

ADVERTISED PLAN

Proposed Mixed-use Development at 49 Newcombe Street, Portarlington

Amended Cultural Heritage Management Plan



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Aboriginal Victoria Management Plan Identifier: 16879

Sponsor: 49 Newcombe Street Pty Ltd

Heritage Advisor/Author: Jessica Hardy

April 2, 2020

Amendment Date: April 1, 2025

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Title Page

TITLE:	Proposed Mixed-use Development at 49 Newcombe Street, Portarlington
ACTIVITY:	Construction of commercial and residential development
LOCATION:	49 Newcombe Street, Portarlington
LEVEL OF ASSESSMENT:	Desktop, standard, complex
SIZE OF ACTIVITY:	Small
ABORIGINAL HERITAGE PRESENT:	No
AV PLAN IDENTIFIER:	16879
DATE OF COMPLETION:	April 2, 2020
AMENDMENT DATE:	April 1, 2025
SPONSOR:	49 Newcombe Street Pty Ltd
ABN:	632 841 064
HERITAGE ADVISOR:	
AUTHOR:	

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Wadawurrung
Traditional Owners
Aboriginal Corporation

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1st of April 2025

Aboriginal Heritage Act 2006 Section 63

Cultural Heritage Management Plan Amendment – Notice of Approval

The Wadawurrung Traditional Owners Aboriginal Corporation acting as the Registered Aboriginal Party hereby approve the cultural heritage management plan referred to below:

Proposed Mixed-use Development at 49 Newcombe Street, Portarlington

Cultural Heritage Management Plan number: 16879

Sponsor: 49 Newcombe Street Pty Ltd

Heritage Advisor: [REDACTED]

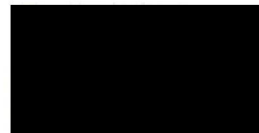
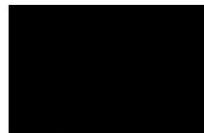
Authors: [REDACTED]

Date of Amendment: April 1, 2025

Pages: Cover Page, i-vi, 1-106

Received for Approval: 26th of March 2025

Pursuant to s.64 (1) of the Act this cultural heritage management plan takes effect upon the granting of this approval and once a copy is lodged with the Secretary of DPC. *



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

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Disclaimer

The information contained in this Cultural Heritage Management Plan (CHMP) has been compiled from the standard heritage database sources and is accurate as far as Heritage Insight Pty Ltd is aware. However, within the timeframes available for technical heritage reporting, it is not possible to carry out comprehensive research of all published or unpublished manuscripts, journals, maps or oral history which may pertain to the study area. No responsibility can be taken for errors or omissions in primary and secondary source material cited in this report. Any opinions expressed in this report are those of Heritage Insight Pty Ltd and do not necessarily represent those of the Sponsor. Heritage Insight has endeavoured to actively consult with representatives of the ~~Wathaurung Aboriginal Corporation~~ **Wadawurrung Traditional Owners Aboriginal Corporation** who are to the best of our knowledge and advice, the legal and proper representatives of the local Aboriginal community ~~who are now the Registered Aboriginal Party for the activity area~~. The consultants cannot, however, be held responsible for opinions or actions which may be expressed by dissenting persons or organisations. This CHMP has been prepared to comply with the Approved Form under Clause r. 68 of the *Aboriginal Heritage Regulations 2018*. However, Heritage Insight Pty Ltd cannot be responsible for any changes in policy on the part of the Victorian Government, its agencies, or Registered Aboriginal Parties in the period since lodging a Notice of Intent to Prepare a CHMP.

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Executive Summary

Compliance conditions are set out in Part 1 of the Cultural Heritage Management Plan (CHMP).

Introduction

This Cultural Heritage Management Plan (CHMP) has been undertaken at the request of the Sponsor, 49 Newcombe Street Pty Ltd, for a proposed commercial and residential development at 49 Newcombe Street, Portarlington. The north east corner of the activity area is located within 200m of coastal waters and therefore falls within an area of cultural heritage sensitivity as defined in the *Aboriginal Heritage Regulations 2018* r. 31.

The proposed activity is for the construction of a multistorey commercial and residential development with basement car park. This is a high impact activity as defined in the *Aboriginal Heritage Regulations 2018* r. 46 (1) (a)(b) (xxiii) and r. 48 (1).

The amendment to the CHMP was required to clarify the depth of excavation required for the activity. Conditions were also updated to reflect WTOAC current standards.

Location of the Activity Area

The activity area is located at 49 Newcombe Street, Portarlington (1\TP514439 and 22~1B\PP5647) and also includes a small section of the footpath in front of these lots.

Activity Description

The proposed works are for the construction of a multistorey commercial and residential development with a basement carpark (Map 3). The existing structure in the activity area will be removed.

The CHMP was amended to clarify the depth of excavation required by the activity.

Results of the Assessment

A search of the VAHR identified 90 registered Aboriginal Places within the geographic region comprising 137 components (Table 5; Appendix 3). One Aboriginal Place is located within 200m of the activity area: an extensive shell midden and artefact scatter that extends along the Portarlington foreshore (VAHR 7821-0956; Map 8). The desktop assessment determined that Aboriginal cultural heritage may be located in the activity area due to its proximity to the Portarlington foreshore and other registered Aboriginal Places.

The amended desktop research identified additional Places registered within the geographic region, but none within 200m of the activity area.

No Aboriginal cultural heritage was identified during the standard assessment (including scarred trees, caves, cave entrances or rock shelters). No significant landscape features considered to be areas of potential archaeological sensitivity were identified: the activity area was visibly disturbed. Survey accessibility was excellent; however, ground surface visibility overall was very poor. The potential for Aboriginal cultural heritage was unable to be fully evaluated by field survey alone.

The complex assessment investigated all regions of the activity area. One 1x1m test pit and three 2x1m machine trenches were excavated to a maximum depth of 700mm. No Aboriginal cultural material was identified and it was determined that the activity area had been significantly disturbed through past land

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use. Based on the research and testing undertaken during this CHMP, it is unlikely that any cultural material will be located within the activity area.

The amendment to CHMP 16879 did not require additional testing to be conducted within the activity area. Amendments were made to the management conditions to comply with current WTOAC standards.

Aboriginal Cultural Heritage in the Activity Area

No Aboriginal cultural heritage has been identified within the activity area. .

No Aboriginal cultural heritage was identified during the CHMP amendment assessment.

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TABLE 9: EXCAVATION DATA FROM MACHINE TRENCHES (PHOTOS BY J. HARDY 05/12/2019) (CONT.
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Abbreviations

ACHRIS – Aboriginal Cultural Heritage Register and Information System

ASL – Above Sea Level

~~AV – Aboriginal Victoria~~ **see FP – SR**

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

EMP – Environmental Management Plan

EVC – Ecological Vegetation Class

FP – SR – First Peoples – State Relations

GDA94 – Geocentric Datum of Australia 1994

HA – Heritage Advisor

HV – Heritage Victoria

LDAD – Low Density Artefact Distribution

LGA – Local Government Area

LGM – Last Glacial Maximum

MGA – Map Grid of Australia

NOI – Notice of Intent to Prepare a CHMP

OHS – Occupational Health and Safety

PAD – Potential Archaeological Deposit

PAS – Potential Archaeological Sensitivity

PSP – Precinct Structure Plan

RAP – Registered Aboriginal Party

STP – Shovel Test Pit

TO – Traditional Owner

TP – Test Pit

VAHC – Victorian Aboriginal Heritage Council

VAHR – Victorian Aboriginal Heritage Register

~~WAC or Wathaurung – Wathaurung Aboriginal Corporation, trading as Wadawurrung~~

WTOAC – Wadawurrung Traditional Owners Aboriginal Corporation

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

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A glossary of terms is provided in Appendix 5.

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Part One: Cultural Heritage Management Conditions

Note: 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: Cultural Heritage Induction

A Cultural Heritage Induction must be conducted with all site workers/contractors involved in ground disturbing works by a heritage advisor and the ~~Wathaurung Aboriginal Corporation (WAC)~~ **Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC)** prior to, or at the commencement of, construction works. The cultural heritage induction must be conducted by a representative of the Registered Aboriginal Party (RAP) with the assistance of a heritage advisor.

All new personnel directly involved in ground-disturbing construction works (i.e., site workers, contractors, sub-contractors) who have not previously been inducted as to cultural heritage for this project are to be inducted by the RAP throughout the life of the project.

Awareness of the CHMP, management conditions and contingency plans must be incorporated into any job safety or tool box meetings, or Environmental Management Plan and will be especially relevant for introducing the CHMP to new personnel working on-site alongside the RAP cultural heritage induction.

At least two weeks' notice must be provided to the ~~WAC~~ **WTOAC** when booking a representative to undertake the induction.

The purpose of the cultural heritage induction is to:

- describe and demonstrate the Aboriginal cultural heritage relevant to the activity area or the locality for personnel engaged in the construction of activity works;
- create an awareness of Aboriginal cultural values; and
- inform personnel about the specific conditions of Part 1 of the management plan and the procedures set out for reporting any suspected Aboriginal cultural heritage that may be discovered or uncovered.

The cultural heritage induction will include:

- a brief history of the Aboriginal occupation of the activity area and broader region;
- a summary of the assessments undertaken within the activity area during the preparation of the

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- specific details of all Aboriginal cultural heritage identified during the management plan assessments;
- a summary of the conditions and contingency plans contained within the management plan; and
- a discussion of the compliance responsibilities of the Sponsor and all personnel involved in work within the activity area and the requirements of the *Aboriginal Heritage Act 2006*.

This Cultural Heritage Induction must be organised and paid for by the Sponsor.

1.1.2 Condition 2: Compliance Inspections

The ~~WAC~~ **WTOAC** have determined that one RAP compliance inspection must be undertaken by ~~WAC~~ **WTOAC** representatives over the duration of the activity in order to audit the works and ensure that they comply with the CHMP, the *Aboriginal Heritage Act 2006* and the associated conditions and contingencies contained within this CHMP.

~~The compliance inspection should occur after the demolition of the existing structure and initial stripping of surface soils within the activity area.~~

The **WTOAC** have determined that three additional inspections are required:

- One (1) RAP compliance inspection must be undertaken prior to the commencement of the activity;
- One (1) RAP inspection undertaken following the demolition and stripping of the footprint of the existing building; and-
- One (1) RAP inspection undertaken following the conclusion of the activity.

Following the stripping of topsoils, the successive compliance inspection will include two auger probes within the footprint of the existing building to be conducted by a qualified heritage advisor. Should natural deposits be identified, a schedule of monitoring will be triggered within this area (Condition 6). Natural deposits were identified as a moist, fine sandy silt with no inclusions immediately overlying a solid, sticky mottled clay (Table 8).

If asbestos is identified following the stripping and demolition of the existing dwelling, an asbestos management plan must be implemented prior to the augers being conducted. Asbestos management will be managed through email correspondence with the **WTOAC**. This procedure must be organised and paid for by the Sponsor.

A ~~WAC~~ **WTOAC** representative will conduct the inspection and fill out the compliance checklist in Section 2.6 of this CHMP. A heritage advisor/archaeologist must also attend this inspection. If the inspections reveal suspected non-compliance of the CHMP, then the procedure outlined in Section 2.7 will be initiated. If the inspection reveals a suspected breach of the Victorian *Aboriginal Heritage Act 2006*, then these actions must be reported to ~~Aboriginal Victoria (AV)~~ **First Peoples – State Relations (FP—SR)** immediately and an Authorised Officer or Aboriginal Heritage Officer may be called out and/or a Stop Order may be issued by ~~AV~~ **FP—SR**.

The ~~WAC~~ **WTOAC** must be notified two weeks before the required compliance inspection is to occur.

This procedure must be organised and paid for by the site contractors and/or Sponsor.

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1.2.3 Condition 3: Contingency Plans

There must also 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.

1.2.4 Condition 4: Approved CHMP to be Kept On-site

An approved hard copy of this management plan must be held on-site at all times during proposed works.

1.2.5 Condition 5: Works to be Restricted to the Activity Area

Works must be restricted to the Activity Area and must be limited to the works in Section 4.2: Activity Description. This CHMP permits works as detailed in Section 4.2: Activity Description and shown in Map 3, within the Activity Area as described in Section 4.1: Extent of the Activity Area Covered by the Cultural Heritage Management Plan and shown in Map 2. Works must be restricted to the Activity Area as described in Section 4.1: Extent of the Activity Area Covered by the Cultural Heritage Management Plan and shown in Map 2 and be limited to the works in Section 4.2: Activity Description and shown in Map 3.

1.2.6 Condition 6: Monitoring

If the auger probes (Condition 2) reveal natural soil deposits with potential to contain Aboriginal cultural heritage, RAP monitoring must be undertaken for ground disturbing works within the natural soil deposits with potential to contain Aboriginal cultural heritage, within the footprint of the existing building (Map 2)

One WTOAC field representative must be present during excavations of natural soil deposits within the footprint of the existing building. Monitoring will cease at the identification of basal clay. The cost of this monitoring must be met by the Sponsor of this CHMP, or the Sponsor's agent.

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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.

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

Clause 13(1) Schedule 2 of the Regulations requires that the CHMP must contain a contingency plan for the resolution of any disputes between the Sponsor and the ~~WAC~~ **WTOAC** in relation to the implementation of an approved CHMP or the conduct of the activity.

Disputes may occur at various stages during the activity. Procedures for dispute resolution aim to ensure that all parties are fully aware of their rights and obligations; that full and open communication between parties occurs; and that those parties conduct themselves in good faith.

If a dispute arises that may affect the conduct of the activity, resolution between parties using the following dispute resolution procedure is recommended:

- a) all disputes will be jointly investigated and documented by both the ~~WAC~~ **WTOAC** and the Sponsor;
- b) where a breach of the management plan conditions is identified, the ~~WAC~~ **WTOAC** and the Sponsor will agree to a suitably appropriate corrective method to remedy the breach by organising a meeting to attempt to resolve the dispute;

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- c) the issue/s in dispute must be clearly understood and stated by the authorised representatives of the ~~WAC~~ **WTOAC** and Sponsor at the meeting;
- d) if sought and agreed to by the ~~WAC~~ **WTOAC** and Sponsor, third party mediation may be held during the meeting;
- e) any correction or remedial activities required must be:
 - i. recorded in writing and signed off by the authorised representatives of the ~~WAC~~ **WTOAC** and Sponsor;
 - ii. supervised by an authorised ~~WAC~~ **WTOAC** representative; and
 - iii. occur in accordance with the ~~WAC~~ **WTOAC** representative's instructions;
- f) the Sponsor and any relevant personnel will not undertake any such operations without receiving the written consent of the ~~WAC~~ **WTOAC**;
- g) the dispute resolution must be recorded in writing and signed by both parties;
- h) the ~~WAC~~ **WTOAC** will use their best endeavours to minimise delays to work schedules while not compromising Aboriginal cultural heritage, Places or values; and
- i) issues directly related to cultural heritage management will be handled through the following dispute resolution mechanism:
 - i. authorised representatives of the ~~WAC~~ **WTOAC** and the Sponsor will attempt to negotiate a resolution to any dispute related to the cultural heritage management of the activity area within two working days of a notice being received that a dispute between the parties is deemed to exist; and
 - ii. if the authorised representatives of the parties do not reach agreement, alternative representatives of both parties will meet to negotiate a resolution to an agreed schedule.

The dispute resolution process does not preclude any legal recourse open to the parties being taken but the parties agree the above resolution mechanism will be implemented before such recourse is made.

For the purpose of dispute resolution, the following persons will represent the parties:

The Sponsor

49 Newcombe Street Pty Ltd
Attn: Greg Murray

Phone: 0414 319 719
Email: greg@nauticalia.com.au

RAP:

~~Wathaurung Aboriginal Corporation~~ **Wadawurrung Traditional Owners Aboriginal Corporation**

Telephone: (03) 4308 0420
Email: ~~admin@wathcorp.com.au~~ rap@wadawurrung.org.au

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Any change in personnel appointed as authorised representatives in one party will be notified promptly to all parties.

2.3 Discovery of Aboriginal Cultural Heritage During Works

2.3.1 Unexpected Discovery of Human Remains

If any suspected human remains are discovered during the activity, works must cease. The Victoria Police, the State Coroners Office and RAP should be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be contacted on ~~1300-888-544~~ **1300 309 519**. 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~~ **in the activity area** must **stop**; and
- b) the remains must be left in place and protected from harm or damage.

2. Notification:

- a) if suspected human remains have been found, the State Coroners Office, the Victoria Police and RAP must be notified immediately;
- b) if there is reasonable grounds to believe that the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be immediately notified on ~~1300-888-544~~ **1300 309 519**;
- 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 that 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 s. 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 s. 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; and

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- b) appropriate management measures must be implemented to ensure that the Aboriginal Ancestral Remains are not disturbed in the future.

