

All-Weather Snowmaking Unit, Northside/Spurs Area, Mt Buller Ski Field

Aboriginal Heritage Act 2006 Practice Note – Significant Ground Disturbance

Although the structure is placed in an area designated of Aboriginal cultural heritage sensitivity in the Aboriginal Victoria online map, we don't believe a Cultural Heritage Management Plan is necessary due to the nature and extent of the previous and significant ground disturbance in this location, in the *Aboriginal Heritage Act 2006 Practice Note – Significant Ground Disturbance*, under the heading;

Why should significant ground disturbance be assessed?

It is noted;

It is important to assess significant ground disturbance when considering whether a Management Plan is required because:

- *A Management Plan does not need to be prepared for a high impact activity if all the area of cultural heritage sensitivity within the activity area has been subject to significant ground disturbance.*
- *Some types of activity will not be a high impact activity, meaning a Management Plan would not need to be prepared, if the activity does not cause significant ground disturbance.*

The Regulations specify the landforms and land categories that are areas of cultural heritage sensitivity. Areas of cultural heritage sensitivity are displayed in a series of maps available on AV's website. The areas delineated on these maps however do not take account of the past history of land use and development that may have caused significant ground disturbance in localised areas.

It is our view that a Management Plan does not need to be prepared for this high impact activity as all the area of cultural heritage sensitivity within the activity area has been subject to significant ground disturbance.

In the *Practice Note – Significant Ground Disturbance* section headed;

How can a sponsor determine whether significant ground disturbance has occurred?

and the sub heading;

Level 1 – Common Knowledge

The fact that land has been subject to significant ground disturbance may be determined by the use of common knowledge. No additional information should be required from the responsible authority.

For example, common knowledge about the redevelopment of a petrol station with extensive underground storage tanks.

Our common knowledge of this site is this area has been subject to human activity and significant previous ground disturbance going back to 1965 with the construction of Mt Buller Village Potable Water Supply (see Image 1 below) and subsequent slope regrade works in 1980 with the installation of the Burnt Hut Spur chairlift (see Image 2 below), 1988 with the construction of the Spurs Restaurant and the slope regrade works north and west of the proposed works location, also in 1988 (see Image 3 below).

Further to the works described above, what vegetation is in this area has also been summer groomed for the purposes of ski field management and is the product of previous revegetation and regeneration activities.

In addition to works and activities associated with the operation of the ski field, this area has also been subject to many decades of summer sheep grazing up until 1949 and summer cattle grazing up until 1959.

- All of the activity area has been subject to significant ground disturbance via vegetation clearance, previous earthworks, erosion, vehicular and extensive pedestrian/skiing traffic
- In the event that any Aboriginal cultural material was uncovered during works, the location is recorded and the area fenced off during any further works until such time as a qualified archaeologist and a

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representative from the relevant Aboriginal cooperative have inspected the material. Aboriginal Affairs Victoria will be contacted and a site recording form lodged with AAV site registry to record and register any Aboriginal Materials

Attached is a Cultural Heritage Overlay map that shows the areas of previously disturbed ground and the building (Mercedes-Benz Star Lodge) location. All the areas marked in the Cultural Heritage Overlay map as previously disturbed ground are areas of significant ground disturbance as defined in the *Practice Note – Significant Ground Disturbance* under the heading;

How is significant ground disturbance defined?

In this section it states that ‘Significant ground disturbance’ is defined in r.4 of the Regulations as meaning disturbance of –

- a) The topsoil or surface rock layer of the ground; or
- b) A waterway –
By machinery in the course of grading, excavation, digging or deep ripping, but does not include ploughing other than deep ripping.

The words ‘disturbance’, ‘topsoil’, ‘surface rock layer’, ‘machinery’, ‘grading’, ‘excavating’, ‘digging’, ‘dredging’, ‘ploughing’ (other than deep ripping) are not defined in the regulations and therefore have their ordinary meanings.

Through common knowledge, organisational memory, an understanding of terrain and its modification and the use of historic and recent aerial photography we are able to establish which areas of the ski field have been subject to previous significant ground disturbance as described above and the building referred to is in such an area.

