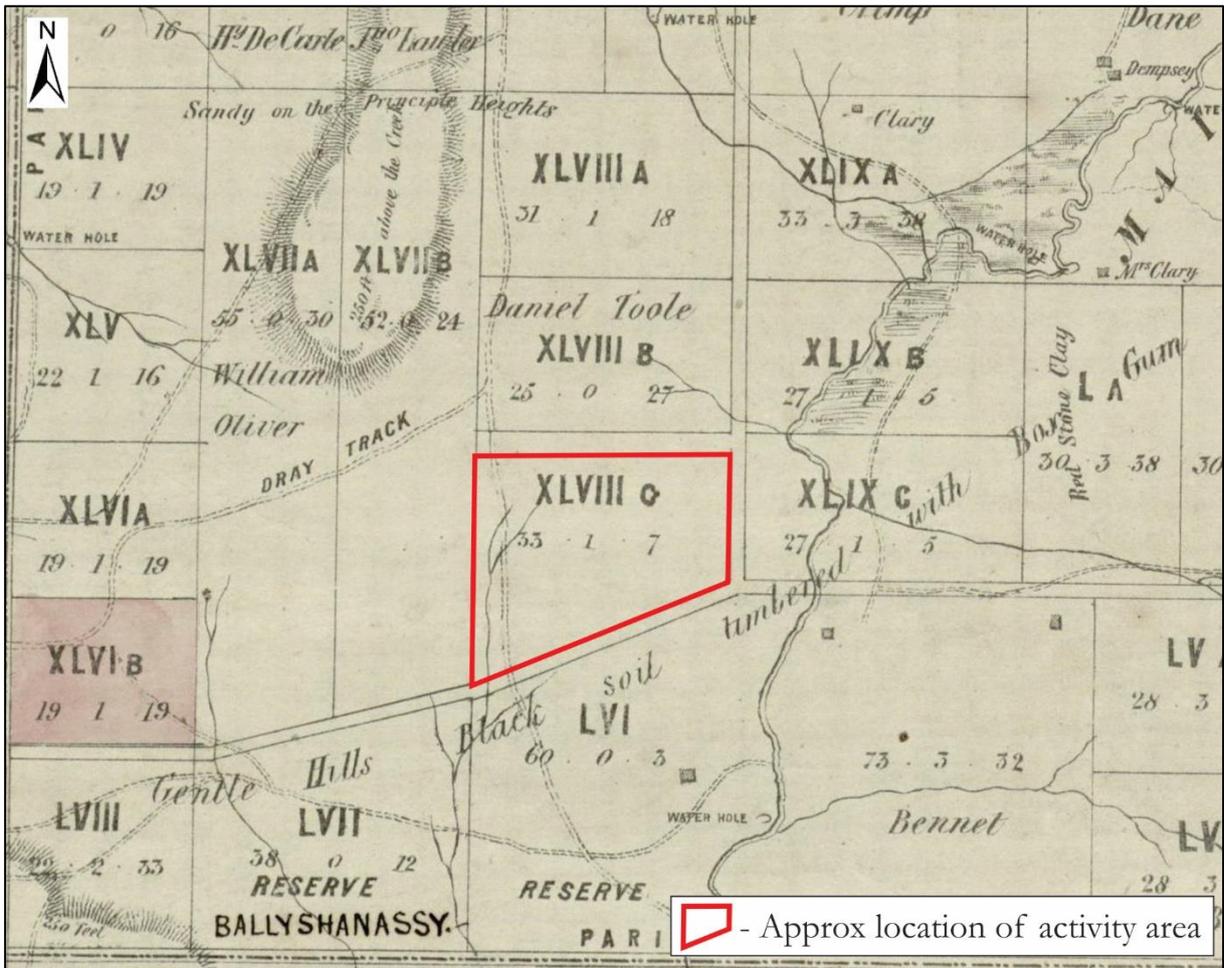


Figure 2: Activity area in 1855 Parish of Nunawading map (SLV)

The first settlement in the area, known as Ballyshanassy, was surveyed in 1858. The settlement became known as Burwood in 1879. The name 'Burwood' was taken after the name of a house located in Hawthorn West built in 1852 by Sir James Palmer. The original settlement was centred on Burwood Cemetery and the Police Station. The suburb of Burwood later spread westwards to the Hartwell railway station, which was subsequently renamed Burwood railway station.

The first Post Office in the area opened on 1 May 1853 as Ballyshanassy, but was later renamed Burwood around June 1879. By 1904, Burwood had a population of 600 and had a post office, two hotels, a bank and a number of churches. The township at that time was surrounded by farms and market gardens.

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Albers' Daffodil Farm, established in 1934, is typical of the local market gardens in the Burwood area around this time. Albers' Daffodil Farm was originally located on the site of what is now housing at Daniel May and Craig Burwood Campus and operated on the site until 1951, at which point it was sold to the government.

An 1855 map of the Parish of Nunawading clearly shows that by this time the former 'Beadesert Run' had been divided into hundreds of smaller pastoral allotments (Figure 2). The land in the Burwood region was purchased by graziers and selectors and subsequently cleared and utilised for agricultural and pastoral purposes. The main early industries were primarily wheat and oats, with some dairying and wool production (Brennan 1972). The 1855 parish map of Nunawading indicates that the activity area was at that time located within land owned by Daniel Toole, with the surrounding land marked as "gentle hills, black soil, timbered with box gum and stringy bark" (Figure 2).

Around the 1890s the pace of development in the region increased with the construction of the Outer Circle Railway Line which serviced the suburbs of Kew, Kew East, Camberwell, Burwood, Ashburton and Malvern East. Residential development increased around the area in 1912, following the extension of the Toorak Road tramline. Following World War II, development headed east along Burwood Highway. By the 1950s Burwood was thoroughly urbanised, owing to the rapid post-war housing expansion (Thomson 2006, p.12).

The activity area is currently used as the PLC Burwood campus. PLC moved from an East Melbourne campus to this location in 1958. At that time the activity area was the location for 'Hethersett', a large property with extensive grounds which had previously been used as a repatriation hospital after World War I.

A 1945 aerial image (Figure 3) shows the activity area during its use as the Hethersett property. The main building complex is located roughly in the centre of the activity area, with a large driveway and turnaround extending from Burwood Highway to the south. A number of large structures are visible to the east of the main building complex, with an orchard or other formal planting area located to the east of this. Tennis courts and a large oval are located in the south west corner of the activity area. Another sports field is visible to the east of the driveway. There are two large paddocks in the north of the activity area, which appear to be used for grazing. Plantings of mature, probably European trees are visible along the borders of these paddocks. Some small sheds area also visible in these paddocks. A number of formal gardens are also visible in proximity to the building complex and driveways.

A 1954 aerial image (Figure 4) shows the activity area in a similar layout to the 1945 aerial (Figure 3). Some trees have been removed from the northern border of the activity area. Residential development has taken place on the land surrounding the activity area.

A 1956 aerial image (Figure 5) shows the activity area as it is being prepared for use as the PLC Burwood campus. A large area of excavation/ground disturbance is visible in one of the northern paddocks with an access road. The majority of the structures appear in similar location to the 1954 aerial image (Figure 4).

A 1963 aerial image (Figure 6) shows the activity area with a number of new buildings constructed. The main building complex and driveway appears to be in a similar location to that seen in previous aerials (Figures 3–5). A new large structure is visible to the north of the main building complex and another is visible in the north east portion of the activity area. A large disturbed area of soil is visible to the east of the main building complex, possibly for the construction of a new building. A car park has been constructed in the north west portion of the activity area, with an access road extending from Parer Street.

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The building structure has been extended to the north of that seen in previous aerials (Figures 3–5). A small structure is visible to the east of the main driveway, adjacent to Burwood Highway. A number of trees and paths between buildings are also visible across the activity area.

A 1975 aerial image (Figure 7) shows the activity area has undergone further development. Further buildings have been constructed around the main building complex, with trees as felled in this area. The building to the north of the main building structure has been expanded and a second building has been constructed immediately to the north east. In the north east corner, another large building has been constructed with a paved area and tennis courts also visible to the east. Trees between the old paddocks have been removed and a car park has been constructed along the old fence line, extending from Elgar Road. A number of new areas of stripping/disturbance are visible in the north west and south east corners of the activity area.

A 1987 aerial image (Figure 8) shows the activity area in a similar context to the previous aerial image (Figure 7), however a number of new, smaller structures are visible in the south east and northern parts of the activity area.

A 2009 aerial image (Figure 9) shows the activity area with a number of new buildings. The main building complex maintains the original Hethersett building with a new set of buildings extending to the east. The long linear building to the south west of the Hethersett building appears to be the same as that that appears in the 1987 aerial (Figure 8), however the building to the south of this has been demolished and a large new building constructed. Some shade/pavilion areas have been constructed around the oval in the south west part of the activity area. The tennis court area in the western part of the activity area has been resurfaced and soccer fields also established in this area. A changing shed is also visible in this area. Two car parking areas are located in the north west corner, with the access road connecting to Parer Street. The building complex to the north of the main building complex is largely the same, however it has had some slight additions/alterations to its footprint. The large building in the north east corner has been expanded to Elgar Road in the east, with a number of smaller out buildings and formalised oval and tennis courts added. Further tennis courts and buildings have been added in the south east corner of the activity area. A long linear access road/car parking area extends down from the north east corner of the activity area to the south east corner, running adjacent to Elgar Road. A complex of smaller buildings is visible along the southern portion of the activity area with a gravel car parking area. An area of disturbance is also visible to the east of this area, with patchy grass and areas of erosion. Numerous paved areas, walkways, driveways and gardens area also visible around the activity area.