Note:

- a) do not take any photographs without the express request of the Coroners Office; and
- b) do not contact the media.

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 RAP 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 RAP 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 RAP and a representative of the Sponsor. Within a period not exceeding five working days, the heritage advisor, in consultation with the RAP, 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 RAP, 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 a period not exceeding five working days of the Aboriginal cultural heritage being inspected and confirmed; and

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- 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, 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-FP – SR~~. 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 all parties involved.
- d) an Aboriginal Place that is determined to be a less commonly occurring archaeological site type, 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 RAP 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 2018a) and *Practice Note: Salvage Excavation* (Aboriginal Victoria 2018b);
 - 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 excavation. The salvage report must meet the standards as outlined in *Practice Note: Salvage Excavation* (Aboriginal Victoria 2018b) 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 all parties involved; 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-site salvage and recording has been completed to the satisfaction of all parties involved.

- e) an Aboriginal Place that is determined to be a rarely occurring or unique archaeological site type, 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 all parties involved.

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 ~~WAC~~ **WTOAC** 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 ~~WAC~~ **WTOAC**.

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 and RAP 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 any development or Environmental Management Plan (EMP) for the site (see Sections 2.3.1 and 2.3.2).

The project manager 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 RAP 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-FP – SR~~ by means of registering the cultural heritage on the VAHR;
- e) advise on appropriate treatment or salvage of any Aboriginal cultural heritage; and
- f) provide adequate reporting on the treatment of any Aboriginal cultural heritage to standards required by ~~AV-FP – SR~~.

2.5 Management of Aboriginal Cultural Heritage Discovered during Works

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;

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- 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 RAP. The Aboriginal cultural heritage must be reburied at a location agreed upon with the RAP. The reburial location must be recorded by a heritage advisor using a differential GPS, followed by lodgement of the relevant VAHR forms to ~~AV~~ **FP – SR** for entry into the VAHR; and
- e) the Sponsor, as well as the RAP, must be involved in the discussions about the reburial location to ensure that the reburied cultural heritage will not be disturbed in the future.

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

- a) the ~~WAC~~ **WTOAC**;
- 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; or
- 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 knowingly disturb, destroy or deface 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 disturbing or destroying Aboriginal cultural heritage can be subject to prosecution and 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 Environmental Management Plan (EMP) or similar document for the project. The management conditions in Section 1 must be listed in the EMP. There must be a mechanism included in the plan (such as a checklist or database) to indicate when the management conditions for Aboriginal cultural heritage have been carried out. The project manager 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 project manager at all times and must be available for inspection by either an Authorised Officer under the *Aboriginal Heritage Act 2006*, a ~~WAC~~ **WTOAC**

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representative or another representative of the Secretary It is illegal to harm cultural heritage outside of the conditions contained within this CHMP. An Aboriginal Heritage Officer from the ~~WAC~~ **WTOAC** or an Authorised Officer from ~~AV-FP – SR~~ may conduct CHMP compliance audits. A checklist is provided below that specifies what measures will be undertaken to review compliance with the CHMP. The site manager must verify that the measures specified below have been undertaken.

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Table 1: Checklist for reviewing compliance with CHMP 16879*

	Yes	No
Prior to works occurring		
1. Has the cultural heritage induction been completed by the heritage advisor and representative of the RAP?		
2. Has the compliance inspection been completed after the demolition of the existing structure, and initial stripping of surface soils within the activity area, and the proposed augers completed?		
3. Have the contingency plans contained in Section 2 of this report been incorporated into the development or Environmental Management Plan for the project?		
4. Is a copy of this CHMP kept on-site at all times?		
5. 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, the Coroner's Office (and the Coronial Admissions and Enquiries on 1300 888 544 for suspected Aboriginal Ancestral Remains) and the RAP 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 and the RAP 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 of the unexpected Aboriginal cultural heritage ceased and has webbing or fencing been installed with 'no-go zone' signage displayed at all times?		
2. Have a heritage advisor and the RAP 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 RAP?		
Reburial Procedure for Aboriginal cultural heritage		
1. Once a reburial site has been agreed upon with the RAP, 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 all parties are complying with the terms of this CHMP.

2.7 Resolution of Non-Compliance with the Plan

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

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

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Table 2: Resolution of non-compliance with the plan

Potential Breach	Remedy
Prior to works occurring	
1. The cultural heritage induction has not been completed	A heritage advisor and the RAP must be contacted and cultural heritage induction booked within two working days
2. The compliance inspection has not been completed after the demolition of the existing structure and initial stripping of surface soils within the activity area	The RAP must be contacted and compliance inspection booked within two working days
3. Contingency plans contained in Section 2 of this report have not been incorporated into the development or Environmental Management Plan for the project	The site manager must ensure that the contingency plans are incorporated within two working days. All employees must be made aware of the contingency requirements
4. A copy of this CHMP is not kept on-site at all times	A copy of the CHMP must be printed and delivered to the site within two working days
5. Part or all of the specified management conditions in Section 1 have not been undertaken or completed	All work must cease within the areas identified in Section 1. A heritage advisor must be contacted and the management conditions specified in Section 1 must be undertaken or completed as soon as practicable
Identification of human remains during works	
1. Activity has not ceased if potential skeletal remains have been located	All work must cease immediately. The Sponsor must immediately action the procedure outlined in Section 2.3.1
2. Victoria Police and the Coroner's Office (including Coronial Admissions and Enquiries on 1300 888 544 for suspected Aboriginal Ancestral Remains) have not been notified	The Sponsor must immediately action the procedure outlined in Section 2.3.1
3. A suitably qualified heritage advisor has not been engaged to document the find	A suitably qualified heritage advisor must be notified immediately to document the find. The heritage advisor will facilitate communication with the VAHC
4. The remains are confirmed as Aboriginal Ancestral Remains and the VAHC and the RAP has not been notified	Notify the VAHC and the RAP immediately
5. The VAHC management measures for the Aboriginal Ancestral Remains have not been implemented	The Sponsor must immediately action the VAHC management measures
Identification of unexpected Aboriginal cultural heritage during works	
1. Activity has not ceased within 10m, webbing or fencing has not been installed and/or 'no-go zone' signage is not displayed	All work must cease immediately. The Sponsor must immediately action the procedure outlined in Section 2.3.2
2. A heritage advisor and the RAP have not been notified of the find	A heritage advisor must be notified within two working days and they must facilitate communication with the RAP
3. An on-site investigation of the suspected Aboriginal cultural heritage has not taken place	A heritage advisor must be contacted within two working days to arrange and attend (with a representative of the RAP) an on-site inspection of the cultural heritage

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4. Harm to Aboriginal cultural heritage has occurred	Work within 10m of the Aboriginal cultural heritage must cease immediately. The Sponsor must notify the Secretary within two working days. The Sponsor must immediately notify a heritage advisor to assess the level of harm and facilitate communication with the RAP. The Sponsor and the RAP must undertake the following process: a) details of the harm must be documented by the Sponsor, the heritage advisor and the RAP; b) a meeting must be held within two working days to discuss and arrive at an understanding of the harm that has occurred and to agree on appropriate measures to mitigate further harm; c) all involved parties must reach an agreement on the harm mitigation measures; d) if desired by both parties, external mediation by a third party may occur during the meeting; and e) the harm mitigation measures must be recorded in writing and signed off on by all parties.
5. Mitigation/salvage works have not been developed and/or implemented	The Sponsor must immediately action the procedure outlined in Section 2.3.3
6. Salvaged finds have not been treated in accordance with the direction of the Traditional Owners (or RAP, if one has been appointed)	The Sponsor must immediately action the procedures outlined in Section 2.3 and 2.5
Reburial Procedure for Aboriginal cultural heritage	
1. A suitably qualified heritage advisor has not been engaged to fully document the reburial location	The reburial process must immediately cease and a suitably qualified heritage advisor must be contacted and engaged to document the reburial site within two working days
2. The reburial location and details have not been accurately recorded and/or provided to the VAHR	A qualified heritage advisor must be contacted and engaged to provide the updated records to the VAHR
3. A strategy has not been developed to ensure no further disturbance to the reburial location	The Sponsor must immediately action the development of a strategy in consultation with the RAP

Note: It is illegal to harm cultural heritage outside of the conditions contained within this management plan. Authorised Officers from ~~AV-FP – SR~~ or Aboriginal Heritage Officers from the ~~WAC~~ **WTOAC** may conduct CHMP compliance inspections.

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Part Two: Assessment

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3.0 Introduction

Reasons for Preparing a Cultural Heritage Management Plan

This Cultural Heritage Management Plan (CHMP) has been undertaken at the request of the Sponsor, 49 Newcombe Street Pty Ltd, for a proposed commercial and residential development at 49 Newcombe Street, Portarlington. A CHMP is a mandatory requirement for the proposed activity because:

- 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)).

The north east corner of the activity area is located within 200m of coastal waters and therefore falls within an area of cultural heritage sensitivity as defined in the *Aboriginal Heritage Regulations 2018* r. 31:

r. 31 Coastal land

- (1) Subject to subregulation (2), land within 200 metres of the high water mark of the coastal waters of Victoria or any sea within the limits of Victoria is an area of cultural heritage sensitivity.

The proposed activity is for the construction of a multistorey commercial and residential development with basement car park. This is a high impact activity as defined in the *Aboriginal Heritage Regulations 2018* r. 46 (1) (a)(b) (xxiii) and r. 48 (1).

r. 46 Buildings and works for specified uses

- (1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the 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 –
 - (xxiii) a retail premises.

r. 48 Dwellings

- (1) The construction of 3 or more dwellings on a lot or allotment is a high impact activity.

An amendment has been prepared for this CHMP. The amendment was required to reflect accurate maximum impacts required for the activity.

Sponsor for the Cultural Heritage Management Plan

The Sponsor for this CHMP is 49 Newcombe Street Pty Ltd (ACN 632 841 064).

Notice of Intent to Prepare a CHMP

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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 October 16, 2019 to ~~Aboriginal Victoria (AV)~~ First Peoples – State Relations (FP – SR). ~~AV~~ (FP – SR) replied to the NOI on October 16, 2019 and allocated the project number 16879. A copy of the NOI and location map were sent to ~~Wathaurung Aboriginal Corporation (WAC)~~ Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) on October 16, 2019. The ~~WAC~~ WTOAC responded on October 17, 2019 that they intended to evaluate the CHMP. A copy of the NOI was also provided to City of Greater Geelong on October 16, 2019. The landowner is also the Sponsor and thus was also informed at the commencement of the CHMP.

An amendment to this CHMP was prepared in 2024. In accordance with Section 66A of the *Aboriginal Heritage Act 2006*, a Notice of Intent to Amend a CHMP (Appendix 2b) was submitted on October 29, 2024, to First Peoples – State Relations (FPSR). FP – SR replied to the NOI to amend on October 30, 2024 and allocated the project number 20386. A copy of the NOI to amend and location map were sent to the Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) on October 30, 2024. The WTOAC responded on October 31, 2024 that they intended to evaluate the amendment to CHMP. A copy of the NOI to amend was also provided to the City of Greater Geelong on November 14, 2024. The landowner is also the Sponsor, and was also informed at the commencement of the amendment.

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.

The heritage advisor amending this CHMP is Tess Devlin. Tess holds a Bachelor of Arts (Archaeology/History) (2019) and Graduate Diploma in Archaeology and Heritage Management (2021) obtained from Flinders University. She has been a registered heritage advisor since August 2021 and has worked throughout Victoria, South Australia, Ireland and Malta.

Location of the Activity Area

The activity area is located at 49 Newcombe Street, Portarlington (1\TP514439 and 22~1B\PP5647) and also includes a small section of the footpath in front of these lots (Map 2). The activity area is approximately 25.5km north east of the Geelong CBD and 42km south west of the Melbourne CBD (Map 1). The activity area is approximately 1130m² and is therefore a small-sized activity area under the *Aboriginal Heritage Regulations 2018*. The activity area is bounded by commercial development to the east and west, parkland to the north and Newcombe Street to the south. The activity area is located within the Parish of Bellarine, County of Grant, City of Greater Geelong.

Landowners

The activity area is owned by the Sponsor, 49 Newcombe Street Pty Ltd.

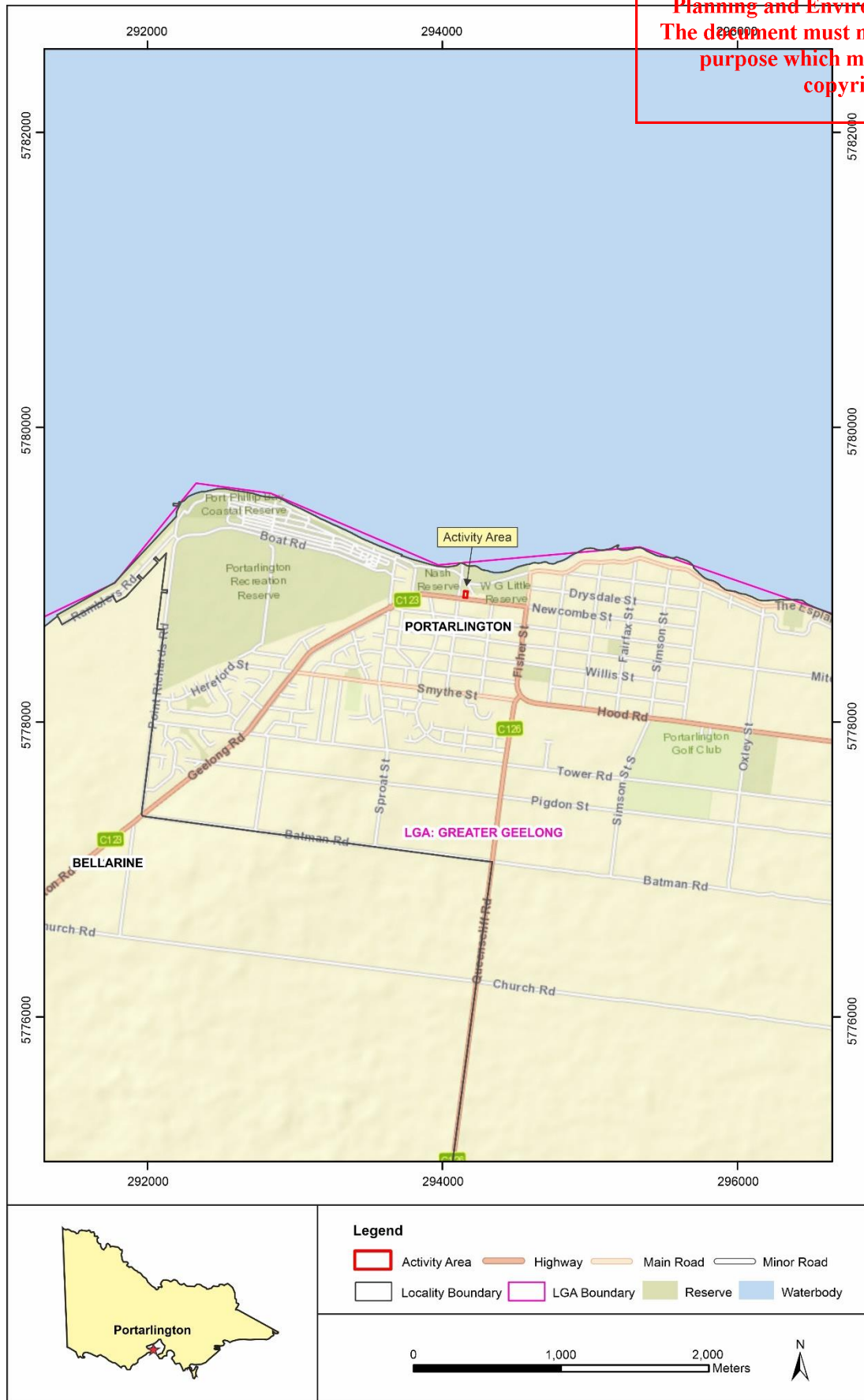
RAPs with Responsibility for the Activity Area

The Registered Aboriginal Party (RAP) with responsibility for the activity area is the ~~Wadawurrung, Wathaurung Aboriginal Corporation (WAC)~~ Wadawurrung Traditional Owners Aboriginal Corporation

(WTOAC). The RAP has provided formal written confirmation that they intend to evaluate this CHMP (Appendix 2a) and evaluate the amendment to the CHMP (Appendix 2b).