As mentioned above it is our view that a Management Plan does not need to be prepared for this high impact activity as all the area of cultural heritage sensitivity within the activity area has been subject to significant ground disturbance.



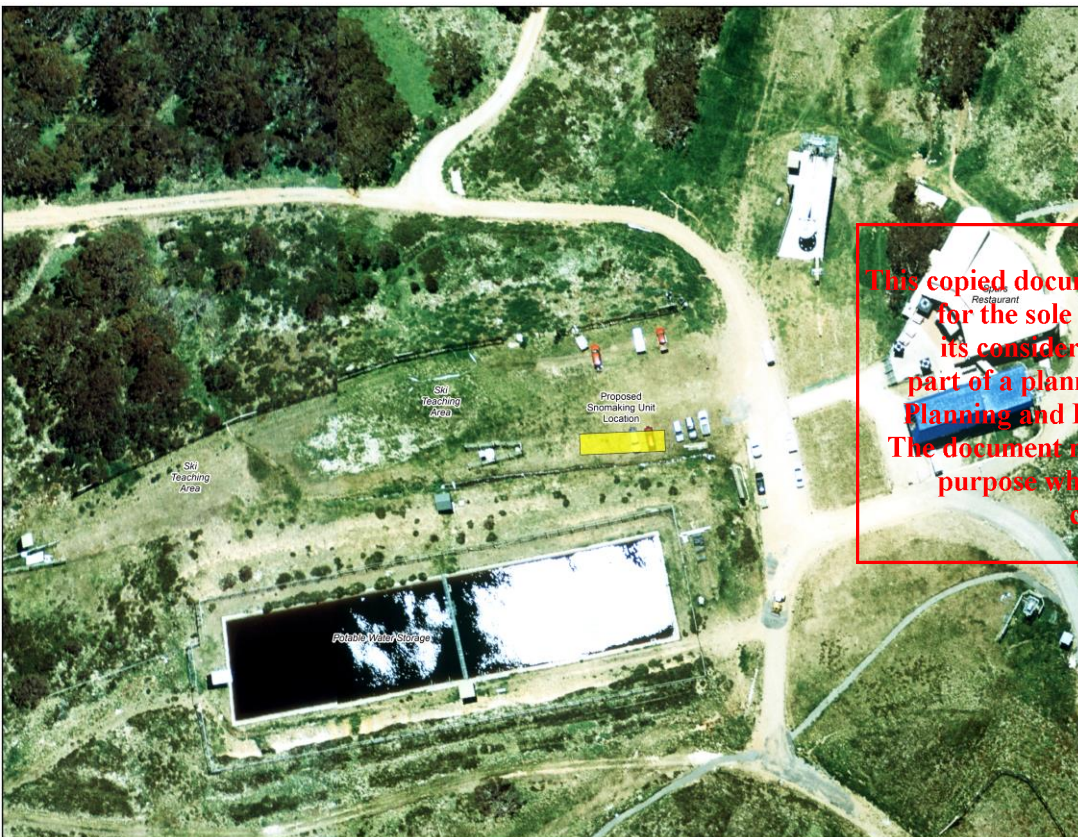
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Image 1 – Potable Water Storage being constructed in the summer of 1965, the red line indicates the tree line, this is from an image used for a flora study in the early 1970's. The proposed snowmaking unit is sited in d the original water pipe easement/access track