An aerial image showing the current conditions of the activity area (Map 2) shows a number of new structures across the activity area. Two new buildings have been constructed in the western portion of the activity area and an extension has been added of the south east tip of the building in the central northern part of the activity area. A new building has also been added where the gravel car park area was in the 2009 aerial (Figure 9). Netball courts have been constructed in the western part of the activity area and the car park in the north west corner has been extended to the west. A driveway off Burwood Highway to the east of the oval has had a turnaround constructed with landscaping surrounding this.

A search of Dial Before You Dig (DBYD) revealed the presence of utility services within the activity area. Figure 10 shows Optus assets along the southern and eastern boundaries of the activity area. Figure 11 shows electrical assets extending into the north west corner of the activity area. Figure 12 shows gas assets extending into the eastern half of the activity area from two points off Elgar Road. Figure 13 show fibre optic cable extending along the eastern, southern and western borders of the activity area, before extending into towards the centre of activity area. Figure 14 shows a number of Telstra assets located

across many sections of the activity area. The connections of these utilities to the different buildings and facilities within the activity area is not shown on the DBYD maps. Water, sewerage and drainage services are also not mapped. The installation of these utilities would have involved the excavation of trenches by machinery, causing substantial ground disturbance within their alignment.

A review of the land-use history of the activity area has shown that the entirety has likely undergone multiple phases of disturbance through the initial land clearance, grazing and construction of manor home and related outbuilding in the late nineteenth and early twentieth century followed by multiple phases of construction and demolition across the entirety of the PLC school campus from 1956 to the present day (Figures 3–9). Although the current conditions aerial (Map 2) shows a number of green spaces, these are composed of constructed playing fields, such as ovals, tennis courts and netball courts, which would have required levelling and grading of the naturally sloping block. It is considered highly likely that topsoils would have been removed from the activity area through the phases of development in order to level and construct school building and facilities across the site, impacting the shallow Anderson Creek Formation and Red Bluff Sandstone soils.

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Figure 3: 1945 aerial photograph (University of Melbourne)

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Figure 4: 1954 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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Figure 5: 1956 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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Figure 6: 1963 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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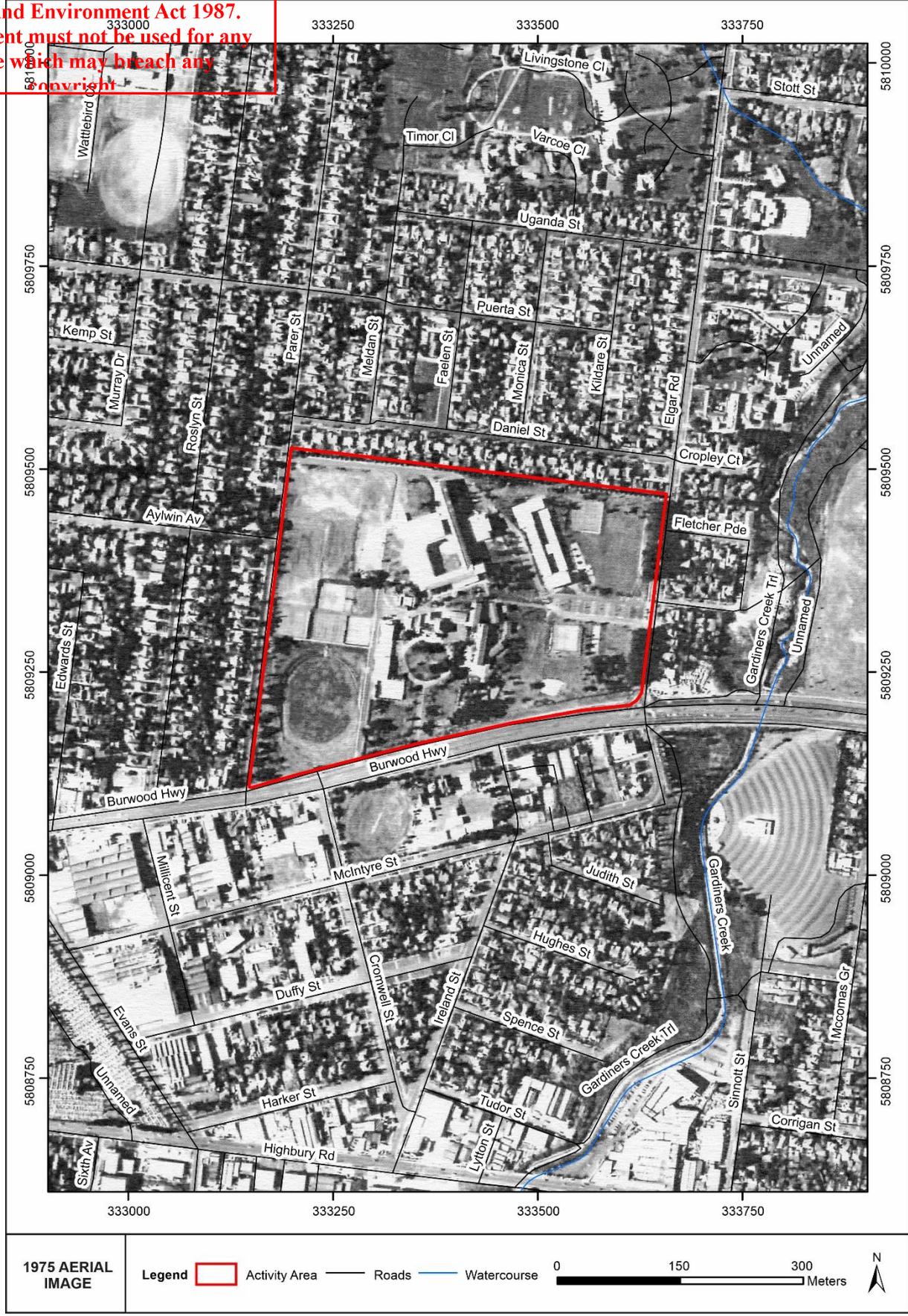


Figure 7: 1975 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

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Figure 8: 1987 aerial photograph (Department of Environment, Land, Water & Planning – LANDATA)

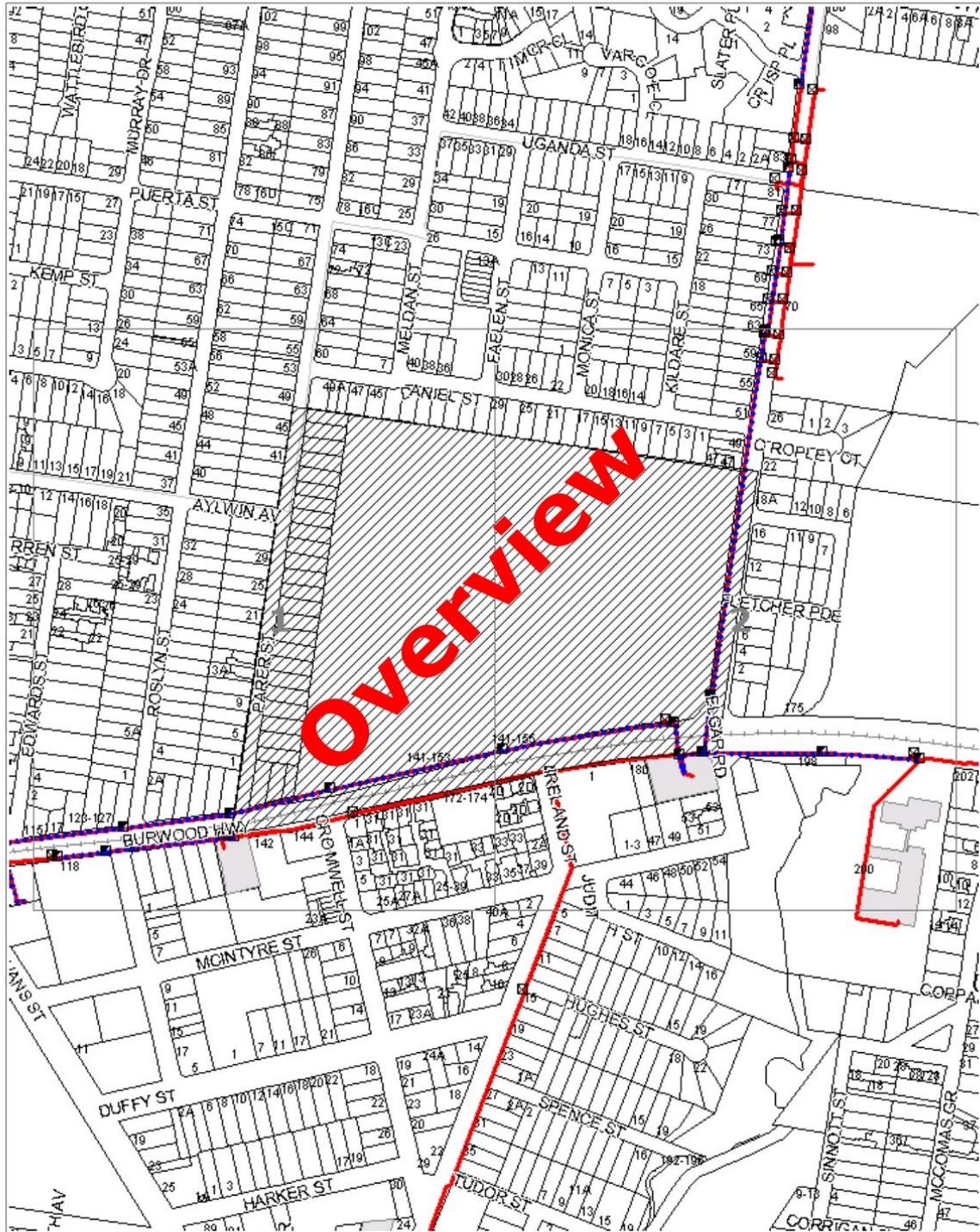
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Figure 9: 2009 aerial image (Nearmap)