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Map 1: Location of the activity area – 1\TP514439 and 22~1B\PP5647 49 Newcombe Street, Portarlington
(City of Greater Geelong, Parish of Bellarine, County of Grant)

4.0 The Activity Area and Proposed Works

4.1 Extent of the Activity Area Covered by the Management Plan

The activity area is located at 49 Newcombe Street, Portarlington (1\TP514439 and 22~1B\PP5647) and also includes a small section of the footpath in front of these lots (Map 2). The activity area is approximately 25.5km north east of the Geelong CBD and 42km south west of the Melbourne CBD (Map 1). The activity area is approximately 1130m² and is therefore a small-sized activity area under the *Aboriginal Heritage Regulations 2018*. The activity area is bounded by commercial development to the east and west, parkland to the north and Newcombe Street to the south. The activity area is located within the Parish of Bellarine, County of Grant, City of Greater Geelong. Currently the property contains a commercial building.

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4.2 Activity Description

The proposed works are for a multistorey commercial and residential development with a basement carpark (Map 3). Common property will include landscaping activities and the installation of driveway and pathways. The existing structure in the activity area will be removed.

The activity area is located within the Commercial 1 Zone (C1Z) and proposed works will comply with permitted used as described within this overlay.

4.3 Statement of Potential Impacts

The proposed activities outlined above will involve soil disturbance to both surface and buried land surfaces. Excavation will be required across the entire activity area. Activities which will occur during the course of the proposed works are:

- site preparation, which will include site clearance, where the existing structure, driveway and concreted area, unwanted rubbish, vegetation and rocks will be removed from the site;
- stripping/removing topsoil and excavation, utilising heavy machinery. This will occur to a depth of 200mm. The topsoil will be stockpiled for later use in topsoiling;
- excavation for utilities, services and footings;
- excavation for the basement carpark and ramp;
- construction of multistorey commercial and residential development; and
- landscaping works.

Table 3 provides a list of the expected maximum depth and width of excavation required for the activities.

Table 3: Maximum depth and width of potential impacts

Activity	Maximum Depth (m)
Site preparation/grading	0.2
Building foundations	-3.5-7.05
Basement carpark	-3-8.4
Underground utilities/services	0.5-2-2.0
Paved areas	0.4
Driveway and ramp area	0.2-3

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Activity	Maximum Depth (m)
Landscaping	-0.2 1

“Driveway and ramp area” was removed from the table as these are impacts contained within the larger basement footprint. Road connections are included within the paved areas.

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Map 2: Aerial image showing the current conditions in the activity area

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Map 3: Development plan (provided by Sponsor)

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5.0 Documentation of Consultation

Consultation with ~~AV~~ **FP – SR** and the RAP took place from the outset of this project and is documented below.

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 October 16, 2019 to ~~Aboriginal Victoria (AV)~~ **FP – SR**. ~~AV~~ **FP – SR** replied to the NOI on October 16, 2019 and allocated the project number 16879. A copy of the NOI was also provided to City of Greater Geelong on October 16, 2019. A copy of the NOI and location map were sent to ~~Wathaurung Aboriginal Corporation (WAC)~~ **Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC)** on October 16, 2019. The ~~WAC~~ **WTOAC** responded on October 17, 2019 that they intended to evaluate the CHMP. The landowners/Sponsors were also informed at the commencement of the CHMP.

5.1 Consultation in Relation to the Assessment

An initial project inception meeting was held on November 11, 2019, between Jessica Hardy (Heritage Insight Pty Ltd), Stephanie Frydas (Heritage advisor/archaeologist, ~~WAC~~ **WTOAC**), Ilya Berelov (Heritage advisor/archaeologist, ~~WAC~~ **WTOAC**) and Kyle O'Toole (field representative, ~~WAC~~ **WTOAC**), Sean Lonergan (SPL Architects), Greg Murray (Sponsor) and Terry Freeman (49 Newcombe Street Pty Ltd).

The purpose of this meeting was to provide a general overview of the project and to discuss an appropriate methodology for the standard and complex assessments. Jessica Hardy presented information about the project, including proposed works, geology, land-use history and Aboriginal Places within the geographic region.

It was agreed during the project inception meeting that the standard and complex assessment would run concurrently. The complex assessment was to include one test pit and two to three 2x1m machine trenches throughout the property, with flexible arrangement to be placed in areas that appeared less disturbed. The ~~WAC~~ **WTOAC** requested that a machine be used to excavate MTs instead of manual excavation of STPs as machine testing on volcanic soils can be more efficient than manual testing methods. The representatives from ~~WAC~~ **WTOAC** were asked during the inception meeting if they had any oral history about the Portarlington area that they would like included in the CHMP. No oral history was provided by the ~~WAC~~ **WTOAC**.

A second meeting was held on January 28, 2020 between Jessica Hardy (Heritage Insight Pty Ltd), Stephanie Frydas (Heritage advisor/archaeologist, ~~WAC~~ **WTOAC**), Ilya Berelov (Heritage advisor/archaeologist, ~~WAC~~ **WTOAC**), Sean Lonergan (SPL Architects), Greg Murray (Sponsor) and Terry Freeman (49 Newcombe Street Pty Ltd). The purpose of this meeting was to discuss the results of the standard and complex assessments and to determine appropriate management conditions for the project. Jessica presented the results of the standard and complex assessments, which noted introduced fill/disturbed soils over the entire activity area to various depths, overlying remnant natural soils. Basal clay was located in all excavation pits except MT 2, which was abandoned due to the identification of asbestos. As no cultural material

Sections 1 and 5.4 are those that were determined to be required for the management of the CHMP.

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A CHMP amendment meeting was conducted on January 28, 2025, and is discussed in detail in Section 5.3.

5.2 Participation in the Conduct of the Assessment

The standard and complex assessments were conducted on December 5, 2019 by Jessica Hardy and Maddie Steel (Heritage Insight Pty Ltd), James Papworth (Belmara Industries Pty Ltd), Kyle O'Toole and Kaelan Morrison (field representatives, ~~WAC~~ WTOAC). A brief discussion of the project background and fieldwork methodology was held on-site at the commencement of the fieldwork. All participants were satisfied with the level of standard and complex assessment conducted across the activity area.

5.3 Consultation in Relation to the Conditions

A meeting was held on January 28, 2020 between Jessica Hardy (Heritage Insight Pty Ltd), Stephanie Frydas (Heritage advisor/archaeologist, ~~WAC~~ WTOAC), Ilya Berelov (Heritage advisor/archaeologist, ~~WAC~~ WTOAC), Sean Lonergan (SPL Architects), Greg Murray (Sponsor) and Terry Freeman (49 Newcombe Street Pty Ltd) to discuss proposed management conditions for the activity area. Jessica Hardy outlined the results of the standard and complex assessments and a discussion of the management conditions followed. It was agreed that the management conditions listed in Sections 1 and 5.4 were those required for the management of the CHMP.

A CHMP amendment meeting was conducted on January 28, 2025. Meeting attendees included Tess Devlin and Andrew Morris (Heritage advisors, Heritage Insight), Kristen Ellis (Heritage advisor, WTOAC), Kyle O'Toole, Billy-Jay O'Toole, Kaelan Morrison, Alex Fagan (Traditional owners and representatives of the WTOAC), Chelsea Cooke, Josie Inches, Robert Tobin, Eunice Lalunio (WTOAC), Roger Munn (Planner and representative of the Sponsor, Spiire), Lloyd McCuthie, and Hilary Sleigh (Architects, KTA). Tess ran through the findings from CHMP 16879 and the updated ACHRIS search results before the focus turned to the management conditions. Kristen Ellis asked whether the Sponsor's representative knew if the existing building was built on stumps, which Roger Munn inferred was likely. Kristen then brought up the potential for Aboriginal cultural material to be present within the footprint of the existing building within the activity area. Traditional owners were asked how best to address potential archaeological deposits in this area, resulting in a contingency and testing plan to be implemented should natural soil deposits be identified within the existing building footprint following its demolition and the subsequent removal of rubble. Two augers will be conducted at the following compliance inspection (Condition 2), and the identification of natural deposits in those augers will result in monitoring for the footprint of the existing building. A representative of the WTOAC will be present to inspect excavations through natural deposits and will cease monitoring at the identification of basal clay. An additional management conditions to require all works are conducted within the activity area to update the report to current WTOAC requirements.

5.4 Summary Outcomes of Consultation

Management conditions were discussed and agreed upon at the meeting held on January 28, 2020. The management conditions agreed upon are as follows:

- a cultural heritage induction must occur for all workers involved in ground disturbance activities prior to or at the commencement of works in the activity area;
- one compliance inspection must occur after the demolition of the existing structure and initial stripping of surface soils within the activity area. This inspection will now include two auger probes to test for natural soils;

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- If natural soils are present in the augers, then a monitoring schedule is triggered within the footprint of the existing building;
- contingency plans in Section 2 must be incorporated into the development documentation and risk assessment for the project; and
- a copy of the CHMP must be kept on-site at all times.
- Amended condition added to require all works are within the activity area to comply with updated WTOAC requirements.

For further information regarding the management conditions, see Section 1.

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6.0 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.

6.1 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~~ **FP – SR** 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.

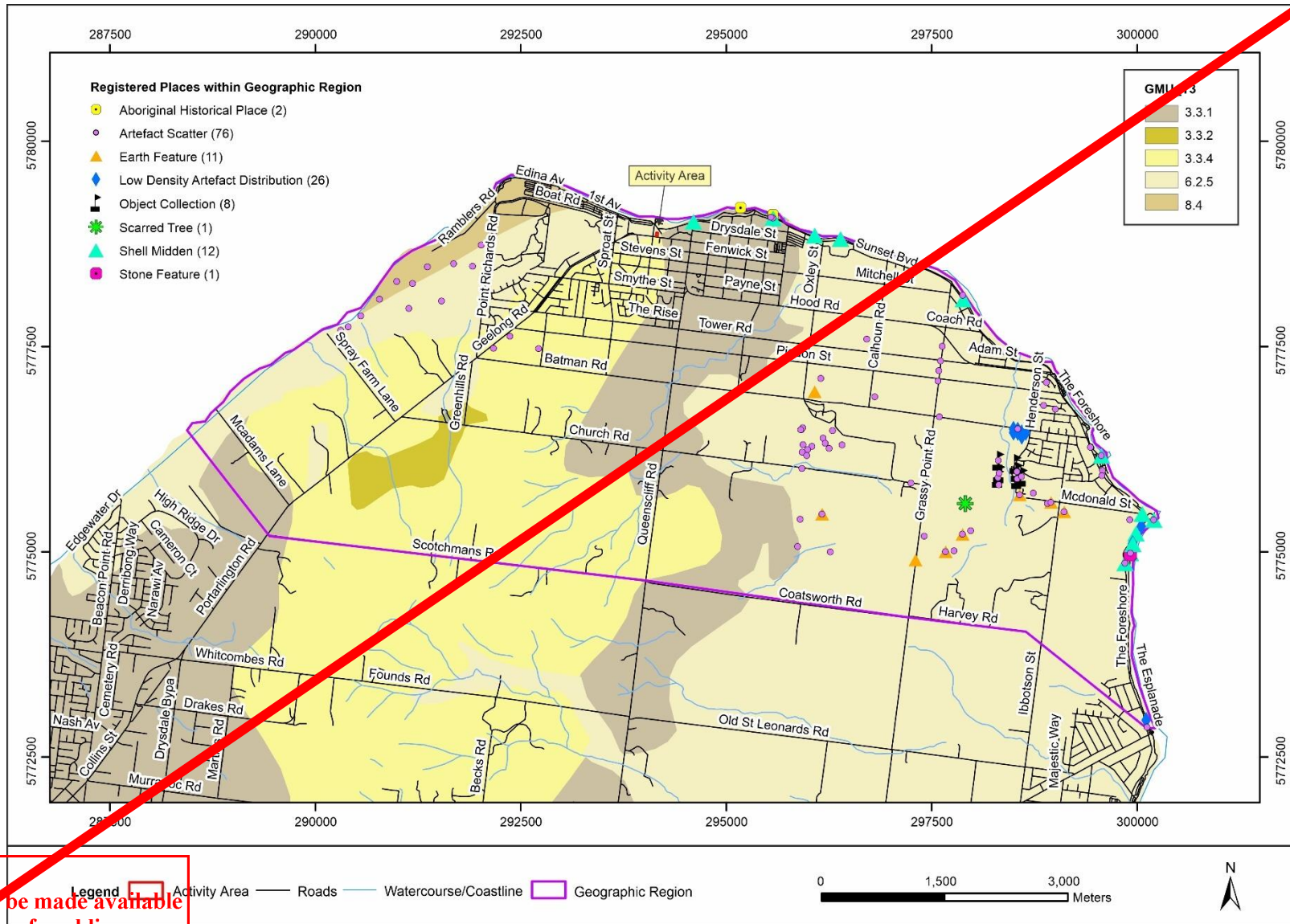
6.2 Results of the Desktop Assessment

6.2.1 The Geographic Region

The geographic region has been defined by the area north of Scotchmans Road/Coatsworth Road and incorporates the northern portion of the Bellarine Peninsula surrounding the activity area (Map 4). This region provides a suitable sample size for the landforms and landscape features, commercial and residential development, and Aboriginal Places that are characteristic of the region in which the activity area is located.

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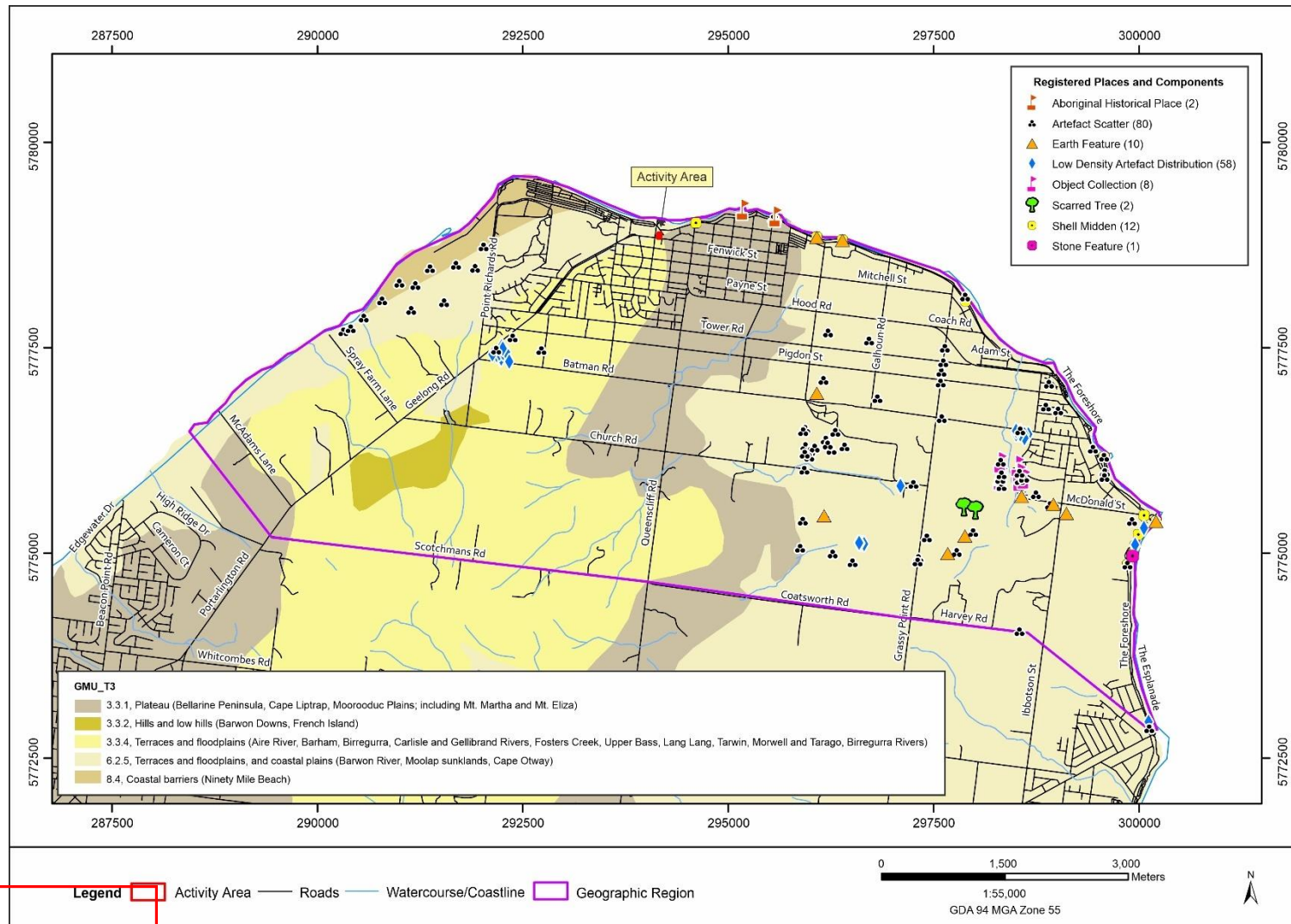
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Map 4a: Geographic region in relation to the activity area with location of Aboriginal Places and geomorphic tiers

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Map 5b: Geographic region in relation to the activity area with location of Aboriginal Places and geomorphic tiers

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6.2.2 Landforms and Geomorphology of the Activity Area

Description of Geology, Landforms and Soils

The Bellarine Peninsula is an uplifted landmass bounded by the Barrabool Fault to the north and the Bellarine Fault along the east. It forms the southern and western boundary of the Port Phillip Sunkland. The southern side of the Peninsula fronts the coast of Bass Strait and its south eastern point (Point Lonsdale) forms the western heads of the entrance to Port Phillip Bay.