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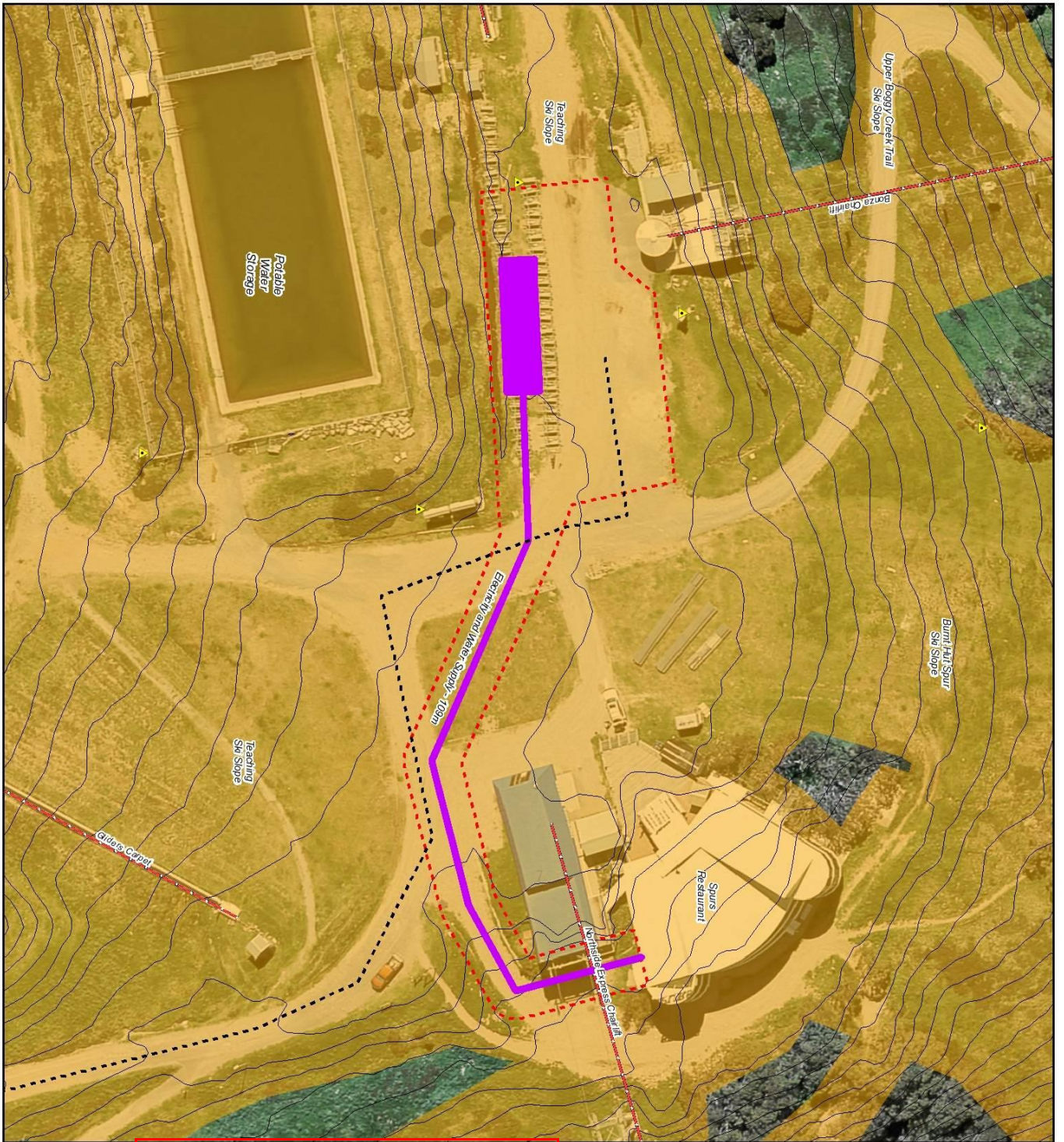


Image 2 – Site area in the summer of 1985, the Burnt Hut Spur Chairlift (1980) and the carpark access chairlift (1982, upgraded 1986) are visible in the top right of image.



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Image 3 – Site Area in the summer of 2005, note ski teaching area and rope-tow to the north of the potable water storage subsequent to 1988 earthworks and further significant ground disturbance, the proposed snowmaking unit is sited in flat (cut) area subsequent post earthworks and visible are parked cars in the flat (fill) area



Proposed
All-Weather
Snowmaking Unit
Spurs/Northside Area

Cultural Heritage Overlay

Legend	
	Site Boundary
	Ground Disturbance Footprint
	Previously Significantly Disturbed Ground
	Disturbed Ground
	Vehicle Access

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