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Figure 10: Optus assets within the activity area (DBYD)

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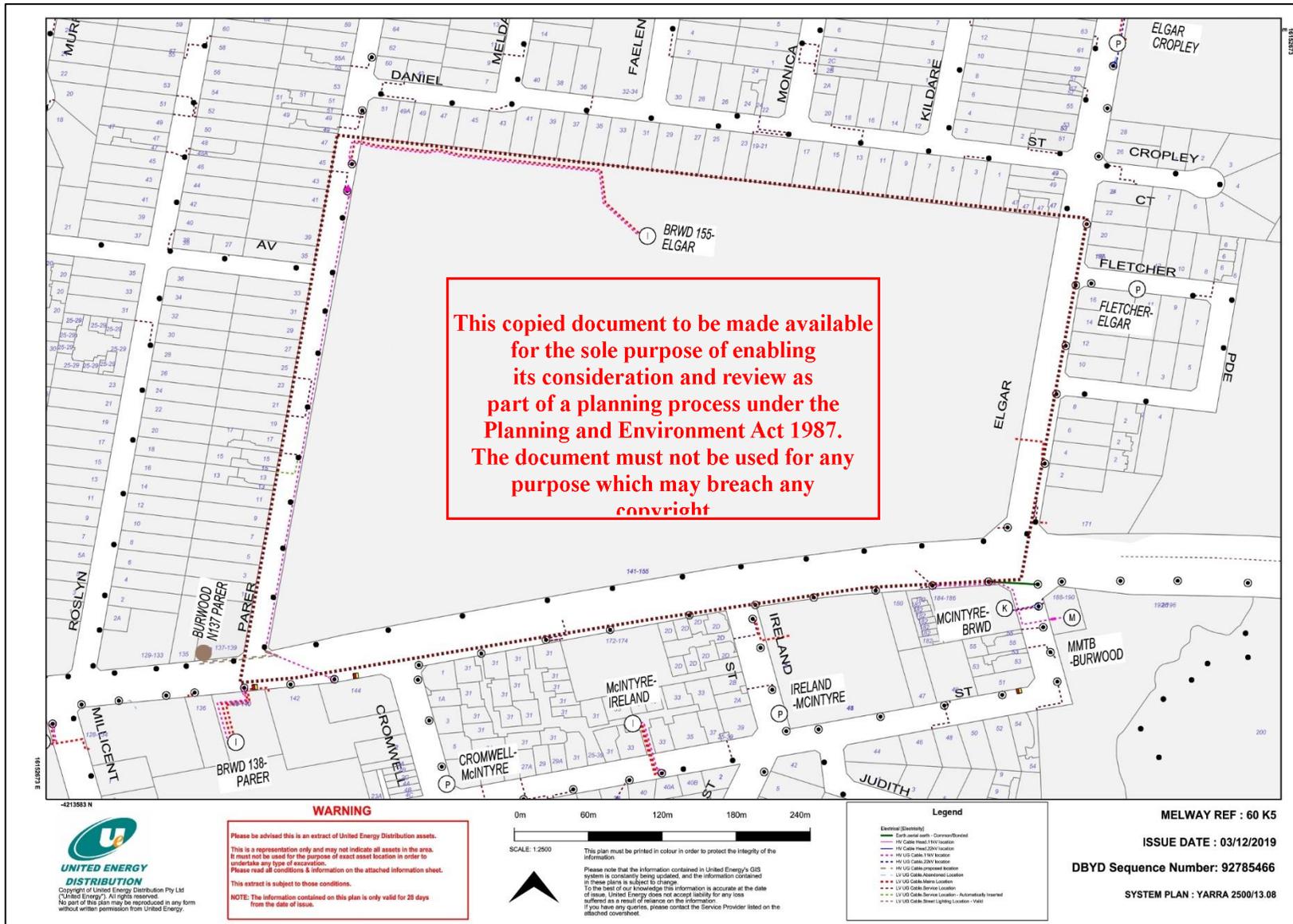


Figure 11: Electrical assets within the activity area (DBYD)

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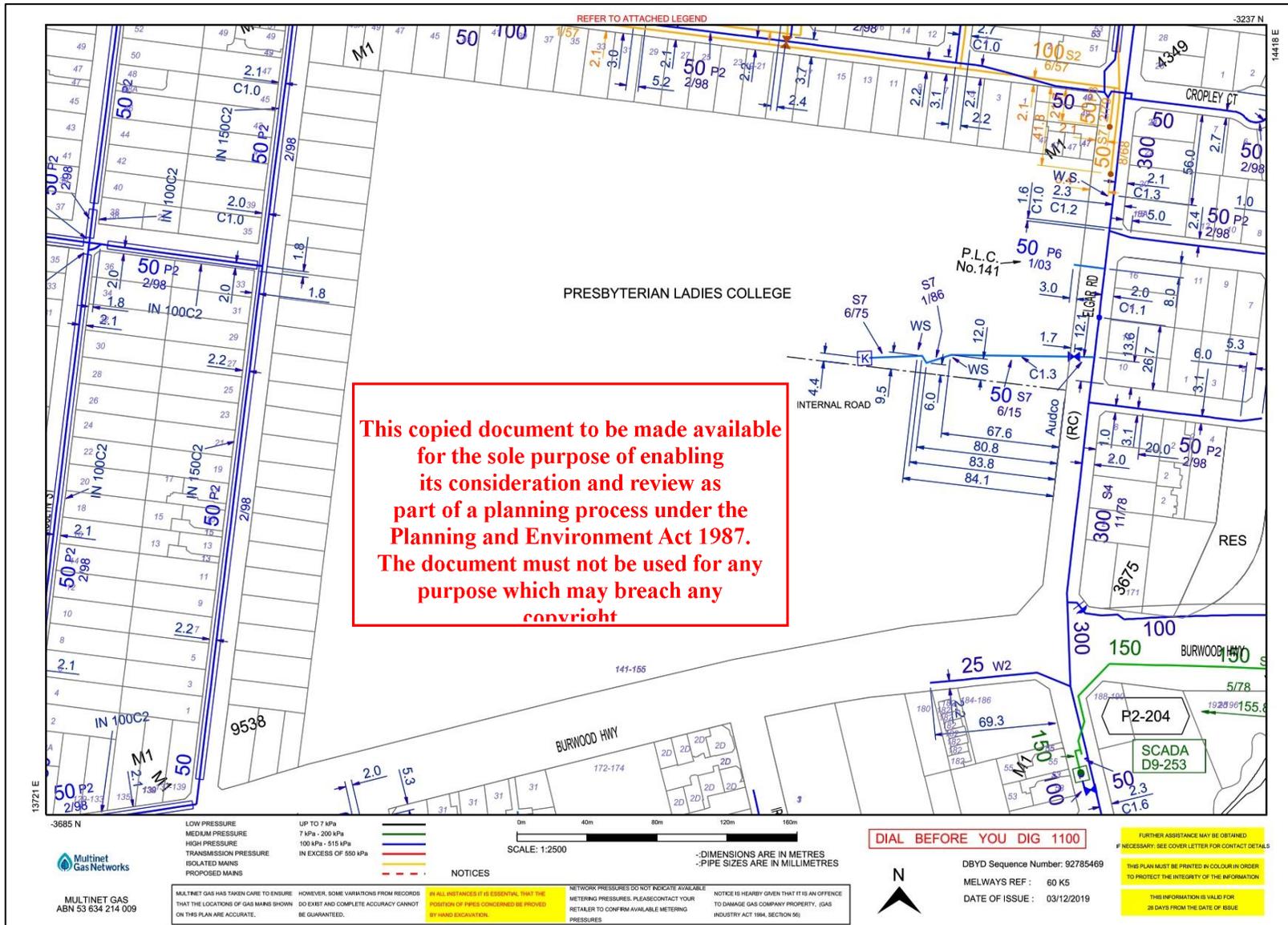


Figure 12: Gas assets within the activity area (DBYD)