The activity area is located within the geomorphic land system known as the Barrier Complexes – Discovery Bay – Gippsland Lakes, described as pale sands. The surface geology of the Bellarine Peninsula consists primarily of sand sheets overlying Miocene clays. Parts of the Tertiary sand sheet have been weathered to form a ‘gently rolling plain’ and have in turn been covered by more recent sands of variable depth. The flat areas at the toe of the plain also consist of these recent (Quaternary) sands (Department of Jobs, Precincts and Regions – GeoVic, accessed 28/10/2019).

Geological mapping shows that the activity area is characterised by the Murraduc Basalt (Nubm) geological unit (Map 5). This geology underlies the highest parts of the Bellarine Peninsula and was formed as a result of sustained lava flow through the Miocene period (Department of Jobs, Precincts and Regions – GeoVic, accessed 28/10/2019). The dark grey Murraduc Basalt is similar to basalts found on the Mornington Peninsula such as at Flinders or Cape Schanck and was quarried extensively locally at Murraduc Hill in Drysdale (Rosengren 2009).

Soils within the activity area are broadly described as brown, black or grey mottled soils or ferruginous sand with a strong texture contrast between surface soils and subsoils (Chromosols). These soils are formed on basalt and the pH is generally greater than 5.5 (Department of Jobs, Precincts and Regions – Victorian Resources Online – Corangamite Soil/Landform Unit 77, accessed 28/10/2019).

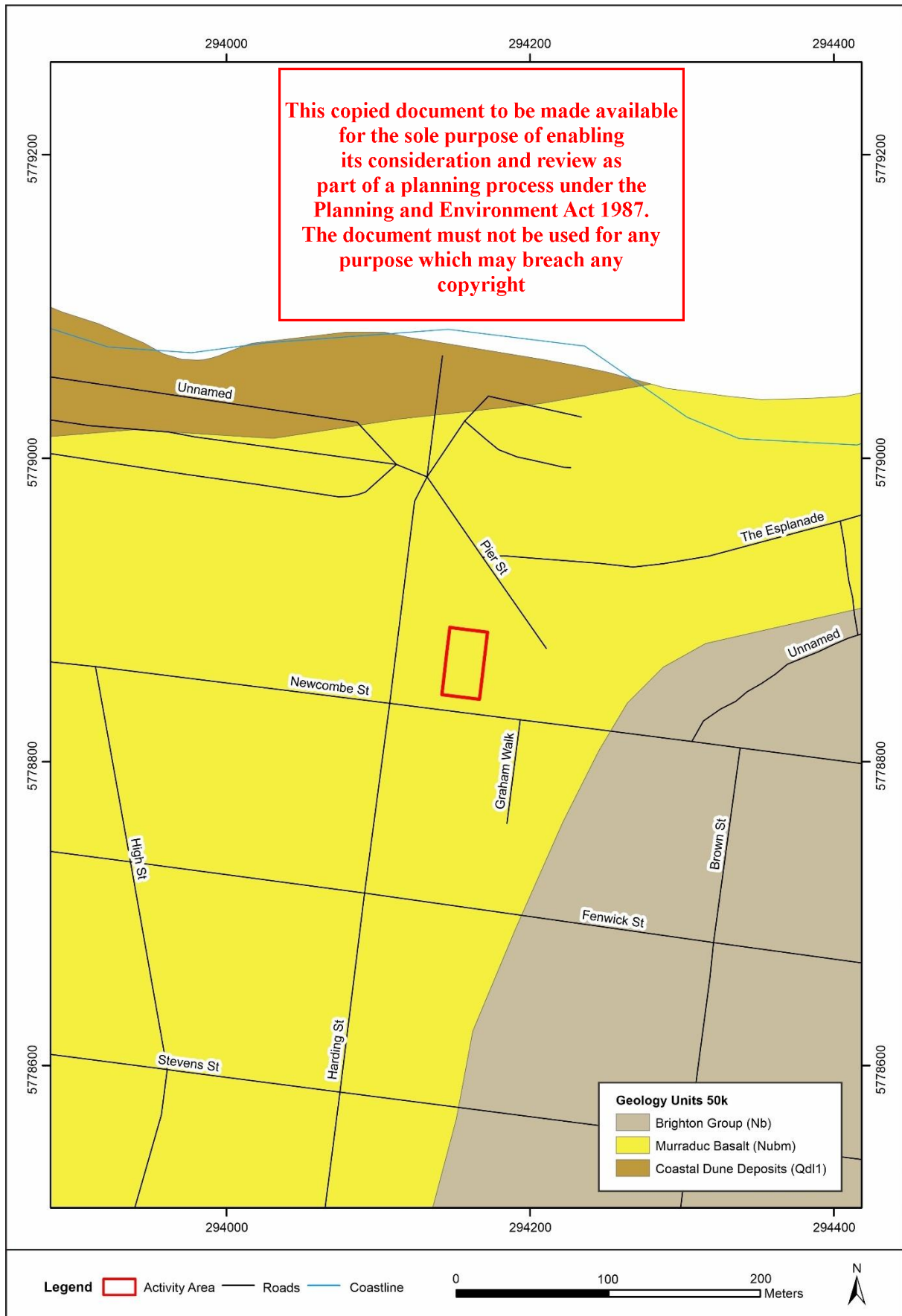
Table 4 summarises the land system information for the region containing the activity area.

Table 4: Summary of land system data encompassing the activity area

Land System Code – Land Systems of Victoria at 1: 250 000	Land System Summary Description	
8.5PCcQ6-1	Geomorphic Unit:	Barrier Complexes - Discovery Bay, Gippsland Lakes
	Landform:	N/A
	Lithology:	Coarse textured unconsolidated deposits
	Soils:	Pale sands
	Pre-1750 EVCs:	3 – Damp Sands Herb-rich Woodland 175 – Grassy Woodland
	Nearest Water Sources:	Yarram Creek

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6.2.3 Resources Available to Aboriginal People within the Activity Area

Plant Resources and Pre-Contact Vegetation

The activity area lies within the Otway Plains bioregion. The pre-1750 ecological vegetation classes (EVCs) indicate that the majority of the activity area was most likely covered with Damp Sands Herb-rich Woodland (EVC 3, Map 6) and the south east corner would have been covered with Grassy Woodland (EVC 175, Map 6). The soils within EVC 3 are undulating to flat, moderately well drained, deep loamy sandy soils with vegetation of mostly low, bracken dominated open eucalypt woodland to 15m and an abundant large shrub and ground cover layer rich in herbs, grasses and orchids. The typical tree is dominated by *Leptospermum continentale* (Prickly Tea-tree) and *Acacia melanoxylon* (Blackwood), while medium herb vegetation included species such as *Gonocarpus tetragynus* (Common Raspwort), *Geranium solanderi* s.l. (Austral Cranesbill) and shrubs such as *Acacia verticillata* (Prickly Moses) and *Bursaria spinosa* ssp. *spinosa* (Sweet Bursaria; Department of Environment, Land, Water and Planning – Bioregions and EVC Benchmarks, accessed 18/10/2019). EVC 175 consists of open eucalypt and sheoak woodland with a diverse ground layer of herbs and grasses. The tree canopy is dominated by species such as *Eucalyptus radiata* s.l. (Narrow-leaf Peppermint), *Eucalyptus leucoxylon* ssp. *Bellarinensis* (Bellarine Yellow-gum) and *Allocasuarina verticillata* (Drooping Sheoak). An understorey of medium shrubs such as *Leptospermum continentale* (Prickly Tea-tree), *Epacris impressa* (Common Heath) and medium gaminoids including *Lomandra filiformis* (Wattle Mat-rush) and *Themeda triandra* (Kangaroo Grass) are also typical of this EVC.

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, bats, kangaroos, wallabies, echidnas, koalas and native rats. A large range of birds 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 18/10/2019).

As well being a valuable food source, kangaroos and possums provided raw materials for the manufacture of cloaks, while kangaroo teeth (as well as bones and shells) were worn 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.

Water Resources

The closest named waterway to the activity area is Yarram Creek, approximately 10km to the south, however several unnamed waterways run through the Bellarine Peninsula to the south of the activity area. Swan Bay is located to the south of the activity area. Aboriginal people occupying the activity area in the past would have had access to a number of potable sources of water.

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Stone Resources

Stone was often traded or exported from quarries over large distances. Silcrete is a stone material which was commonly used by Aboriginal people in the past to manufacture stone tools. It is a metamorphic rock formed from Silurian sediments. Quartz is another stone material which was commonly used by Aboriginal people in the past in the manufacture of stone tools.

No stone resources and outcrops suitable for the manufacture of stone tools are found within the activity area. However, suitable stone for the manufacture of stone artefacts was certainly available on the peninsula. While silcrete outcrops were targeted for quarrying, alluvial quartz pebbles were readily available for collection in the nearby streams, creeks and rivers.

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Map 7: Pre-1750 EVC within the activity area

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6.2.4 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 October 17, 2019. An updated search of the VAHR was undertaken on January 29, 2020 prior to submission of the CHMP for evaluation. **An updated search of the VAHR was undertaken on November 1, 2024 at the outset of this CHMP Amendment. A secondary search of the VAHR was undertaken on March 31, 2025 prior to submission and did not return any additional Aboriginal Places than the search in November 2024.**

6.2.4.1 Aboriginal Places in the Geographic Region

A search of the VAHR identified ~~90~~ **97** registered Aboriginal Places within the geographic region, comprising ~~137~~ **173** components (Map 4; Table 5; Appendix 3). The most common Aboriginal Place type within the geographic region are artefact scatters (n=~~76~~ **80**), which comprise approximately ~~55~~ **46**% of the total number of component types. The next common Place type is low density artefact distributions (n=~~26~~ **58**), followed by shell middens (n=12), earth features (n=~~11~~ **10**), object collections (n=8), Aboriginal historic Places (n=2) and a single representation of a scarred tree and a stone feature. These Places are primarily located within proximity to the coastline or in association with dunes further inland. Object collections are an anomalous entry and will not be discussed, as they tend to document the location where the heritage is being reburied or stored, such as a heritage advisor's office.

Table 5: Summary of registered Aboriginal Places within the geographic region

Component Type	Frequency (No.)	Frequency (%)
Aboriginal Historical Place	2	1
Artefact Scatter	76 80	55 46
Earth Feature	11 10	8 6
Low Density Artefact Distribution	26 58	19 34
Object Collection	8	6 5
Scarred Tree	1 2	1
Shell Midden	12	9 7
Stone Feature	1	1
Total Components	137 173	
Total Registered Places	90 97	

The **extent of the** closest previously registered Aboriginal Place (VAHR 7821-0956) is located approximately 130m to the northeast. The Place is a 1.45km multi-component Place registered along the Portarlington foreshore. The Place comprises an extensive low density shell midden and artefact scatter observed eroding from cliff faces across the extent. The raw materials of the artefact scatter are recorded as silcrete, quartz and chert, and shell species within the midden were predominantly blue mussel, venus clam and mud oyster.

There are three Aboriginal historic Places within the geographic region (Table 6). Two of these historic Places, a named Place and a known resource area, are located to the south east of the activity area between Indented Head and St Leonards. Historic reference 9.1–3 is recorded as “Queen Eliza’s Grave” approximately 275m north east of the current activity area and relates to the area where Queen Eliza of the *Bengalat Bulluk* is said to be buried. While the location on ACHRIS is recorded as being approximately

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275m to the north east of the activity area within the Portarlington foreshore area, this location is listed as approximate only and comes from secondary sources. Clark (1990, p.302) references a local history by McLeod (McLeod 1962, p.18) which states that Queen Eliza was buried near the Portarlington Masonic Hall, at 28 Brown St, Portarlington, not near the Portarlington foreshore. CHMP 10182, conducted along the Portarlington foreshore and included the area where Queen Eliza's Grave is currently mapped on ACHRIS, concluded that the historic Place was is most likely incorrectly mapped and was not located within the activity area for CHMP 10182, but some 500m to the south near the Masonic Hall (Chamberlain, Myers & Szydzik 2010, p.13).

Table 6: Aboriginal historical reference sites within the geographic region

Historical Reference Id	Historical Reference Name	Historical Reference Association	Period of Association	Distance to Activity Area
12.1-8	Point Lonsdale-Indented Head Resource Area	12.1 Pre-Contact food resources/areas where people continued to procure food (swamps, fish weirs, etc)	N/A	275m NE
12.9-6	Bingoilite (Indented Head)	12.9 Named Place	N/A	6.85km SE
9.1-3	Queen Eliza's Grave, Portarlington	9.1 Location of individual burials outside formal cemeteries	N/A	7.93km SE

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6.2.4.2 Previous Work in the Geographic Region

A small number of reports have been undertaken within the geographic region (Appendix 4). The results of relevant regional and localised studies are presented below and in Table 7. This review of relevant reports within the geographic region has been undertaken to assist with the formulation of the site prediction model.

Regional studies have concluded that the Bellarine peninsula contains potential for the discovery of a variety of Aboriginal site types including shell middens, artefact scatters, burials, scarred trees and earth features. It is noted that shell middens are generally located in sandy dune landforms in coastal areas. Due to widespread clearance of native vegetation, culturally scarred trees are unlikely to be located, however remnant patches of mature native vegetation should be inspected. The most likely site type are artefact scatters, followed by low density artefact distributions and then shell middens.

An updated search of the VAHR was conducted on November 1, 2024 for the amendment for this CHMP. Six new reports had been completed within the geographic region (CHMPs 17310, 17356, 17911, 17944, 19090, 19564) but were not in proximity to the activity area. Distances varied between 1.9-7km from the activity area. Those reports have not been summarised below, and instead can be found in Appendix 4.

Previous Investigations in Close Proximity to the Activity Area

Portarlington Safe Harbour Development, CHMP 10182 (Chamberlain, Myers & Szydzik 2010)

This CHMP was prepared for the construction of the Portarlington safe harbour project along a section of the Portarlington foreshore including immediately to the north of the current activity area. The desktop assessment found that two previously registered shell midden Places (VAHR 7821-0360 and VAHR 7821-0361) are likely located within or immediately adjacent to the activity area. It was considered possible that these two Places were exposures of a more extensive shell midden site that extends along the Portarlington foreshore. The desktop assessment also found that although ACHRIS mapping indicated the presence of two Aboriginal historical Places (“Queen Eliza’s Grave” and a former Aboriginal campsite) within the activity area, the historic descriptions of these sites place them outside the activity area and further along the foreshore. The standard assessment found that the western portion of the activity area had been heavily disturbed through terracing and construction of public facilities, while the rest of the activity area showed evidence of more superficial disturbance. The two previously registered shell middens were relocated during survey, with VAHR 7821-0361 within the activity area and VAHR 7821-0360 just outside the activity area. The complex assessment included the excavation of three 1x1m test pits, a 500x500mm test pit and 39 500x500mm shovel test pits. The 1x1m test pits were located across the three landforms present within the activity area including on top of the cliff in the south west part of the activity area, on the flat shore platform in the north west of the activity area and on sloping ground in the centre of the activity area. The 500x500mm test pit was excavated within VAHR 7821-0361 to determine the subsurface nature of the midden deposit. The subsurface soil profile showed various levels of disturbance, with the western portion of the activity area being generally more disturbed than the east. Subsurface testing showed that VAHR 7821-0361 is an, extensive, low density and disturbed shell midden covering approximately 500m². No further Aboriginal Places were identified during assessment.

Relevant Local and Regional Studies

The review of previous archaeological research has shown that the majority of nearby studies have been on small urban lots where earlier dwellings or other structures have existed. The surface surveys tended to

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be limited by poor ground visibility, while the excavation work often identified highly disturbed subsurface ground conditions, reflecting the long-term urbanisation of the Bellarine Peninsula. This does not negate the potential for Aboriginal cultural heritage as several excavations identified artefacts. The Aboriginal Places identified during previous studies were of low-to-medium density and were located within both disturbed and undisturbed subsurface contexts.

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Table 7: Previous studies relevant to the activity area

Study Name	Results
Portarlington Eastern Breakwater Access CHMP 15017 (Sanders & Coutant 2017)	This CHMP was prepared for a proposed path to access the eastern breakwater within the current Portarlington Harbour. The proposed activity involved clearing works for the construction of the exposed aggregate concrete path and the stabilisation of the batter slope along the south eastern margin of the access path. The activity area is located within the site extent for registered Aboriginal Place VAHR 7821-0956. No Aboriginal cultural heritage was identified during the excavations. No surface Aboriginal cultural heritage was identified within the activity area. There has been significant disturbance to the area as a result of landscaping, and the construction of a pedestrian pathway, barrier fencing and the Portarlington Harbour. The assessments conducted in the preparation of this CHMP concluded that the extent of nearby shell middens and the subsurface cultural lens associated with Steeles Rock 1 VAHR 7821-0956 was not present within the activity area. Given the highly disturbed nature of the land within the proposed Portarlington Eastern Breakwater Access, it was considered unlikely that any Aboriginal cultural heritage remained.
Upgrade to the Portarlington CFA Station, Fisher Street, Portarlington CHMP 14772 (Tepper & James-Lee 2017)	The activity area is situated in WG Little Reserve which fronts the Bellarine Peninsula. The activity area is approximately 0.295 hectares in size and encompasses the Portarlington Country Fire Authority facilities. These include three built structures and a gravel carpark. The activity area lies on the Plateau (Bellarine Peninsula, Cape Liptrap, Moorooduc Plains; including Mount Martha and Mount Eliza) and the terraces and floodplains and coastal plains (Barwon River, Moolap Sunkland, Cape Otway) geomorphological units on a crest of the undulating landform. The results of the standard assessment largely confirmed the predictive model determined by the desktop assessment which indicated that surface artefact scatters would be unlikely to occur within the activity area. Poor ground surface visibility due to the presence of buildings, sealed and unsealed roads, car parks and lawn areas with leaf litter hindered the survey with no areas of archaeological potential identifiable. The complex assessment identified that rubbish such as glass, metal, cigarette butts and brick fragments were prevalent in the upper two soil horizons, indicating the activity area was modified and disturbed during construction phases. No Aboriginal cultural heritage Places were identified during the assessment.
Portarlington Water Reclamation Plant To Clifton Springs Transfer Pipeline, Bellarine Peninsula CHMP 14688 (Stone & de Rochefort 2017)	Most of the proposed activity area was contained in the road reserves of High Ridge Drive and Panorama Court, Clifton Springs and Scotchmans/Coatsworth Road. The remainder of the Portarlington WRP to Clifton Springs Transfer Pipeline Project is located ~20km east of Geelong in a region that was defined for the purposes of this CHMP as the Northern Bellarine Peninsula (NBP) geographic region. The elevated central portion of the NBP comprised early Tertiary 'Older Volcanics' Weathering of this basalt has produced undulating hills east of the Portarlington-Geelong Road. Basalt outcrops are few. No Aboriginal cultural heritage was located on the surface of the proposed activity area. Significant ground disturbance caused by past development is the likely reason for the result for the 84% of the activity area contained in road reserves. For the remainder, poor ground surface visibility was a factor, particularly for the part of the proposed activity area close to VAHR 7821-0387 and the crossing of Scarborough Creek. The testing showed that VAHR 7821-0387, recorded previously by Rhoads (1986), does not extend into the part of the proposed activity area in the Beacon Point Reserve. Similarly, no Aboriginal cultural heritage was recorded by testing of the Scarborough Creek crossing or ridgeline cut by Coatsworth Road.

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Study Name	Results
Drainage Outlet, Simson Road, Portarlington CHMP 11077 (Toscano 2010)	This CHMP was conducted for a proposed swale drain connecting Simson Road and the Portarlington Foreshore. The desktop assessment identified shell middens and low density artefact scatters as the most likely Aboriginal Place type to be identified within the geographic region. Ground surface visibility was generally poor during the standard assessment however, shell midden material was noted in areas of exposure and in the cliff face. The complex assessment included the excavation of one 1x1m test pit and 13 500x500mm shovel test pits to a maximum depth of 460mm. A total of 71 artefacts of mostly quartz and silcrete were identified in the test pit. Six 500x500mm radial test pits were excavated around the test pit, with two of these radial test pits also positive for artefacts. The Place was registered as VAHR 7821-0823 with both a shell midden and artefact scatter component. The shell species present in the shell midden were mostly mussel, with some turbo and scallop also present. It was considered that the Place had been highly disturbed by the construction of the adjacent road, with abundant modern rubbish and building rubble inclusions noted during complex assessment.
Bellarine Safe Harbour, Portarlington An Aboriginal & Historical Desktop Archaeological Assessment (Feldman & Howell-Meurs 2007)	This study was conducted for the proposed safe harbour at Portarlington. The study identified two previously registered Aboriginal shell middens located within the study area (VAHR 7821-0360 & VAHR 7821-0361). The report also noted that an Aboriginal historic Place (Queen Eliza's Grave) is recorded as being located within the study area, however this is an approximate location and the actual location of this Place is unknown. Two zones of archaeological sensitivity were identified as a result of the assessment, with Zone 1 being composed of the terrestrial component of the study area determined to have high Aboriginal archaeological sensitivity and Zone 2 being the underwater or intertidal component of the study area determined to have low Aboriginal archaeological sensitivity. It was considered likely that further Aboriginal Places would be found within the study area, with shell middens being the most likely.
Property at corner Tower Road and Portarlington-Queenscliff Road, Portarlington (Feldman & Howell-Meurs 2005)	This study was undertaken for an approximately 24.4ha study area on volcanic soils 870m south of the Portarlington foreshore. The assessment concluded that given the distance from the coast, artefact scatters would be the most likely Aboriginal Place type to be identified within the study area. No Aboriginal Places were identified during survey, however poor ground surface visibility due to thick grass coverage hindered the identification of Aboriginal cultural material. Two zones of Aboriginal archaeological sensitivity were identified based on geomorphology within the study area. Zone 1 comprised the raised western section of the study area and Zone 2 was the lower eastern section of the study area. Both zones were determined to have moderate Aboriginal archaeological sensitivity.

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Study Name	Results
An Archaeological Survey of the Proposed Bellarine Peninsula Gas Supply Route, Victoria (Stone 2001)	The field survey comprised a surface survey of the entire proposed gas supply route. This was conducted by a mix of vehicle and pedestrian survey. Sections exposed by road cuttings enabled a review of subsurface soil profiles. No Aboriginal sites were located. It was noted that this is largely likely due to the disturbance caused through the construction of roads, road reserves and installation of underground services. Artefact scatters sites tended to occur on level, well-drained elevated landforms near fresh water sources, such as rivers, creeks and wetlands. Shell middens are largely found in coastal areas in sandy dune landforms.
An Archaeological Assessment of the Steele's Rock Midden, Portarlington (Marshall 1997)	This report was prepared to investigate an Aboriginal midden site (VAHR 7821-0366 – VAHR 7821-0371) located in an eroding cliff before erosion remediation works were undertaken. The shell midden was recorded as a thin lens of midden material with shell species dominated by <i>Mytilus</i> (mussel) with some minor quantities of <i>Deltoides</i> (pipis). A manuport was noted in the cliff section and a single quartz artefact was identified at the base of the cliff. It was considered likely that the artefact eroded out of the midden layers. The midden material was located within the topsoil layer, between depths of approximately 50–100mm and varied in thickness from a single shell to 50mm thick. The midden was noted as being continuous along the entire exposed cliff, approximately 355m. <i>Mytilus</i> shell material was also noted in area of erosion 30m back from the cliff face, suggesting that the midden continues back from the cliff face. The total midden area was calculated to be 10,650m ² .
Bellarine Peninsula: Archaeological Site Assessment and Management Study (Rhoads 1986)	This study comprised a number of surveys over three years. Eighty-two archaeological sites were located during the surveys. These sites predominately comprise artefact scatters and shell middens. Four scarred trees were also located. Most sites were degraded. Rhoads noted that most of the peninsula had been impacted by development, either rural or urban, and as such, finding <i>in situ</i> sites was rare. Site patterning in coastal environments will centre around rocky shore environments and most sites will be shell middens, some with associated stone artefacts. Inland sites are likely to comprise stone artefact scatters.

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6.2.5 Historical and Ethno-Historical Accounts in the Geographic Region

Based on reconstructions of past Aboriginal language boundaries by Barwick (1984) and Clark (1990), the activity area lies within the territory occupied by the *Wadawurrung* language group at the time of European Contact. *Wadawurrung* territory extended along the coast from Aireys Inlet to the Werribee River and inland to north of Ballarat and Mount Misery. According to the Aboriginal Protector, GA Robinson, the *Wadawurrung* were the most powerful and influential people in the Western District (Clark 1990, p.277), there were at least 25 *Wadawurrung* local named groups (Matic 2006, p.7). The activity area appears to be located in the lands of the *Banagalat balug*, whom Clark (1990, p.316) identifies as having occupied the lands of the Bellarine Peninsula including Port Lonsdale, Queenscliff and Indented Head. Group members were usually united by common dialect, descent, history and a shared 'Dreamtime' ancestor, with each group led by influential individuals – known as *Nourenit* or *Arveet* amongst the *Wadawurrung* (Barwick 1984, p.107; Clark 1990, p.91; Matic 2006, p.7).

The *Wadawurrung* (Wathaurung) were one of four 'dialectal tribes' comprising the East Kulin language group (Barwick 1984). Members of the Kulin confederacy shared mutual economic and social relationships, common religious beliefs and creation legends. Each person also belonged to one of two moieties, *Bunjil* the eaglehawk and *Waa* the crow. Moiety affiliation was determined at birth with the child adopting the moiety of the father's clan. Kulin people were exogamous, meaning they married outside their clan and to a person from the opposite moiety (Bell 2005). An extensive trade and exchange network existed between different clan groups across the Kulin language groups. For example, the *Wadawurrung* attended meetings at Mount Noorat (north of Terang, approximately 200km west of the Werribee River) and gathered with the *Dhab wurrung*, north eastern *Dhamwud wurrung* and *Girai wurrung* for ceremonies and hunting at Mirraewuae Swamp during mid-summer (Andrew Long and Associates In Prep).

...the Aborigines from the Geelong district brought the best stones for making axes and a kind of wattle gum celebrated for its adhesiveness. The Geelong gum is so useful in fixing handles of stone axes and splinters of flint in gum and for cementing the joins of bark buckets, that it is carried in large lumps all over the Western District (Dawson 1881 in Andrew Long and Associates, In Prep, p.69).

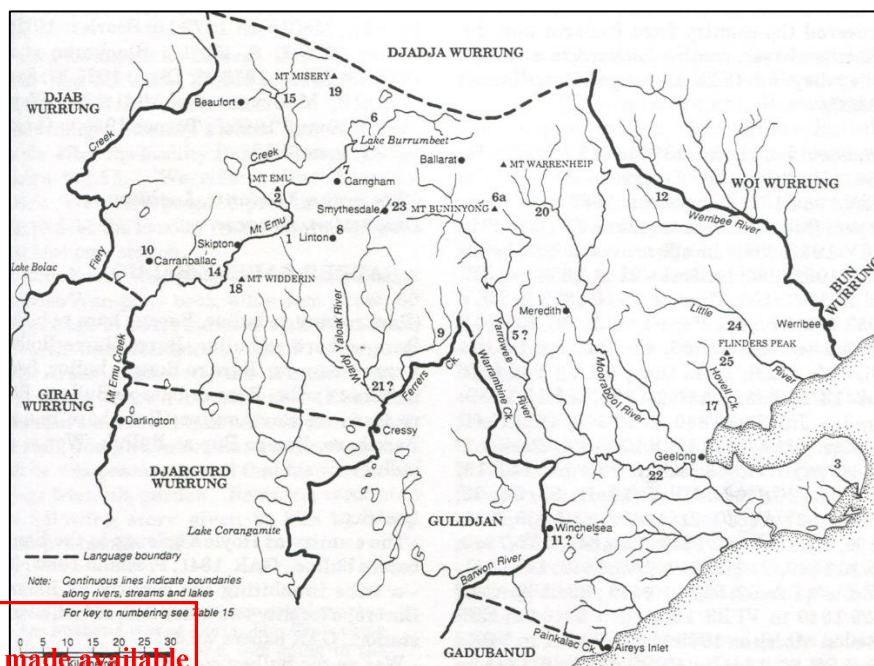


Figure 1: Wada wurrung language area (Clark 1990, p.311)

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At the time of Contact, there were at least 25 *Wadawurrung* local named groups, although the rapid decimation of these groups by European settlers has meant that there is relatively little surviving information about them. No specific group has been identified with the region surrounding the activity area, however, the three closest identified groups are the *Worinyaloke balug*, whom Clark (1990, p.334) identifies as having occupied the lands to the west of Little River, approximately 10km south west of the activity area; the *Yaawangi*, who occupied the hills of the You Yangs, approximately 17km south west of the activity area (Clark 1990, p.334); and the most likely of the three groups, the *Wadawurrung balug*, whom Clark locates around the Barrabool Hills region west of Geelong, but whose “headquarters” were known to be in the area between the Barwon River and the Werribee River (Clark 1990, 330). There are no known named clan heads for either the *Worinyaloke balug* or the *Yaawangi*, but a number of clan heads of the *Wadawurrung balug* are known (Andrew Long and Associates, In Prep, p.66).

In 1840, when Robinson was at Capt. William Henry Bacchus’ station, “Corambling or Pentland Hills” and “Bacchus Marsh,” he wrote that Bacchus’ men spoke well of Malcoms’ mob and John Gray on the upper Werribee river as ‘a quiet tribe that assisted the settlers’ (Clark 1990, p.323). Several letters from early European settlers note the Aboriginal presence in the broader *Wadawurrung* region, including those of Thomas Learmonth and Phillip D Rose to Governor La Trobe in 1853. Learmonth, who occupied the Buninyong run, wrote that:

The remaining point on which Your Excellency desires information is with regard to the aborigines, their number and their demeanour towards the first settlers. The anxieties and labour connected with the forming of our sheep establishments were so great and urgent at the time of which I write that I never bestowed the attention requisite to form a correct estimate of the numbers or habits of the natives. They never were numerous at Buninyong or in the neighbouring district; though I remember hearing of a gathering of them at Mount Emu, which was estimated to amount to 500; but I think this statement to have been much overrated. I should consider myself to be nearly correct if I set down the whole aboriginal population in the district around Buninyong at the time of its settlement; - taking a radius of 30 miles from the mountain as a centre - at 300 souls; now probably there are not 300 In looking at this rapid disappearance of the native tribes in our own district, it is a pleasing subject of reflection that, notwithstanding our having had a servant killed, others attacked, and sometimes our sheep destroyed, we have never been brought into personal collision with them; nor have we been instrumental in taking the life of a single individual; and, moreover, I am free to confess that, considering the wrong that has been done to the aborigines in depriving them of their country, they have shown less ferocity and have exhibited the desire to retaliate less than might have been expected (Bride 1969).

In the post-Contact period the *Wadawurrung balug* were attracted to the township of Geelong, in particular to the wide range of goods they could procure there (Clark 1990, 332). They traded birds and skins for offal meat from sheep and cattle slaughter by butchers, along with rice, flour and sugar, and sometimes delivered parcels from stores and chopped wood. The young men made themselves useful to the settlers by collecting stray cattle and horses, cutting wood, and sometimes by shepherding (Andrew Long and Associates, In Prep, p.69–70). When the gold rush sparked and many farm hands deserted stations to flee to the gold fields, many local Aboriginal people obtained employment at stations and undertook tasks such as lambing, sheep washing, shepherding, sheep dipping and stripping bark (Clark 1990, p.147).

The *Wadawurrung* people are today represented by the ~~Wadawurrung, Wathaurung Aboriginal Corporation~~
Wadawurrung Traditional Owners Aboriginal Corporation.

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Oral History Relating to the Activity Area

The representatives from ~~WAC~~ ~~WTOAC~~ were asked during the inception meeting on November 11, 2019 if they had any oral history about the Portarlington area that they would like included in the CHMP. No oral history was provided by the WAC. Local history obtained during the desktop assessment was discussed with the ~~WAC~~ ~~WTOAC~~ field representatives during the standard and complex assessments, however no oral history specific to the activity area was raised by the field representatives.