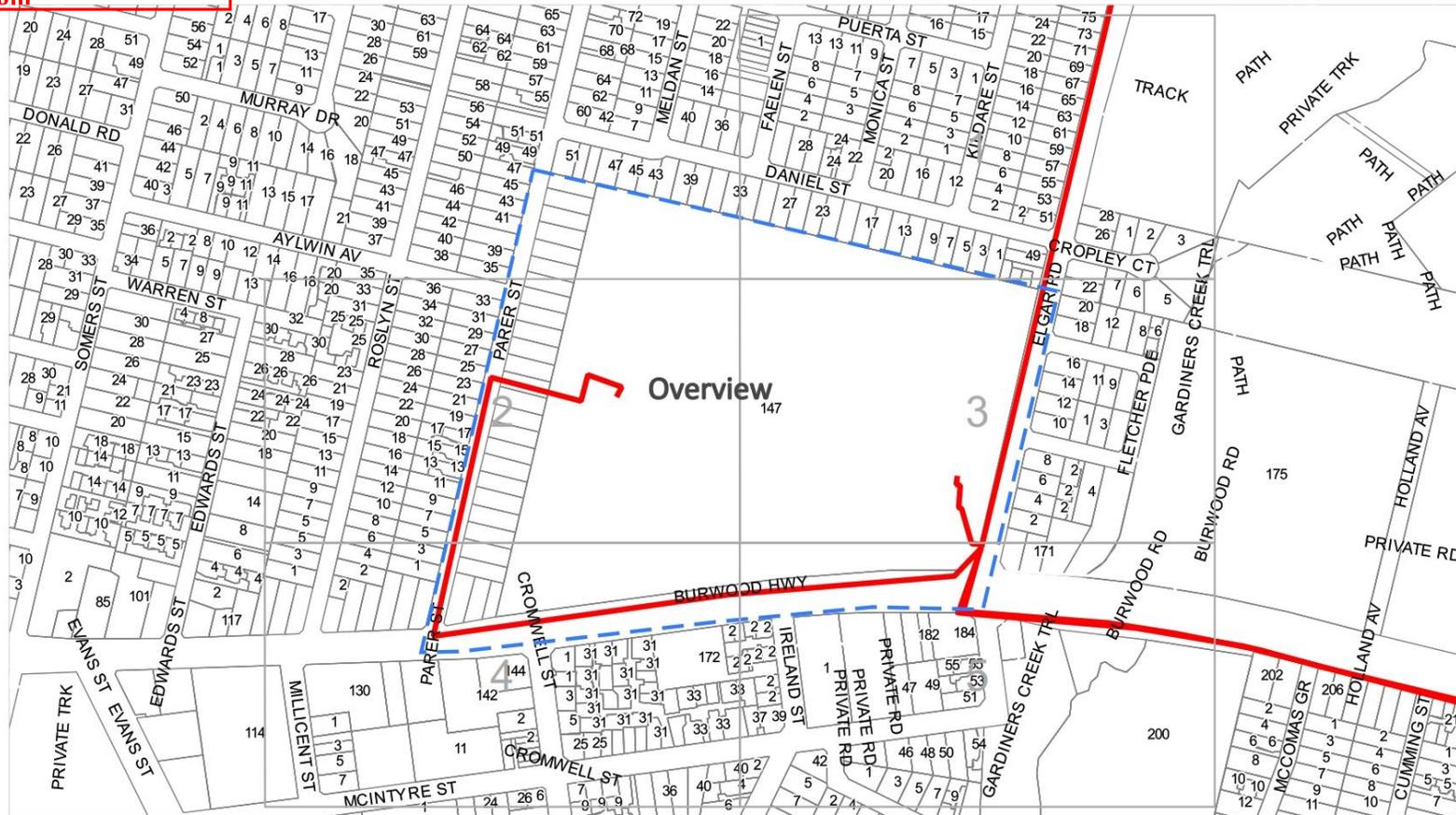
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Location: 141 Burwood Highway, Burwood, VIC 3125



Legend | Scale: 1:4612



- Enquiry Area
- AARNet Fibre Optic Assets
- AARNet Power Assets
- Cadastre

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Figure 13: Fibre optic assets within the activity area (DBYD)

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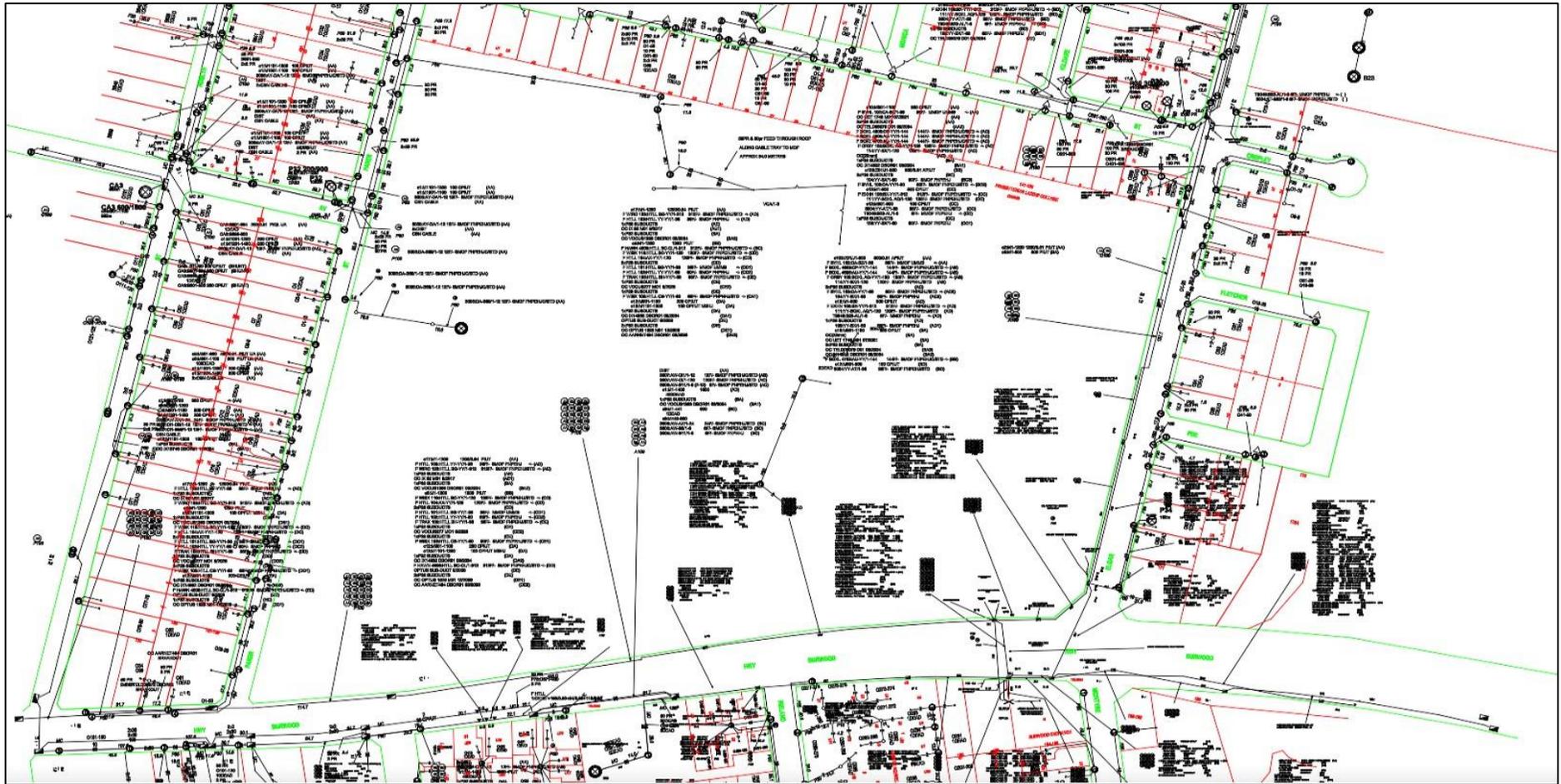


Figure 14: Telstra assets within the activity area (DBYD)

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7.3 Site Prediction Model

The desktop assessment for the activity area has allowed a site prediction model to be developed. A site prediction model is intended for use as an indication of the types of Aboriginal archaeological sites that may occur in a given area. The site prediction model can later be tested against the results of the field survey and/or subsurface testing. The following general statements can be made regarding the activity area:

- the activity area is located within geologically mapped Anderson Creek Formation or Red Bluff Sandstone geology where soils are expected to comprise contain shallow silty clay soils;
- the activity area is located mid-slope on gently undulating terrain with a general slope toward Gardiners Creek to the east;
- artefact scatters and low density artefact distributions are the most common Aboriginal Place type within the geographic region;
- Aboriginal Places within the geographic region tend to be located within the creek corridors of Gardiners Creek, Damper Creek and Scotchmans Creek;
- work conducted within the wider region highlights the importance of Gardiners Creek to Aboriginal people as a source of reliable fresh water, a route through the landscape and a source of food supply in the form of a rich array of flora and fauna;
- there are no registered Aboriginal Places within 200m of the activity area. The closest registered Aboriginal Place is an artefact scatter (VAHR 7922-1442) located approximately 300m to east. A total of 31 artefacts were identified in a subsurface context between depths of 10–100mm. The artefacts were identified in five STPs in a disturbed brown humic silt context with glass, metal, plastic and ceramic inclusions. It was determined that these artefacts were most likely brought onto the property through introduced fill;
- most CHMPs conducted within a 5km radius have been on small urban lots where earlier dwellings or other structures have existed. The surface surveys tended to be limited by poor ground visibility, while the excavation work often identified highly disturbed subsurface ground conditions, reflecting the long-term urbanisation of Burwood;
- the land-use history indicates that the activity area has been impacted by the clearing of native vegetation, use for grazing and construction of a manor home and related outbuilding in the late nineteenth and early twentieth century;
- aerial photography shows that the activity area has been impacted by construction and demolition of multiple phases of school buildings and infrastructure across the entirety of the activity area between 1956 to the present day;
- the activity area contains shallow topsoil deposits and for this reason removal of topsoil from the area is extremely likely to have destroyed any subsurface cultural material; and
- the removal of native vegetation prior to the 1945 aerial (Figure 3) and the lack of mature eucalyptus trees (Appendix 6) means the area contains no potential for the discovery of scarred trees.