6.2.6 Land-Use History of the Activity Area

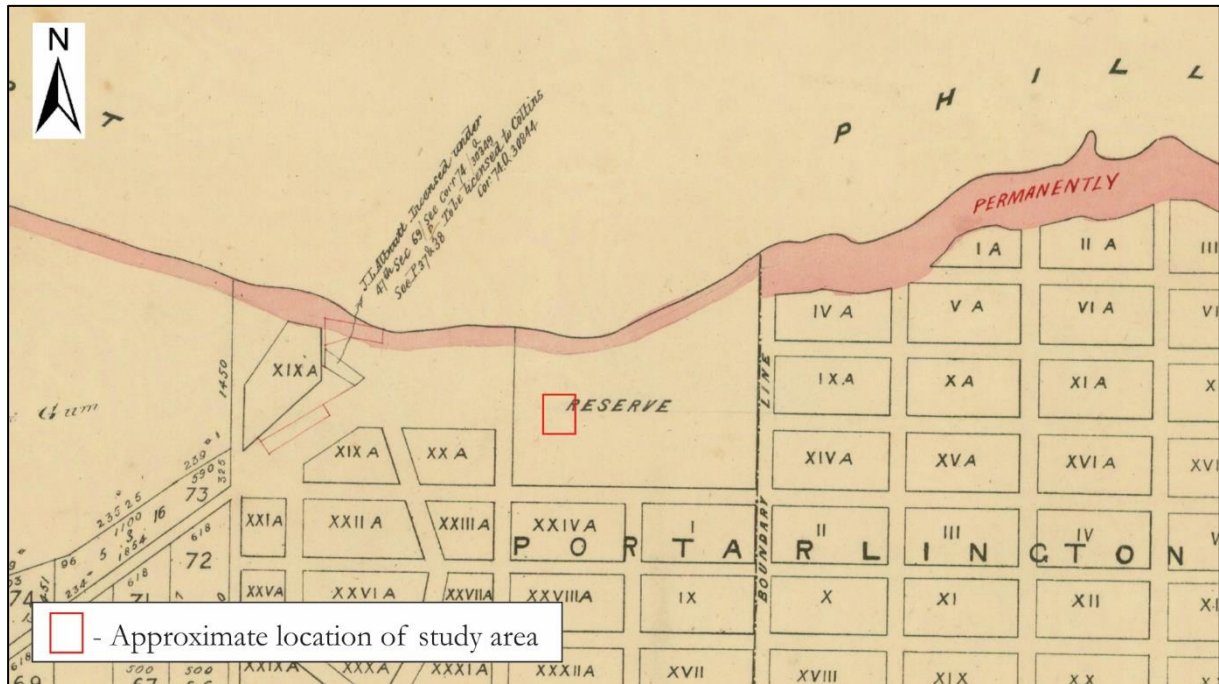


Figure 2: 1865 Portarlington township map (SLV)

Portarlington was first established in 1851 when the first town lots were sold. The Bellarine Peninsula was an early agricultural region for cereal crops, and later for hay, onions, peas and potatoes. The condition of the roads to Geelong, and the placement of shire tolls on the roads, encouraged farmers to ship produce to Melbourne from the nearest port. Portarlington's first public jetty was opened in 1859, lengthened into deeper water in 1870 and rebuilt a few years later. The small port was also a destination for the Bay steamer excursion traffic (Victorian Places – Portarlington 25/11/18). Early industries in Portarlington included a flour mill (1857) and a brick and tile works (1870). The flour mill probably prospered when another at Drysdale was burnt down in 1861. Town amenities and institutions mostly came during the 1870s–90s. After holding church services in the mill, the Wesleyans built a church in 1871 and the Anglican and Catholic churches were built in 1883 and 1891 respectively (Victorian Places – Portarlington 25/11/18). An 1865 Portarlington township map shows the current activity area within a reserve (Figure 2). The remainder of Portarlington has been divided for closer settlement.

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Figure 3: Portarlington facing south west, c. 1920s (SLV)

A historical images from the 1920s shows the activity area as part of a garden (Figures 3 and 4). There appear to be roses and other plantings set out with pathways within the activity area and the land to the east. A large palm tree is also visible in the south east corner of the activity area. The Portarlington post office is visible to the west of the activity area. The Portarlington post office was opened in 1888 and is listed on the City of Greater Geelong heritage overlay (HO1562) and the National Trust register. A large pine tree is visible immediately to the north of the activity area.

A historic aerial from 1966 (Figure 5) depicts the activity area as a cleared, grassed allotment with a rectangular building in the south west quarter. No evidence of the garden seen in the 1920s photograph is visible, with all trees, bushes and paths apparently removed. The large pine tree to the north of the activity area is still visible and the activity area has been fenced. Newcombe Street and a footpath appear established to the south of the activity area. A building and associated outbuildings and pathways has been constructed to the east of the activity area and the post office is still visible to the west of the activity area.

An aerial image from 2011 (Figure 6) reveals the activity area with the same rectangular building in the south west quarter that is visible in the 1966 aerial (Figure 5). The driveway to the west and an area immediately to the north of the building has been concreted. An area along the eastern fence line is sectioned off and appears to be acting as a storage area for containers and equipment for development happening to the east of the activity area. A mature eucalyptus tree is also contained within this section of the activity area. The land to the north of the activity area has been cleared of trees and appears grassed. The Portarlington post office is still visible to the west, however the block has been subdivided with the northern portion of the allotment now containing a building.

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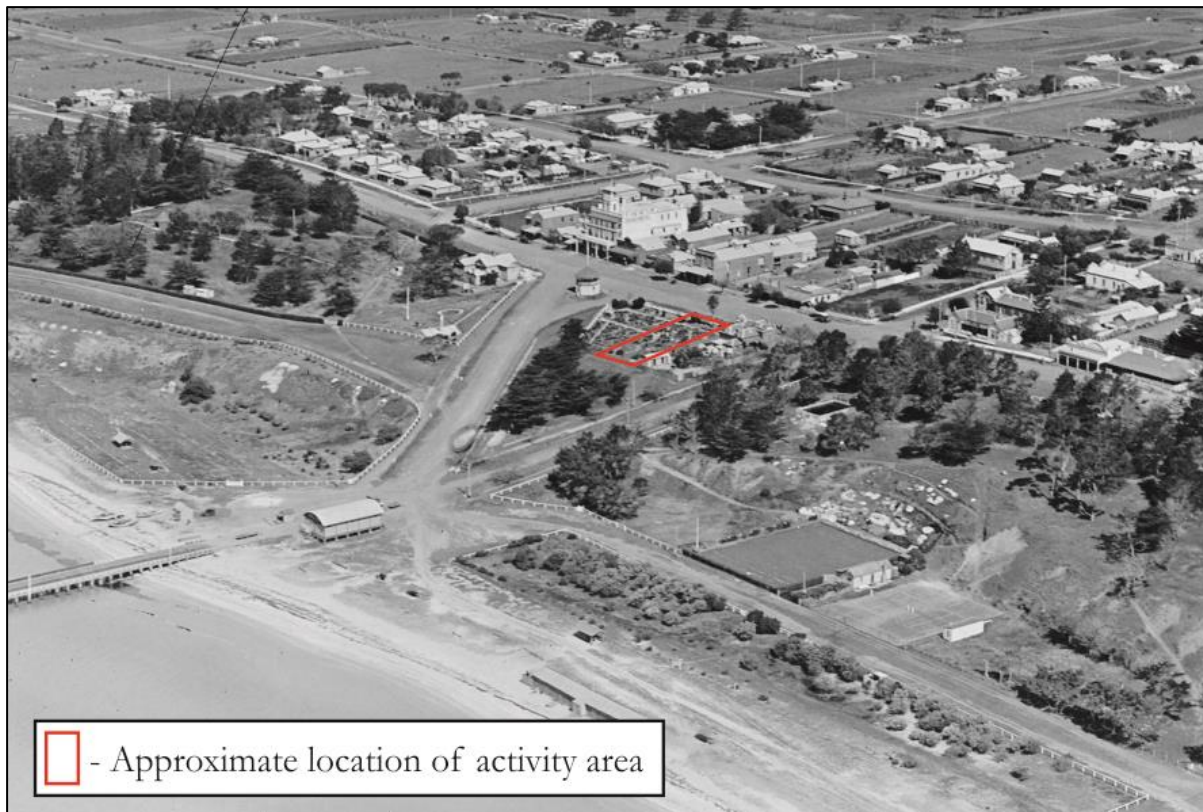


Figure 4: Approx. 1920s photo of Portarlington facing south east (SLV)

Aerial imagery from 2014 (Figure 7) reveals the activity area as having a similar layout to that seen in the 2011 aerial image (Figure 6). The sectioned off area along the eastern fence line has been removed with the grass restored. The mature eucalyptus tree is still visible in the eastern side of the activity area and a small tree is now also visible to the south of this tree.

A current conditions aerial (Map 2) shows the activity area with the same rectangular structure that has been visible in the aerials since 1966 (Figures 5–7). The layout of the activity area appears unchanged from the 2014 aerial (Figure 7) except that the trees in the eastern side have been removed and there are some areas of bare sandy earth, possible due to vehicle tracks, to the north and east of the structure.

A search of Dial Before You Dig (DBYD) revealed the presence of utility services within the activity area. A sewer alignment runs north/south along the eastern fence line of the activity area and connects with another just to the north of the activity area (Figure 8). National Broadband Network (NBN) assets are also mapped as being within the activity area (Figure 9), entering from the centre of the southern boundary for the site and running underneath the building in the south western portion of the activity area. Telstra assets (Figure 10 & 11) are mapped along a similar alignment to the NBN assets, from the centre of the southern boundary for the site, although it appears that the Telstra cables may extend to the northern boundary of the activity area (Figure 11). The installation of these utilities would have involved the excavation of trenches by machinery, causing significant ground disturbance within their alignment.

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Figure 5: 1966 aerial image (Land Victoria Aerial Photography)

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Figure 6: 2011 aerial image (NearMap)

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Figure 7: 2014 aerial image (NearMap)

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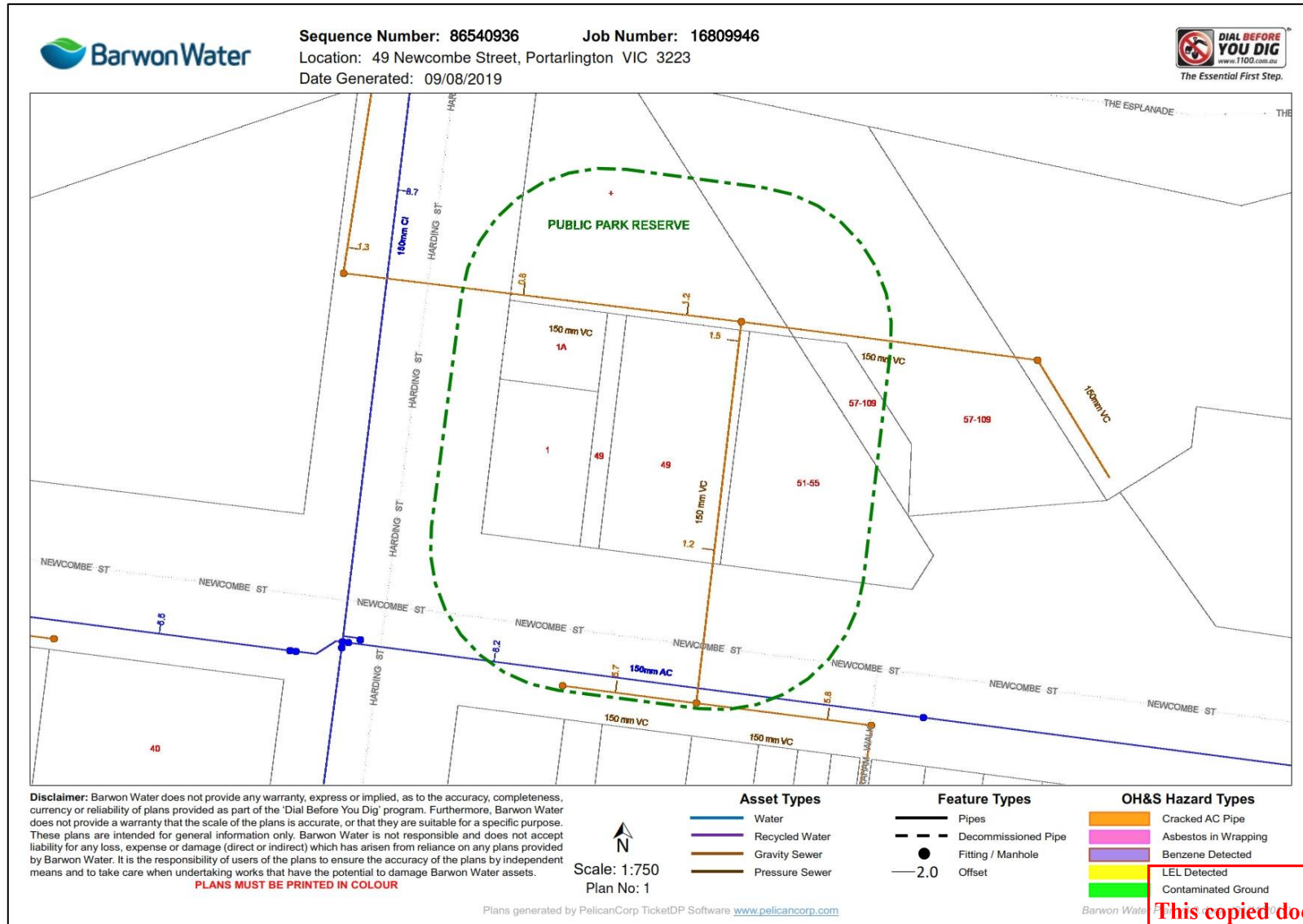
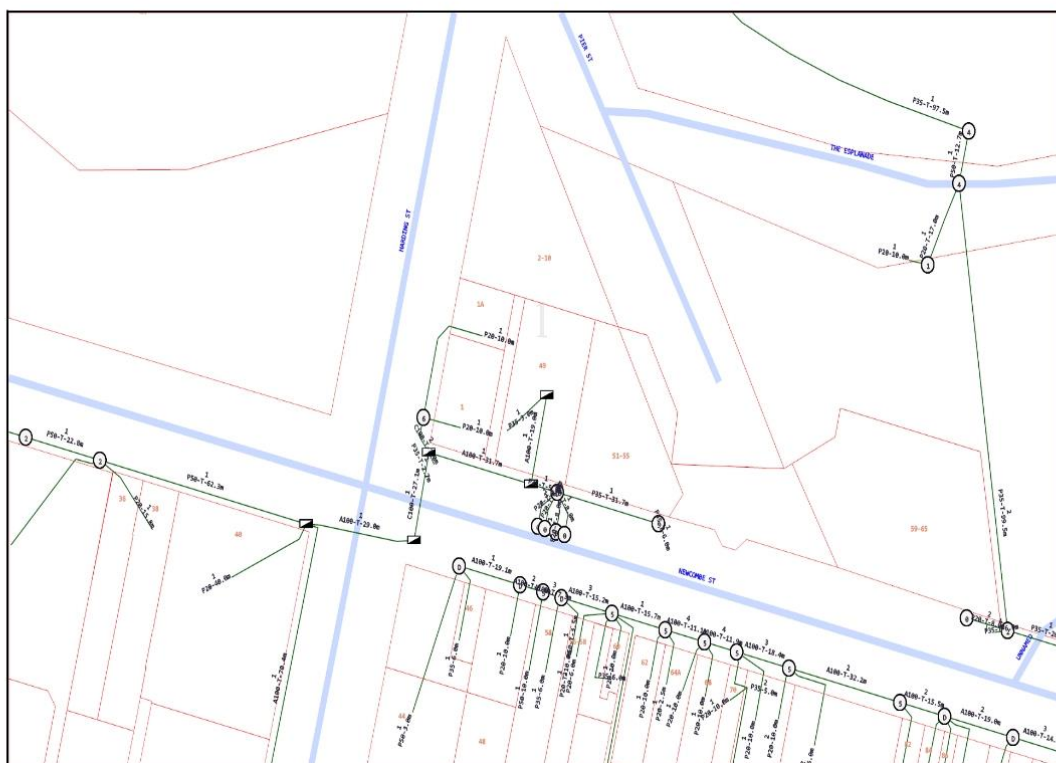


Figure 8: Sewer alignment within activity area (DBYD)

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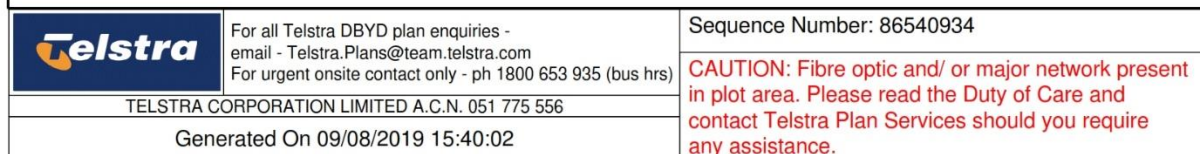
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Figure 9: NBN cables within the activity area (DBYD)



WARNING - Due to the nature of Telstra underground plant and the age of some cables and records, it is impossible to ascertain the precise location of all Telstra plant from Telstra's plans. The accuracy and/or completeness of the information supplied can not be guaranteed as property boundaries, depths and other natural landscape features may change over time, and accordingly the plans are indicative only. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy shown on the plans.

It is your responsibility to locate Telstra's underground plant by careful hand pot-holing prior to any excavation in the vicinity and to exercise due care during that excavation.

Please read and understand the information supplied in the duty of care statement attached with the Telstra plans. TELSTRA WILL SEEK COMPENSATION FOR LOSS CAUSED BY DAMAGE TO ITS PLANT.

Telstra plans and information supplied are valid for 60 days from the date of issue. If this timeframe has elapsed, please reapply for plans.

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Figure 10: Telstra cables within the activity area (DBYD)

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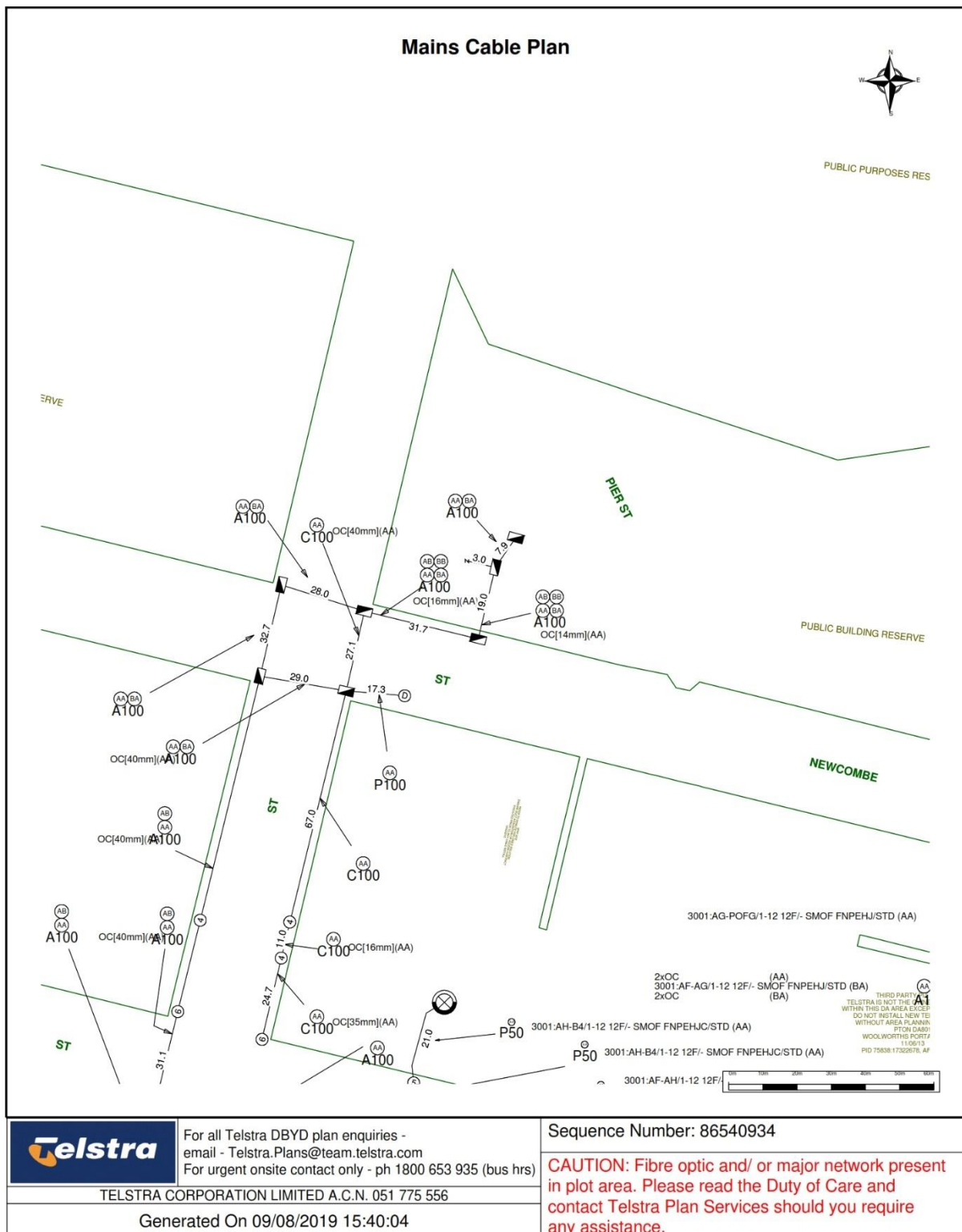


Figure 11: Telstra cables within the activity area (DBYD)

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6.3 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 can be said about the activity area:

- the activity area is culturally sensitive due to its proximity to the Portarlington foreshore;
- soil composition for the activity area is likely to reveal brown, black or grey mottled soils or ferruginous sand with a strong texture contrast between surface soils and subsoils;
- within the geographic region previously registered Aboriginal Places have generally been located in proximity the coastline or inland dune deposits to the south west of the activity area;
- the most common Place types consist of low density artefact scatters or LDADs with quartz and silcrete raw stone materials, however close to the coastline, shell middens are also common;
- Aboriginal Places have been located in disturbed and undisturbed surface and subsurface deposits along the Portarlington foreshore; and
- the activity area has undergone some disturbance from land-use history, predominantly within the southern and eastern boundaries.

6.4 Conclusions from the Desktop Assessment

Prior to European settlement, the activity area and surrounding land would have offered a number of resources such as plants and animals that could have been utilised by Traditional Aboriginal Owners. The Bellarine Peninsula would have provided a wide range of animal and plant species to harvest, along with seafood and shell fish. The ephemeral waterways to the south of the activity area would have provided a fresh water source.

Previous studies of the Bellarine Peninsula have suggested that the activity area is likely to contain archaeological potential due to its proximity to the coastline. The most likely Place type to be identified within the activity area will be low to moderate density artefact scatters or shell middens. As aerial photos show that there is no remnant native vegetation within the activity area, there is no possibility for the identification of scarred trees.

It is likely that the activity area has undergone moderate-to-high ground disturbance in the central and southern portions, such as below the existing structure and along trenches excavated for the installation of underground services within the activity area. It is also possible that some superficial ground disturbance has taken place along the eastern boundary of the activity area, as an aerial from 2011 (Figure 6) shows this portion of the activity area was used as a storage area for construction activities in the property to the east.

The activity area contains subsurface archaeological potential within the less disturbed sections, such as the grass area to the north and east of the existing structure. A standard assessment was required to fully evaluate the archaeological potential of the activity area under r. 62 of the *Aboriginal Heritage Regulations* 2018. Low density artefact distributions, artefact scatters and shell middens are considered to be the most

likely site type to be found

7.0 Report on the Standard Assessment

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

No additional standard assessment was required as part of the amended CHMP.

7.1 Aims and Methodology for the Standard Assessment

A standard assessment is a surface archaeological survey. This may locate evidence of surface sites but will not necessarily find buried archaeological deposits. The methodology for the standard assessment is informed by the desktop assessment and the site prediction model.

The aim of the field survey was to:

- identify any surface evidence of Aboriginal cultural heritage; and
- identify areas of potential sensitivity for Aboriginal cultural heritage.

The field survey was undertaken in accordance with proper archaeological practice, pursuant to Section 63 of the *Aboriginal Heritage Regulations 2018*.

The field survey of the activity area was undertaken using a pedestrian opportunistic methodology where the field team focused on areas of bare ground surface of the entire activity area. An opportunistic methodology was used to survey the property due to the thick grass coverage and concreted areas that were present within the activity area.

Areas of bare ground surface exposure located along fence lines, edges of the driveway and concreted area, and sporadic areas where the grass coverage was absent, were inspected closely. The general percentage (%) of ground surface visibility was recorded throughout the activity area. All evidence of prior ground disturbance was also recorded. No mature trees were identified within the activity area and so they could not be examined for the presence of scars. The activity area was also examined for the presence of caves, cave entrances or rock shelters.

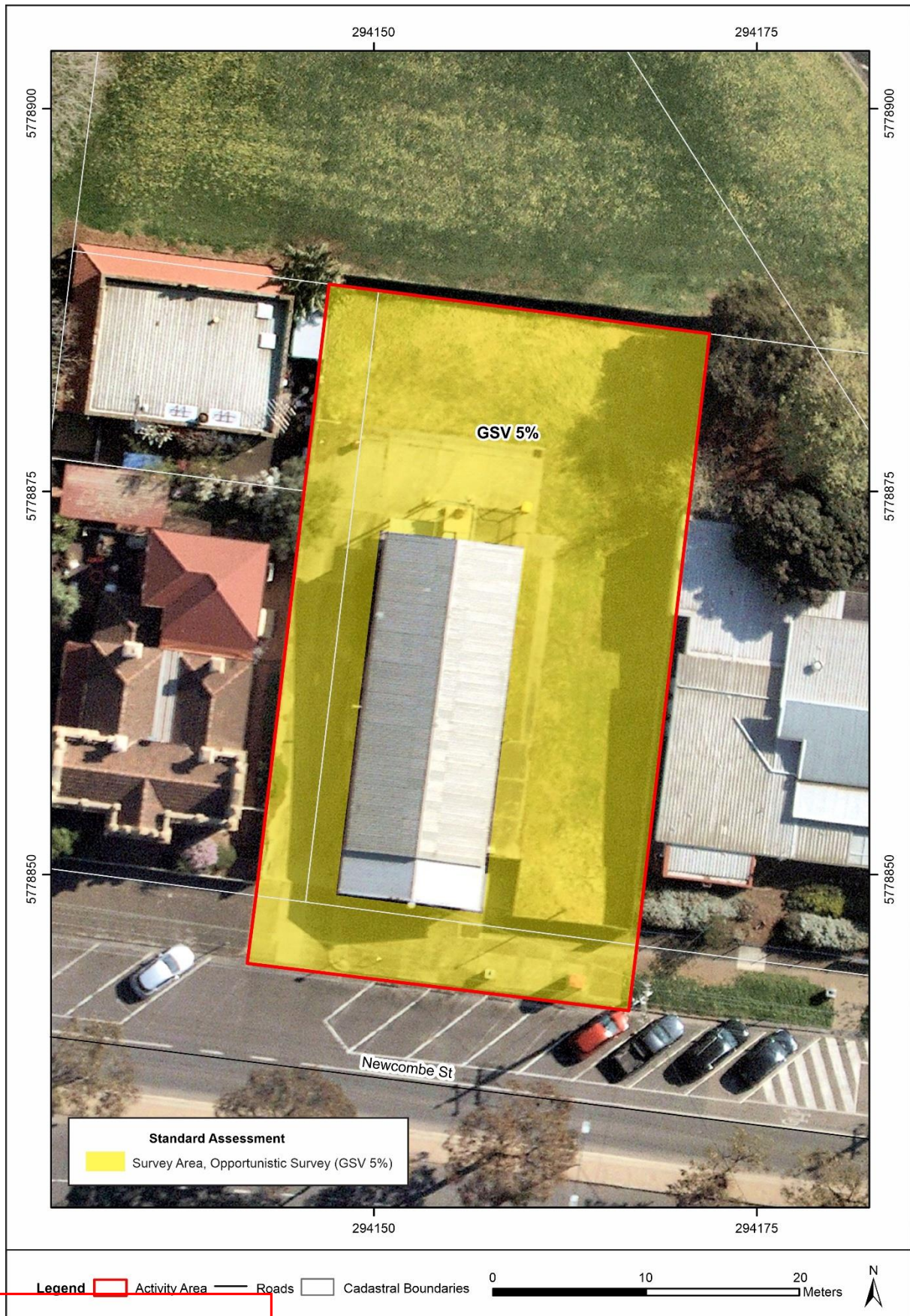
If any surface archaeological sites were located during the assessment, the following would be undertaken:

- completion of a standard recording form;
- photography of the general location of the surface site and cultural material; and
- drawing a plan of the site in relation to landmarks within the activity area and recording the location of the cultural material with a differential GPS.

A discussion of the results of the survey took place on-site with the field representatives from the ~~Wathaurung Aboriginal Corporation (WAC)~~ Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC).

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Map 8: Standard assessment field survey

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7.2 Results of the Standard Assessment

7.2.1 Area Surveyed

The field survey was undertaken by Jessica Hardy and Maddie Steel (Heritage Insight Pty Ltd) on December 5, 2019. They were assisted by Kyle O'Toole and Kaelan Morrison (field representatives, WAC). Survey accessibility was good with 80% (900m²) of the activity area accessible and surveyed by the field team (Map 7).

7.2.2 Ground Surface Visibility and Other Constraints on Field Survey

Ground surface visibility was generally poor across the activity area (<5%), with the structure, long grass and concreted areas covering the ground surface. Areas of bare ground surface were visible between patches of grass.

Based on this estimate, the effective survey coverage was approximately 45m², or 4% of the total activity area.

7.2.3 Survey Results

The activity area comprised a small rectangular allotment with the existing structure (Plates 1, 3, 6 & 7), driveway (Plates 1 & 3), concreted area (Plates 2 & 5) and grassed area (Plates 2, 4–8). It is situated on moderately sloping ground down towards the north (Plate 3).

The eastern side of the activity area was noticeably undulating (Plates 6 & 7), with a cut of about 1m identified to the east of the existing structure along the length of the structure (Plate 7, 8 & 9). It appeared as if some earth moving work had been undertaken in this area, possibly to remove the tree that was seen in this area in the 2011 (Figure 6) and 2014 (Figure 7) aerial image.



Plate 1: View of the property, facing south east (photo by J. Hardy, 5/12/2019)



Plate 2: View of the northern end of the property, facing north (photo by J. Hardy, 5/12/2019)

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Plate 3: View of the driveway with slope, facing south (photo by J. Hardy, 5/12/2019)



Plate 4: View of northern portion of the activity area, facing east (photo by J. Hardy, 5/12/2019)



Plate 5: View of northern portion of the activity area, facing west (photo by J. Hardy, 5/12/2019)



Plate 6: View of eastern side of the activity area with undulating ground, facing south (photo by J. Hardy, 5/12/2019)



Plate 7: View of eastern side of the activity area with undulating ground, facing north (photo by J. Hardy, 5/12/2019)



Plate 8: View of south eastern corner of the activity area with undulating and cut ground, facing south (photo by J. Hardy, 5/12/2019)

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Plate 9: View of south eastern corner of the activity area with undulating and cut ground, facing west (photo by J. Hardy, 5/12/2019)

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7.2.4 Aboriginal Cultural Heritage

No Aboriginal cultural material was located during the standard assessment. There are no caves, cave entrances or rock shelters within the activity area.

7.2.5 Areas of Potential Archaeological Sensitivity

No distinct area of potential sensitivity was identified during the standard assessment. The southern and eastern portion of the activity area was visibly disturbed.

7.3 Conclusions from the Standard Assessment

The standard assessment has confirmed the results of the desktop assessment through the identification of high levels of disturbance in the central and southern portions of the activity area due to the construction of the structure, driveway, concreted area and installation of utility services. The standard assessment identified that further sections of the activity area had likely undergone significant disturbance, with the southern and eastern portions of the activity area showing evidence of earth moving activities. A 1m cut and undulating ground were identified in this portion of the activity area.

However, due to the poor ground surface visibility over the remainder of the activity area, a clear assessment of the extent and nature of the ground surface was not achieved. Accordingly, a complex assessment was therefore required under r. 64 of the *Aboriginal Heritage Regulations 2018*. There were no mature trees, caves, cave entrances or rock shelters located during the standard assessment. No Aboriginal cultural material was located during the standard assessment

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8.0 Report on the Complex Assessment

In accordance with Clause 8, Schedule 2 and Clause 9, Schedule 2 of the *Aboriginal Heritage Regulations 2018*, this section contains the results of the complex assessment.

No additional complex assessment was required as part of the amended CHMP.

8.1 Aims and Methodology for the Complex Assessment

The potential for Aboriginal cultural heritage to be present within the activity area was unable to be fully evaluated by the standard assessment alone. Further investigation through a complex assessment subsurface testing program was determined to be necessary to investigate the subsurface potential for Aboriginal cultural heritage within the activity area.