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7.4 Conclusions from the Desktop Assessment

The area of cultural heritage sensitivity covers the eastern margin of the activity area.

Regulation 62(1) of the *Aboriginal Heritage Regulations 2018* states that:

- (1) Subject to subregulation (2), a standard assessment is required if the results of a desktop assessment show that it is reasonably possible that Aboriginal cultural heritage is present in the activity area.

The desktop assessment has determined that while the Gardiners Creek corridor contains some archaeological potential, the activity area has undergone substantial ground disturbance through multiple phases of construction and demolition of school buildings and facilities, a process which likely included the removal of shallow Anderson Creek Formation or Red Bluff Sandstone top soils, particularly through the need to level the naturally sloping block.

It is not considered reasonably possible that Aboriginal cultural heritage material is present within the activity area due to the repeated episodes of substantial ground disturbance, the removal of these potentially artefact bearing soils and the shallow nature of the Anderson Creek Formation and Red Bluff Sandstone soils on which the activity area is situated.

In addition, clearance of native vegetation prior to the 1945 aerial (Figure 3) and the lack of mature eucalyptus trees (Appendix 6) means the area contains no potential for the discovery of scarred trees.

Therefore, a standard assessment is not required in accordance with r. 62(1) of the *Aboriginal Heritage Regulations 2018*, as the desktop assessment has shown that it is not reasonably possible that Aboriginal cultural heritage is present within the activity area.

A complex assessment is also not warranted in accordance with r. 64(1) of the *Aboriginal Heritage Regulations 2018*, as for the reasons established above, Aboriginal cultural heritage is not likely to be present within the activity area.

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8.0 Consideration of Section 61 Matters – Impact Assessment

In accordance with Section 61 of the *Aboriginal Heritage Act 2006*, a CHMP must consider whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage.

Section 61 matters are a requirement of the CHMP process and are an assessment of whether:

- harm to Aboriginal cultural heritage can be avoided or minimised (s. 61 (a) and (b));
- specific measures are required for the management of Aboriginal cultural heritage (s. 61 (c));
- particular contingency plans are required in relation to disputes, delays and other obstacles that may affect the conduct of the activity (s. 61 (d)); and
- requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity are needed (s. 61 (e)).

8.1 Section 61 Matters in Relation to Aboriginal Cultural Heritage

8.1.1 Can Harm to Aboriginal Cultural Heritage be Avoided and/or Minimised?

In accordance with Section 61 of the *Aboriginal Heritage Act 2006*, it is stated that the proposed works cannot be carried out in a way that would avoid harm to Aboriginal cultural heritage if located within the activity area.

The proposed activity will impact the sections across the entire activity area; however the majority of proposed works will be undertaken outside of the area of cultural heritage sensitivity (see Map 4 & Map 8). The archaeological potential of the activity area is considered very low, due to the disturbance and likely removal of naturally shallow soils. It is considered unlikely that Aboriginal cultural heritage will be identified during the proposed works.

Cumulative Impact Statement

The geographic region currently contains 31 registered Aboriginal Places, comprising 57 components. The most common components in the geographic region are low density artefact distributions (n=34), followed by object collections (n=15), artefact scatters (n=5) and scarred trees (n=3).

Research conducted within the wider region has emphasised the importance of permanent waterways such as Gardiners Creek, Damper Creek and Scotchmans Creek. Regional reports have also noted that Gardiners Creek is surrounded by extensive urban residential development and has been subject to modifications of its original course and creek banks with only small sections maintaining its original alignment, reducing the archaeological potential of the creek corridor. As a result, the low number of Places have been registered in the geographic region most likely represents both a lack of detailed archaeological assessment within the region and the extent of destructive land-use activities related to urbanisation of the Burwood region.

The desktop assessment concluded that it was not reasonably possible for Aboriginal cultural material to be located within the activity area due to clearance of native vegetation and several phases of substantial ground disturbance, including the likely removal of shallow Anderson Creek Formation and Red Bluff Sandstone soils. No Aboriginal cultural material was located within the activity area and no areas of potential sensitivity were identified. As a result, the proposed works are unlikely to impact on Aboriginal

cultural material, therefore, there is no known cumulative impact upon cultural heritage within the activity area because of these works.

No specific conditions for future CHMPs have been identified during this assessment. However, future CHMPs or other archaeological investigations that may be undertaken within the Gardiners Creek corridor within the Burwood area have a high potential to further enhance the current understanding of Aboriginal utilisation in this region.

8.1.2 Are Specific Measures Needed for the Management of Aboriginal Cultural Heritage?

No specific measures are needed for the management of Aboriginal cultural heritage. No Aboriginal cultural heritage was identified within the activity area during the assessment and it is considered unlikely that Aboriginal cultural heritage will be identified during the proposed works.

8.1.3 Necessary Contingency Plans

The approved form for a CHMP (*Aboriginal Heritage Regulations 2018*, Schedule 2, 13(1)) states that a management plan must include specific contingency plans for:

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

There are several contingency plans that may be necessary during the conduct of this project. In particular, it is necessary to have contingency plans in place for the following:

- unexpected discovery of isolated or dispersed cultural material and for the unexpected discovery of a burial; and
- reviewing compliance with the management plan and mechanisms for remedying non-compliance.

These and other contingency plans are discussed in detail in Section 2.

8.1.4 Necessary Custody and Management Arrangements

No Aboriginal cultural heritage was identified during the conduct of this CHMP and therefore no custody and management arrangements for Aboriginal cultural heritage are required. However, there must be a procedure in place for the unexpected discovery of Aboriginal cultural heritage during the proposed works. Further information regarding custody and management arrangements for Aboriginal cultural heritage identified during the conduct of the proposed activity are contained in Section 2.

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Appendix 1: CHMP Notification

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

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

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

SECTION 1 - Sponsor information

Sponsor: Presbyterian Ladies' College
ABN/ACN: 16 005 650 386
Contact Name: Hamish Blair
Postal Address: 141 Burwood Highway, Burwood VIC 3125
Business Number: 9805 7814 Mobile: 0427 372 158
Email Address: rdarbritz@plc.vic.edu.au

Sponsor's agent (if relevant)

Company: Taylor's
Contact Name: Jennifer Lim
Postal Address: 8/270 Ferntree Gully Road, Notting Hill VIC 3168
Business Number: 03 9501 2800 Mobile: _____
Email Address: j.lim@taylor'sds.com.au

SECTION 2 - Description of proposed activity and location

Project Name: Proposed Upgrade Works, Presbyterian Ladies' College, 141 Burwood Highway, Burwood
Municipal district: Whitehorse 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

Jessica Hardy Heritage Insight Pty Ltd jessicahardy@heritageinsight.com
Name Company Email address

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

Start Date: 18-Dec-2019 Finish Date: 18-Jun-2020

Submitted on: 18 Dec 2019

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

- A cultural heritage management plan is required by the Aboriginal Heritage Regulations 2007
What is the high Impact Activity as it is listed in the regulations?
Education centre
Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations?
- 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.

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**.*

Boon Wurrung Foundation Limited
Bunurong Land Council Aboriginal Corporation
Wurundjeri Woi Wurrung Cultural Heritage 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**.*

This is intended to be a voluntary desktop CHMP. We will ask the Traditional Owners for any oral history that they have in relation to the activity area. If it is determined through the process of writing this CHMP that a fieldwork component is required, then Traditional Owners would be invited to participate

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
- 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: 18 Dec 2019

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

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

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

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Submitted on: 18 Dec 2019

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Appendix 2: Aboriginal Places in the Geographic Region

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Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type	Component Feature Type
7321-0502	511 Hamilton-Port Fairy Rd Port Fairy (Clonlara) LDAD	7321-0502-1	Object Collection	
7421-0230	Boorug South 2	7421-0230-1	Object Collection	
7421-0231	Boorug South 1	7421-0231-1	Object Collection	
7422-0577	One mile lane LDAD	7422-0577-1	Object Collection	
7422-0578	One mile lane	7422-0578-2	Object Collection	
7721-1313	Hovells Creek AS	7721-1313-1	Object Collection	
7822-3887	Geelong Road AS1	7822-3887-2	Object Collection	
7921-1717	1450 Pound Road AS	7921-1717-2	Object Collection	
7921-1718	1450 Pound Road LDAD	7921-1718-1	Object Collection	
7922-0069	BLACKBURN 1	7922-0069-1	Scarred Tree	
7922-0576	GARDINERS CREEK EDGE GROUND AXE	7922-0576-1	Object Collection	
7922-0596	CAMBERWELL SCAR TREE	7922-0596-1	Scarred Tree	
7922-0614	VALLEY RESERVE 1	7922-0614-1	Scarred Tree	
7922-1251	Gardiners Creek IA1	7922-1251-1	Artefact Scatter	
7922-1251	Gardiners Creek IA1	7922-1251-2	Object Collection	
7922-1252	Gardiners Creek AS1	7922-1252-2	Artefact Scatter	
7922-1252	Gardiners Creek AS1	7922-1252-1	Object Collection	
7922-1344	Lavidge Rd LDAD	7922-1344-1	Low Density Artefact Distribution	
7922-1344	Lavidge Rd LDAD	7922-1344-2	Low Density Artefact Distribution	
7922-1387	Huntingdale 1 UNPROVENANCED	7922-1387-1	Low Density Artefact Distribution	
7922-1393	Argyll Street AS1	7922-1393-1	Artefact Scatter	
7922-1409	547 Waverley Road, Malvern East LDAD1	7922-1409-1	Low Density Artefact Distribution	
7922-1409	547 Waverley Road, Malvern East LDAD1	7922-1409-2	Low Density Artefact Distribution	
7922-1412	Briggs Street Mt Waverley LDAD 1	7922-1412-1	Low Density Artefact Distribution	
7922-1412	Briggs Street Mt Waverley LDAD 1	7922-1412-2	Low Density Artefact Distribution	
7922-1415	10 Wills Street Glen Iris	7922-1415-1	Low Density Artefact Distribution	
7922-1415	10 Wills Street Glen Iris	7922-1415-2	Low Density Artefact Distribution	
7922-1415	10 Wills Street Glen Iris	7922-1415-3	Low Density Artefact Distribution	
7922-1432	High Street Road LDAD	7922-1432-1	Low Density Artefact Distribution	
7922-1432	High Street Road LDAD	7922-1432-2	Low Density Artefact Distribution	
7922-1432	High Street Road LDAD	7922-1432-3	Low Density Artefact Distribution	
7922-1433	10 Wills Street Glen Iris 2	7922-1433-2	Low Density Artefact Distribution	
7922-1437	Morton Rd LDAD 1	7922-1437-2	Low Density Artefact Distribution	
7922-1437	Morton Rd LDAD 1	7922-1437-3	Low Density Artefact Distribution	
7922-1437	Morton Rd LDAD 1	7922-1437-4	Low Density Artefact Distribution	
7922-1437	Morton Rd LDAD 1	7922-1437-5	Low Density Artefact Distribution	

Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type	Component Feature Type
7922-1437	Morton Rd LDAD 1	7922-1437-6	Low Density	Artefact Distribution
7922-1437	Morton Rd LDAD 1	7922-1437-7	Low Density	Artefact Distribution
7922-1437	Morton Rd LDAD 1	7922-1437-8	Low Density	Artefact Distribution
7922-1437	Morton Rd LDAD 1	7922-1437-9	Low Density	Artefact Distribution
7922-1437	Morton Rd LDAD 1	7922-1437-10	Low Density	Artefact Distribution
7922-1437	Morton Rd LDAD 1	7922-1437-11	Low Density	Artefact Distribution
7922-1437	Morton Rd LDAD 1	7922-1437-1	Object Collection	
7922-1442	204 Burwood Highway, Burwood	7922-1442-1	Artefact Scatter	
7922-1447	92 Osborne Avenue Mount Waverley	7922-1447-1	Artefact Scatter	
7922-1458	1 Betty Court LDAD1	7922-1458-2	Low Density	Artefact Distribution
7922-1515	Caloola Reserve LDAD 1	7922-1515-2	Low Density	Artefact Distribution
7922-1515	Caloola Reserve LDAD 1	7922-1515-3	Low Density	Artefact Distribution
7922-1550	Warrigal Road Oakleigh LDAD	7922-1550-1	Low Density	Artefact Distribution
7922-1550	Warrigal Road Oakleigh LDAD	7922-1550-2	Low Density	Artefact Distribution
7922-1550	Warrigal Road Oakleigh LDAD	7922-1550-3	Low Density	Artefact Distribution
7922-1550	Warrigal Road Oakleigh LDAD	7922-1550-4	Low Density	Artefact Distribution
7922-1550	Warrigal Road Oakleigh LDAD	7922-1550-5	Low Density	Artefact Distribution
7922-1550	Warrigal Road Oakleigh LDAD	7922-1550-6	Low Density	Artefact Distribution
7922-1599	76 Foch St LDAD	7922-1599-1	Low Density	Artefact Distribution
7922-1599	76 Foch St LDAD	7922-1599-2	Object Collection	
8024-0059	Grant Drive Benalla AS 1	8024-0059-2	Object Collection	

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Appendix 3: Previous Reports in Geographic Region

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Report No.	Title	Author	Report Year
15141	Sports Facility Development, Caloola Reserve, Oakleigh	Jane Stradwick	
3482	INDIGENOUS ARCHAEOLOGICAL INVESTIGATION GARDINERS CREEK PCP	HYETT, J & WEBB, C	2006
14296	2 Cleveland Road, Ashwood. Residential Development	Zachary Jones and David Mathews	
14297	38 Morton Road, Burwood - Residential Development	Keith Patton and Jenny Fiddian	
14170	2-18 Markham Avenue, Ashburton, Victoria	Leah Tepper and Asher Ford	
2625	A CULTURAL HERITAGE SURVEY OF MIDDLEBOROUGH ROAD, BOX HILL, VICTORIA	MUIR, S.	2003
2788	TOORONGA VILLAGE GLEN IRIS, ARCHAEOLOGICAL AND HERITAGE ASSESSMENT	VINES, G	2003
13605	2 Doorawarra Court, Mount Waverley Subdivision of Land	John Stevens	
15507	Aged Care Facility 1-9 Allen Street, Oakleigh, Victoria	Joseph Minter Brooke	
2863	ARTISTS CORNER, GARDINERS CREEK, BOX HILL	MURPHY, A & MAITRI, M	2004
13324	27 Stapley Crescent, Chadstone. Residential Development	Keith W Patton and Jenny Fiddian	
13643	2 Walsham Road Blackburn Residential Subdivision of Land	Jenny Fiddian and Keith W Patton	
14017	Three Dwellings, 2 Stephens Street, Burwood, Victoria	Jen Burch	
14058	30 Ashwood Drive, Ashwood, Victoria Residential Subdivision	John Stevens	
14256	Residential Development, 126 High Street Road, Ashwood, Victoria.	Kym Oataway	
14454	Blue Cross Community Care Development. 444-454 Waverley Road and 1 Betty Court, Mount Waverley	Zachary Jones	
13688	Proposed Construction of Multiple Dwellings: 51-53 Elgar Rd, Burwood	Katarina Audy	
13491	Residential Subdivision, 114 and 116 Argyll Street, Malvern East, Victoria	Oona Nicolson and Sally Beaton	
14063	Monash Freeway Upgrade Works, Warrigal Road, Chadstone to Clyde Road, Berwick, Victoria.	Rachel Power	
14261	Residential Development, 92 Osborne Avenue, Mount Waverley, Victoria	Meredith Filihia	
13492	Cultural Heritage Management Plan for a Proposed Residential Subdivision and Townhouse Development	Vanessa Flynn and Dr Justin Shiner	
16246	Residential Development 10-12 Spence Street Burwood	Leigh Painter and Keith Patton	
3968	M1 FREEWAY UPGRADE WORKS: INDIGENOUS ARCHAEOLOGICAL ASSESSMENT OF ARCHAEOLOGICALLY SENSITIVE AREAS	BARKER, M	2006
3403	ARCHAEOLOGICAL AND CULTURAL HERITAGE SURVEY, MIDDLEBOROUGH ROAD RAIL SEPARATION PROJECT BETWEEN BOX HILL AND BLACKBURN, VICTORIA	THOMSON, M	2006
2831	AN INDIGENOUS HERITAGE STUDY CITY OF BOROONDARA STAGE 2	CHAMBERLAIN, M & NICHOLLS, C	2004
2356	16-36 BEDFORD STREET, BOX HILL - ABORIGINAL CULTURAL HERITAGE ASSESSMENT	HOWELL-MEURS, J. & LIGHT, A.	2002
13576	30 Ashwood Drive, Ashwood, Victoria Residential Subdivision	John Stevens	
13653	Four Dwellings, 65 Wave Avenue, Mount Waverley, Victoria	Jen Burch	
14467	13-15 Cabena Crescent, Chadstone Residential Subdivision and Development of Land	John Stevens	

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Rep No	Title	Author	Report Year
12642	45 Thurso Street, East Malvern	Jenny Fiddian and Adam Lovett	
13211	Blackburn Level Crossing Removal, Blackburn, Victoria	Rachel Power, Sylvana Szydzik and Daniel Cummins	
14267	Residential Development 10 Wills Street, Glen Iris	Ben Watson	
16402	Residential Subdivision and Development 76 Foch Street Box Hill South	Chris Day	
13536	1 Sampson Drive, Mt Waverley: Residential Development	Laurinda Dugay-Grist & Alex Cowled	
12566	Three Lot Subdivision at 60 Main Street Blackburn	Jodie Mitchell and Jane Stradwick	
20	AN ARCHAEOLOGICAL SURVEY OF THE MELBOURNE METROPOLITAN AREA	PRESLAND, G.	1983
16450	Proposed Residential Development at 2-4 Scammell Close, Mount Waverley	Jodie Mitchell	
13141	39 Lavidge Road, Ashwood: Housing Subdivision	Steven O'Reilly	
15082	205 High Street Road, Ashwood: Proposed Child Care Centre Development	Laurinda Dugay & Alex Wisniewiecka	
294	PETROLOGY & PREHISTORY: LITHIC EVIDENCE FOR EXPLOITATION OF STONE RESOURCES & EXCHANGE SYSTEMS IN AU	MCBRYDE, I.	1979
373	HISTORY OF THE COAST TRIBE	MASSOLA, A	1959
3979	WEST GATE AND MONASH FREEWAY UPGRADE WORKS WILLIAMSTOWN RAILWAY LINE TO HEATHERTON ROAD CULTURAL HERITAGE DESKTOP ASSESSMENT	BARKER, M, NICHOLLS, C & BELL, J	2006
13868	547 Waverley Road, East Malvern: Proposed Three Lot Residential Subdivision and Construction of Units	Matthew Barker and John Young	
1710	CITY OF MONASH DESKTOP ABORIGINAL CULTURAL HERITAGE ASSESSMENT	AMOROSI, L. & MURPHY, A.	2002
971	ARCHAEOLOGY OF THE CENTRAL HIGHLANDS BACKGROUND STUDY: DRAFT	BIRD, C.	1993
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13389	Complex Cultural Heritage Management Plan 3 Briggs Street, Mount Waverley	Vanessa Flynn & Dr Justin Shiner	
13104	38 Drummond St, Chadstone, VIC	John Stevens	
13148	145 Huntingdale Road, Ashwood 3147: Proposed Three Townhouse Development	Trudy White	
14036	Proposed Construction of Three Dwellings at 42 Forster Road, Mount Waverley, Victoria	Chris Kaskadanis	
16533	Tunnelling Training Centre Holmesglen Institute of TAFE Drummond Street Campus	NADIA BAJZELJ	
13106	85 Ashwood Drive, Ashwood, VIC	John Stevens	
14118	Burwood Interconnect Bridge Deakin University	Sarah Collins and Petra Schell	
14437	23 Janfourd Court, Mount Waverley: Residential Development	Ashley Matic	
12062	15 Hay Street, Box Hill South - Mixed Development	Jodie Mitchell, David Tutchener, Jen Birch	
4560	Due Diligence Report 1 Ramu Grove: Ashburton: VIC 3147	Roark Muhlen-Schulte	
13990	1 Briggs Street, Mount Waverley	David Mathews and Eugene Shev	
14122	Residential Subdivision 47-49 McIntyre Street, Burwood, Victoria	Rhiannon Ashton and Will Truscott	

Report No.	Title	Author	Report Year
14164	Caulfield Dandenong Rail Upgrade Project	Michael Green and Dr Josephine Verduci	
3077	AN ARCHAEOLOGICAL SURVEY OF A PROPOSED WATER MAIN REPLACEMENT IN WATTLE PARK, BURWOOD	M.THOMSON	2005
1370	COAST ACTION COAST CARE 1998/99 ABORIGINAL ARCHAEOLOGICAL DESKTOP STUDY	MARSHALL, B. & SCHELL, P.	1998
14409	59-61 Bales Street, Mount Waverley	Vanessa Flynn and Justin Shiner	
1320	ABORIGINAL ARCHAEOLOGICAL SENSITIVITIES STUDY OF THE WATER WAYS AND FLOOD PLAINS GREATER MELBOURNE	DU CROS, H. & RHODES, D.	1998
14764	Proposed Child Care Centre, 470-472 Warrigal Road, Ashburton, Victoria	Caiti Holzheimer and Rachel Power	
11014	BURWOOD INTERCONNECT, DEAKIN UNIVERSITY	BARKER, A	2010
13475	53 Carrol Grove, Mount Waverley, VIC Residential Subdivision of Land	John Stevens	
14289	202-204 Burwood Highway, Burwood Residential Development	Michael Green	
14124	1559-1567 High Street, Glen Iris Multi-unit Residential Complex	Eugene Shev	
14004	464 Waverley Road: Mount Waverley 3 Dwelling Sub-Division and Development	Roark Muhlen-Schulte	

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Appendix 4: Glossary

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Retouch A light touch along lateral margins that may be bifacial for a tool.
Anvil A flat object on which a core was placed to flake material from. Anvils often have a small pit/groove, usually in the centre of the object, as a result of this action.

Archaeology The study of cultural remains from past cultures and generations.

Artefact Scatter The material remains of past Aboriginal peoples' activities. Usually contain stone artefacts, but other material may also be present, including charcoal, animal bone, shell and ochre. An artefact scatter is usually represented by a single stone flake or a concentration of flaked stone pieces (or fragments).

Assemblage A collection of artefacts that are derived from the same site.

Backed Blade Stone artefact associated with the Australian small tool tradition. They are characterised by unidirectional or bidirectional retouch found along a lateral margin, thought to be blunt for hafting (Holdaway & Stern 2004, p.260).

Basalt A fine-grained rock occurring from lava flows.

Bifacially Flaked Flakes removed from two faces of an object such as a core.

Blade A flake that is twice as long as it is wide.

Bondi Point An asymmetrical blade with a point at one end with backing retouch. Part of the Australian Small Tool Tradition.

Burial Human Remains, normally found as concentrations of human bones or teeth, exposed by erosion or earthworks. They are sometimes associated with charcoal or ochre, although shell, animal bone and stone tools may also be present. Tend to be located in soft soils and sand, although can occur in rock shelters, caves and dead trees.

Burin A truncated flake formed by snapping or retouching along one lateral margin that then forms a platform from which small flakes are removed forming a triangular scar that acts as a working edge (Holdaway & Stern 2004, p.241–243).

Ceramic A term used to identify wares made from either clay or fusible stone such as stoneware, earthenware, porcelain or terracotta (Davies & Buckley 1987, p.186).

Chert A compact, fine-grained rock made of cryptocrystalline silica and can occur in a variety of colours, usually red, green or black.

Core A specimen of rock that has undergone a process of reduction through the removal of a number of flakes and as a result they have negative flake scars. Cores can contain a single platform, have two platforms or have had flakes removed in multiple directions.

Cortex The original surface of a mineral or rock subjected to weathering by the elements.

Cultural Material Any material remains which are produced by human activity.

Debitage Detached pieces of stone that are discarded during the reduction process.

Dry Stone Wall A wall formed of a number of courses of rock (usually basalt or limestone) with no bond or binding component. Walls are usually tapered, have two faces and can have hearting (packing), or plugging.

Earthenware A non-vitreous (porous) whiteware, usually used for domestic tablewares. Most earthenware is glazed and decorated, transfer printed or left plain (Davies & Buckley 1987, p.186).

Earth Feature Collective term used to refer to mounds, rings, hearths, postholes and ovens.

Earth Mound Mounds generally appear as raised areas of darker soil. They are commonly found in the volcanic plains of western Victoria or on higher ground near water bodies. Mounds often contain charcoal, burnt clay or stone heat retainers from cooking ovens, animal bones, shells, stone tools and sometimes, Aboriginal burials.

Earth Ring Banked circles of soil often associated with stone arrangements, which had a ceremonial purpose for Aboriginal people in the past.

Excavation A controlled means of soil disturbance (digging) allowing for detailed recording of the soil profile, features and artefacts exposed.

Flake A stone artefact that contains characteristics such as the presence of a platform, bulb of percussion and termination which reveal that the stone has been struck from a core and is the result of stone working (Holdaway & Stern 2004, p.5).

Flake Core A flake that has subsequently been used as a core and had other flakes removed from it.

Flaked Piece Small fragments of stone that have been removed from flakes resulting from tool maintenance or tool production (Holdaway & Stern 2004, p.17). Flaked pieces do not display the characteristics evident in a complete flake.

Flint Similar to chert with a pale cortex and conchoidal fracture. Usually occurring in limestone (Roberts 1998, p.65).

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Footprint The structural base/footprint from structures often built from bluestone, brick or wooden posts.

Geometric Microlith Part of the Australian small tool tradition. They are symmetrical in form, pointed at both ends and can be backed along a lateral margin (Holdaway & Stern 2004, p.262).

Glaze A coating put over wares fired in a kiln. Glazes can come in a variety of colours and can also be transparent.

Greenstone A metamorphic rock derived from basalt containing feldspar and quartz and is made green by chlorite and epidote. Often used for the manufacture of hand axes.

Grindstone A flat slab of rock with central depression used to grind, crush or pound seeds, ochre, or sharpen tools, etc. Grindstones are usually made on sedimentary rocks with an abrasive surface and can be used in conjunction with a muller.

Ground Edge Axes A sharpening process – flaking, pecking and polishing, usually along a single lateral margin. The axes are generally hafted with the worked edge forming the tool edge.

Ground Surface Visibility The extent to which the natural soil surface below the vegetation on the ground is visible.

Hammerstone A hard rock or mineral used to flake fragments of stone from a core (Holdaway & Stern 2004, p.4).

Hearth The remains of a fireplace containing charcoal and sometimes burnt earth, bone, stone artefacts or other organic material.

In situ An artefact or feature that remains in its original position, or where it was left.

Manuport A stone block that displays no attributes of being either a core or a flake.

Microblade Has the same characteristics as a blade but just of smaller proportions (Holdaway & Stern 2004, p.17).

Ochre Earth varying in colour from yellow to red, used as a pigment.

Organic Compounds formed from living organisms (plants or animals).

Oven Mound Usually circular or oval in shape and often situated close to a water source. They were used for cooking and contain a rich greasy organic mix of soil and organic material. An oven mound is likely to contain charcoal, burnt clay or stone heat retainers, stone tools,

bones, shell and on occasion, burials (AAV Mini Poster 4).

Platform The surface from which the flake was struck off the core – natural, flaked or abraded (Holdaway & Stern 2004, p.120).

Point A flake that has two edges that form a point with retouch along one or both lateral margins (Holdaway & Stern 2004, p.16).

Porcelain A non-porous ceramic with a glass-like appearance. Can be translucent, can be used for tableware or more decorative features such as ornaments.

Post-Contact The period after contact between Aboriginal people and Europeans.

Pre-Contact The period before contact between Aboriginal people and Europeans.

Quarry Outcrop of stone or ochre that has been quarried by Aboriginal people in the past. Generally associated with a large amount of broken stone and flakes. The outcrop (cores) bear negative scars from flaking.

Quartz A mineral that commonly occurs in sedimentary, igneous and metamorphic rocks. Quartz can come in a number of forms including crystal, rose, and smoky.

Quartzite A metamorphic rock formed by the re-crystallization of quartz. Quartz is rich in sandstone and limestone (Roberts 1998, p.109).

Retouch A worked edge or modification of a flake formed by removing a number of small flakes along an edge. This can be done as a form of maintenance or to produce a tool.

Rock Art Paintings created on the rock surfaces of caves and rock shelters and engravings in limestone caves. Artwork includes stencils, prints and drawings. The paint consists of ochres, clays and charcoal mixed with fats.

Scarred Tree A tree which has had a slab of bark removed, exposing the sapwood on the trunk or branch of a tree. Aboriginal people used the bark to make shelters, containers (coolamons) and canoes.

Scraper A flake with at least one edge that has continuous retouch. Scraper types include steep-edged, end, side and nose scraper (Holdaway & Stern 2004, p.16).

Shell Midden A surface and/or subsurface deposit composed of shell and sometimes stone artefacts, charcoal and bone. Middens are normally found in association with coastlines, rivers, creeks and swamps –

wherever coastal, riverine or estuarine shellfish resources were available and exploited.

Silcrete A fine-grained rock derived from shale or siltstone mixed with silica.

Spit A horizontal unit of soil removed during excavation. Spits can be arbitrary (dug to a depth of 50, 100, 200, 300mm, etc.) or can be confined to a particular soil type or context. The excavation of spits allows for greater understanding, analysis and interpretation of the soil profile.

Stone Feature Includes cairns, rock wells, stone arrangements, fish traps, stone structures and grinding grooves. May be a natural feature, which was used or modified to be used by Aboriginal people in the past (rock well, stone arrangement), or a stone feature which has been deliberately constructed for a specific purpose (fish trap, stone structure, cairn), or is the result of a specific activity carried out by Aboriginal people in the past (grinding grooves).

Stoneware A vitreous (non-porous) ceramic, usually light brown in colour, used for drinking containers or used industrially. Often glazed or unglazed (salt glaze or slip applied) (Davies & Buckley 1987, p.186).

Stratification The position of sediments and rocks in sequence throughout time.

Subsurface Testing A method of excavation that involves ground disturbing works to identify the potential for cultural material. Subsurface testing may comprise hand excavation and/or machine excavation.

Survey An inspection of land either by foot or by car (windscreen survey) noting conditions on surface visibility, landforms and the presence of cultural material.

Termination The shape of the distal end of a flake (Holdaway & Stern 2004, p.129).

Terracotta A low-fired clay (ceramic), usually orange to red in colour and very porous. Often used for plumbing (drainage components) or garden ware.

Tool Modified flakes usually with retouch present along an edge (Holdaway & Stern 2004, p.33).

Transect An excavated stretch of ground that can be of varying lengths in a straight line.

Transfer Printed A design is traced and engraved onto a copper plate on which ink and oil is then applied. The design is pressed onto tissue paper and then placed on an object and the paper removed. The object is then fired and glazed. Transfer printed ceramics come in a variety of colours and patterns and were mass produced.

Trench An area confined by excavation usually in the form of a square (e.g., 2x2m) or rectangular (e.g., 1.5x1m).

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Appendix 5: General Residential Zone – Schedule 1, City of Whitehorse Planning Scheme

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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
24/01/2020
VC160

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 Road Zone.
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 Road Zone.
Racing dog husbandry	Must be no more than 2 animals.
Railway	

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Use	Condition
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 Road Zone.
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
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.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Service station	The site must either: <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. The site must not exceed either:

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Use	Condition
	<ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	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.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

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)

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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:

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- 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.

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: <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. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <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. 	Clause 59.02
Subdivide land into 2 lots if: <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. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

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VICTORIA PLANNING PROVISIONS

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
- 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.

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VICTORIA PLANNING PROVISIONS

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 an outbuilding or extend a dwelling if the development: Meets the minimum garden area requirement of Clause 32.08-4. <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. 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.	Clause 59.14
Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.	Clause 59.03

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32.08-6
31/07/2018
VC148

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.

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VICTORIA PLANNING PROVISIONS

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.

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

26/10/2018
VC152

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.

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VICTORIA PLANNING PROVISIONS

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 with an estimated cost of up to \$100,000 where: <ul style="list-style-type: none">The building or works is not associated with a dwelling.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.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.	Clause 59.04

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.

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VICTORIA PLANNING PROVISIONS

- 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.

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

26/10/2018
VC152

Application requirements

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.

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VICTORIA PLANNING PROVISIONS

32.08-12

26/10/2018
VC152

Exemption from notice and review

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

24/01/2020
VC160

Decision guidelines

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.
- 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

26/10/2018
VC152

Signs

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

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VICTORIA PLANNING PROVISIONS

32.08-15

26/10/2018
VC152

Transitional provisions

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.
 - 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.

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WHITEHORSE PLANNING SCHEME

13/07/2017
C189

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

ESTABLISHED GARDEN SUBURBAN AREAS

1.0

14/10/2014
C160

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

13/07/2017
C189

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3 and B6	Any new wall on a boundary should be setback at least 12 metres from the front boundary or 3 metres further than the average setback of the buildings on adjoining allotments, whichever is the lesser.
Site coverage	A5 and B8	50%
Permeability	A6 and B9	30%
Landscaping	B13	Provision of at least two canopy trees per dwelling that have the potential of reaching a minimum mature height of 8 metres. At least one of those trees should be in the secluded private open space of the dwelling.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	Walls should only be constructed on one side boundary.
Private open space	A17	A dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 35 square metres and a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
	B28	A dwelling or residential building should have private open space consisting of an area of 40 square metres, with one part of the private open space at the rear or side of the dwelling or residential building within a minimum area of 35 square metres, a minimum dimension of 5 metres and convenient access from a living room. It cannot include a balcony or roof top terrace.
Front fence height	A20 and B32	Front fence height in streets in a Road Zone Category 1 or 2 should not exceed 1.8 metres and should have at least 20% transparency. A front fence within 3 metres of a street should not exceed 1.2 metre in 'other streets'.

3.0

14/10/2014
C160

Maximum building height requirement for a dwelling or residential building

None specified

4.0

14/10/2014
C160

Application requirements

The following application requirements apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

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WHITEHORSE PLANNING SCHEME

- Plans showing existing vegetation and any trees proposed to be removed.
- Plans showing proposed landscaping works and planting including tree species and mature height.

5.0

14/07/2016
C177

Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.08, in addition to those specified in clause 32.08 and elsewhere in the scheme:

- Whether the proposal provides for an appropriate built form transition to residential properties in the Neighbourhood Residential Zone.
- Whether the vegetation in the street setback will contribute to the preferred neighbourhood character and the public realm.
- Whether there is sufficient permeable space that is not encumbered by an easement to enable the planting of canopy trees.
- Development should provide for the retention and/or planting of trees, where these are part of the character of the neighbourhood.

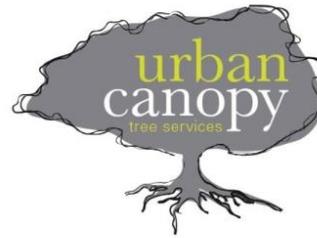
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Appendix 6: Arborist's Report

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10 February 2020

Presbyterian Ladies College
141 Burwood Hwy
Burwood VIC 3125
Contact: Steve McNamara, Head of Grounds

**urban canopy
tree services p/l**
t +61(0)421 804 063
e info@urbancanopy.com.au
abn 54 347 052 414
125 - 127 main street
greensborough 3088

We have received the following query from Eleanor Duffy of Roots Partnerships on behalf of other consultants assisting with projects on the PLC grounds:

Could PLC please advise if there are any trees on site that are mature eucalyptus (approx. 200+ years old)? This will assist AV in determining if there is any possibility of scarred trees within the school site. As stated by Heritage Insight below, AV are seeking an email from PLC advising the presence (or lack of) of any mature eucalyptus trees within the site to satisfy their query.

I have inspected the school tree inventory and also undertaken visual assessments of the oldest eucalypts standing on the school grounds with Steve McNamara, Head of Grounds.

We can confirm there are no trees older than 200 years on the grounds and no trees have any trunk scarring or other evidence of indigenous heritage value.

Heather Stanley
Consulting Arborist (Dip.Hort[Arb])
Urban Canopy Tree Services
0409 946 499

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www.urbancanopy.com.au

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