The subsurface testing methodology was discussed in the project inception meeting (see Section 5.1). It was agreed during the project inception meeting that the standard and complex assessment would run concurrently. The complex assessment was to include one test pit and two to three 2x1m machine trenches throughout the property, with a flexible arrangement for pit placement in areas that appeared less disturbed.

As well as undertaking sampling to assess proposed impact areas for Aboriginal cultural heritage, the excavation also provided information regarding any soil disturbance within the activity area that would affect the preservation of subsurface Aboriginal cultural heritage sites.

A complex assessment (subsurface testing by excavation) was carried out as part of this assessment on December 5, 2019 and was supervised by a qualified archaeologist (Jessica Hardy of Heritage Insight Pty Ltd). A brief discussion of the results of the complex assessment took place on-site with the field representatives from the WAC.

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Excavation of Test Pit

As required by the *Aboriginal Heritage Regulations 2018*, a 1x1m test pit (TP) was first excavated to determine the soil stratigraphy and to explore the possibility of Aboriginal cultural heritage existing within a subsurface context (Map 8). The TP was placed in the north east corner of the activity area in an area that appeared less disturbed than some other sections of the activity area. The TP was labelled numerically TP 1.

Initially, the grass layer was removed from the TP location with a square, flat blade spade measuring 200mm in width. Excavation was then undertaken manually in units of 100mm depth (spits) in order to provide a good profile of the horizontal and vertical distribution of any cultural remains identified through the different soil layers. Changes in soil context were recorded within the spits. This process continued until the presence of a sterile basal layer was established. Levels were taken on the surface and at the base of each spit with an automatic level (dumpy). Levels were also taken for any *in situ* Aboriginal cultural heritage. Any identified features within each spit were drawn to scale on graph paper. A soil section was drawn of a minimum of one wall of the test pit once excavation was completed. A photographic record of the surface, any features identified during excavation, the base of each spit and the soil section was made.

A range pole with increments of 200mm was included in all photographs. Soil descriptions and other natural and cultural features were recorded on standard excavation forms. Soil descriptions were based on the Australian Soil Classifications and the standard Munsell Soil Chart. Soil pH levels were taken for each spit and soil context using a standard garden variety test kit.

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All of the soil from the test pit was passed through a sieve with a 5mm mesh. In the event that any Aboriginal cultural heritage was recovered, the procedure was to place the find in an appropriate bag (based on the nature of the find) with labels identifying the context. By agreement with the RAP, any Aboriginal cultural heritage recovered from the excavation was to be retained for later analysis at the office of Heritage Insight Pty Ltd.

Coordinates for the location of the test pit were recorded using a differential GPS and backfilling took place in order to comply with OHS requirements.

Machine Transects

Machine transects (MTs) were excavated in order to further assess the likelihood of Aboriginal cultural material being located within the activity area and to provide a more extensive sample of the surface and subsurface soils (Map 8). A machine was used to excavate the MTs as agreed in the project inception meeting (Section 5.1). The MTs measured 2x1m and were placed to the west and south of the TP. MTs were labelled numerically (i.e., MT 1, MT 2, etc.).

The MTs were excavated with a 1m bucket. Soil within the MTs was excavated in increments of approximately 100mm in order to provide a good profile of the horizontal and vertical distribution of any cultural remains identified through the different soil layers. This process continued until the presence of the sterile basal layer was located. In the event that Aboriginal cultural features were identified during excavation of the MT, controlled manual excavation would then be undertaken of the feature in 50mm spits until the base of the feature was established. Mechanical excavation would then continue. Soil sections were drawn of one wall of each MT once excavation was completed. A photographic record of the surface, any features identified during excavation and the soil section was made. A range pole with increments of 200mm was included in all photographs. Soil descriptions and other natural and cultural features were recorded on standard excavation forms. Soil descriptions were based on the Australian Soil Classifications and the standard Munsell Soil Chart. Soil pH levels were taken for each spit and soil context using a standard garden variety test kit.

All of the soil from the MTs was passed through a sieve with a 5mm mesh. In the event that any Aboriginal cultural heritage was recovered, the procedure was to place the find in an appropriate bag (based on the nature of the find) with labels identifying the context. By agreement with the Traditional Owners, any Aboriginal cultural heritage recovered from the excavation was to be retained for later analysis at the office of Heritage Insight Pty Ltd.

Coordinates for the location of each MT were recorded using a differential GPS and backfilling took place in order to comply with OHS requirements.

Obstacles to Carrying Out Complex Assessment

Placement of the excavation units were determined by the level of disturbance noted in the standard assessment as agreed in the project inception meeting (Section 5.1). The existing structure, driveway and concreted areas acted as obstacles to testing in these areas, as did the disturbance noted in the south east corner of the activity area. As such, the TP and MTs were placed to avoid disturbance. Asbestos sheeting was identified at the beginning of Context 3 in MT 2 at approximately 270mm depth and the machine trench was recorded and backfilled at this point.

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Map 9: Subsurface testing locations

8.2 Results of the Complex Assessment

The complex assessment was conducted on December 5, 2019 by Jessica Hardy and Maddie Steel (Heritage Insight Pty Ltd), with assistance from [REDACTED] (Belmara Industries Pty Ltd), [REDACTED] and [REDACTED] (field representatives, WAC).

A total of one test pit and three machine trenches were excavated across the activity area in order to assess the likelihood of Aboriginal cultural material being present and to establish a profile of the soils within the activity area. The results of the excavation are outlined below. No suitable samples were available for scientific dating of the soil deposit.

8.2.1 Test Pit 1

Test Pit 1 was located in the north east corner of the activity area. This area was selected after the standard assessment as it appeared to be an area that had undergone a lower level of disturbance than the remainder of the activity area.

Test Pit 1 (TP 1) comprised a sandy silt topsoil with rootlets and modern rubbish including brick, quartz gravel, bluestone gravel, ceramic and glass to approximately 100mm (Context 1), overlying dense sandy rubble layer with abundant bluestone gravel, quartz gravel, brick and bitumen fragments, butchered bone, shell, ceramics, metal, glass and clay lumps to approximately 290mm (Context 2), overlying dark, fine silty sand with abundant small and fragmented shell material and occasional metal, glass and ceramic inclusions to approximately 500mm (Context 3), overlying moist, fine sandy silt with no inclusions (Context 4). Sticky mottled clay was identified at 680mm (Context 5) and this was excavated to a maximum depth of 700mm in order to confirm that this was the culturally sterile clay basal deposit.

The presence of sandy silt (Context 4) and sticky mottled clay (Context 5) confirms the predicted soil profile for the volcanic geology parts of Portarlington, however these soils were only identified at 500mm depth. The soil profile identified in TP 1 most likely represents two disturbance/possible fill (Context 2 and 3) events overlying remnant natural sandy silt and clay.

A post hole was also identified in the south of TP 1 at the base of spit 6 (600mm depth), which appeared to cut through Context 3 but did not cut through the overlying context (Context 2). The post hole is probably younger than Context 3, being brought into the activity area, but older than Context 2.

No Aboriginal cultural material was located in this test pit. The location of the pit is shown on Map 8 and Table 8 below contains a detailed excavation summary.

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Table 8: Excavation data from Test Pit 1 (cont. over page)

Test Pit	1	Dimension	1x1m
GDA 94 Coordinates (Zone 55)	294161.556E, 5778883.786N 294161.708E, 5778884.775N 294162.696E, 5778884.622N 294162.544E, 5778883.634N		
Landform	Plain above flood level (relative relief <9m)		
Depth of Excavation	700mm		
Aboriginal Cultural Heritage	None		
Evidence of Disturbance	Abundant bluestone gravel, quartz gravel, brick and bitumen fragments, butchered bone, ceramics, metal, metal and clay lumps. Introduced shell material.		
Soil Description	Context 1 0–100mm: Sandy silt topsoil with rootlets and modern rubbish including brick, quartz gravel, bluestone gravel, ceramic and glass. Munsell: 10YR 3/2 Dark brown; pH: 7.0 Context 2 100–290mm: Dense sandy rubble layer with abundant bluestone gravel, quartz gravel, brick and bitumen fragments, butchered bone, shell, ceramics, metal, glass and clay lumps. Munsell: 7.5YR 3/3 Dark brown; pH: 7.5 Context 3 290–500mm: Dark, fine silty sand with abundant small and fragmented shell material. Occasional metal, glass and ceramic inclusions. Munsell: 7.5YR 2.5/2 Very dark brown; pH: 8 Context 4 500–680mm: Moist, fine sandy silt with no inclusions. Munsell: 7.5YR 2.5/3 Very dark brown; pH: 7.5 Context 5 680–700mm onwards: Solid, sticky mottled clay. Munsell: 2.5YR 3/6 Dark red with 7.5YR 3/2 Dark brown; pH: 7.5		
Test Pit 1 – End of excavation, facing north (photo by J. Hardy, 5/12/19)			

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Test Pit 1 – Close up of stratigraphic profile, facing north (photo by J. Hardy, 5/12/19)

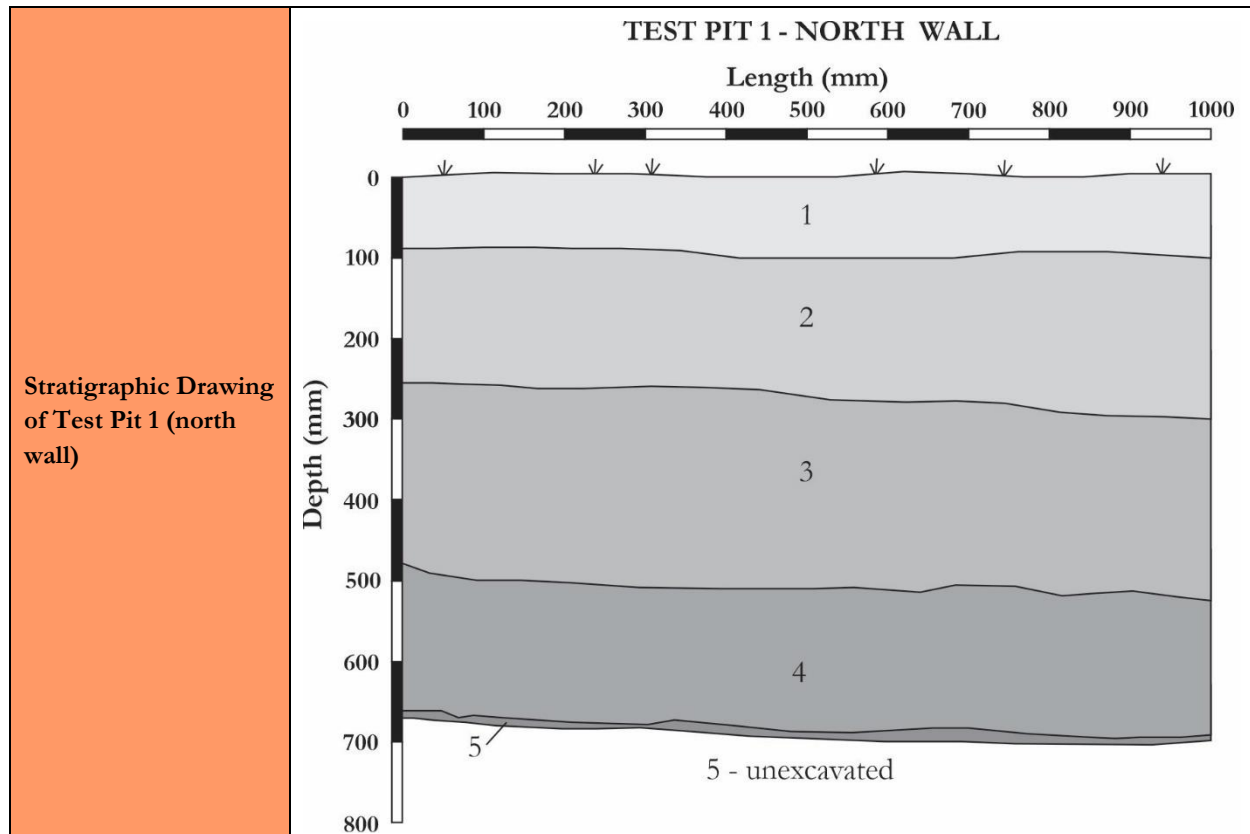


Test Pit 1 – Close up of post hole feature, facing south (photo by J. Hardy, 5/12/19)



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8.2.2 Machine Trenches

Three machine trenches were excavated across the activity area. MT 1 was excavated to the west of TP 1 in an east/west alignment and MTs 2 and MT 3 were excavated in a north/south alignment to the south of TP 1. The machine trenches were spaced approximately 10m apart. Excavation data for the MTs are provided in Table 9.

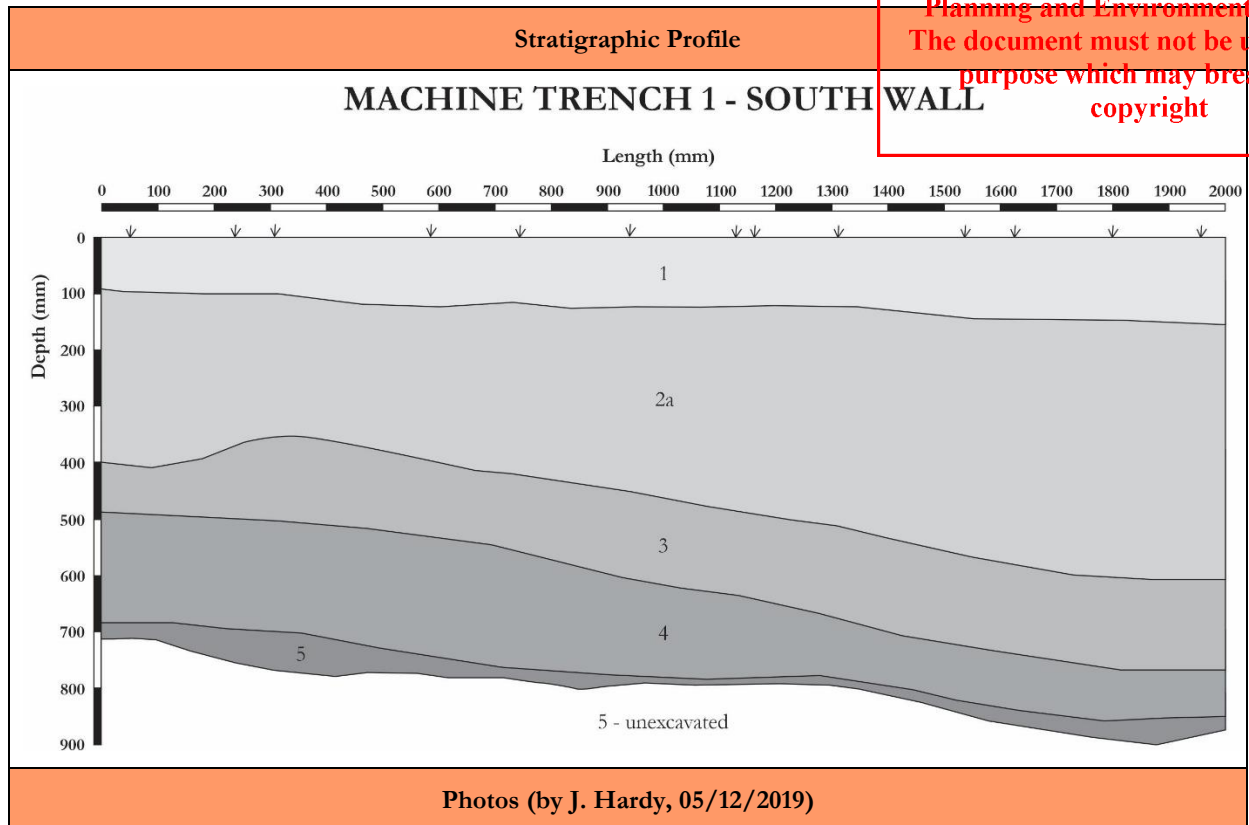
The soils in the MTs were generally consistent with those found in TP 1, with fill/disturbance contexts overlying remnant natural sandy silt soils and clay. The dense sandy rubble layer (Context 2) had a slightly difference composition in MT 1, with a higher concentration of quartz gravel and bitumen fragments compared to TP 1. Context 2 was absent in MT 2, with a layer of yellow builders' sand with abundant building rubble, glass and plastic inclusions (Context 6) identified below the sandy silt topsoil instead. Asbestos sheeting was identified at the beginning of Context 3 in MT 2 and the machine trench was recorded and backfilled at this point. Context 2 was also absent in MT 3. The clay base in MT 3 was approximately 200mm shallower than TP 1, possibly due to the earth moving/cutting activities that were identified during standard assessment (Plates 7–9). No MT was placed further south of MT 3 due to this disturbance and the potential for buried services at the front of the activity area.

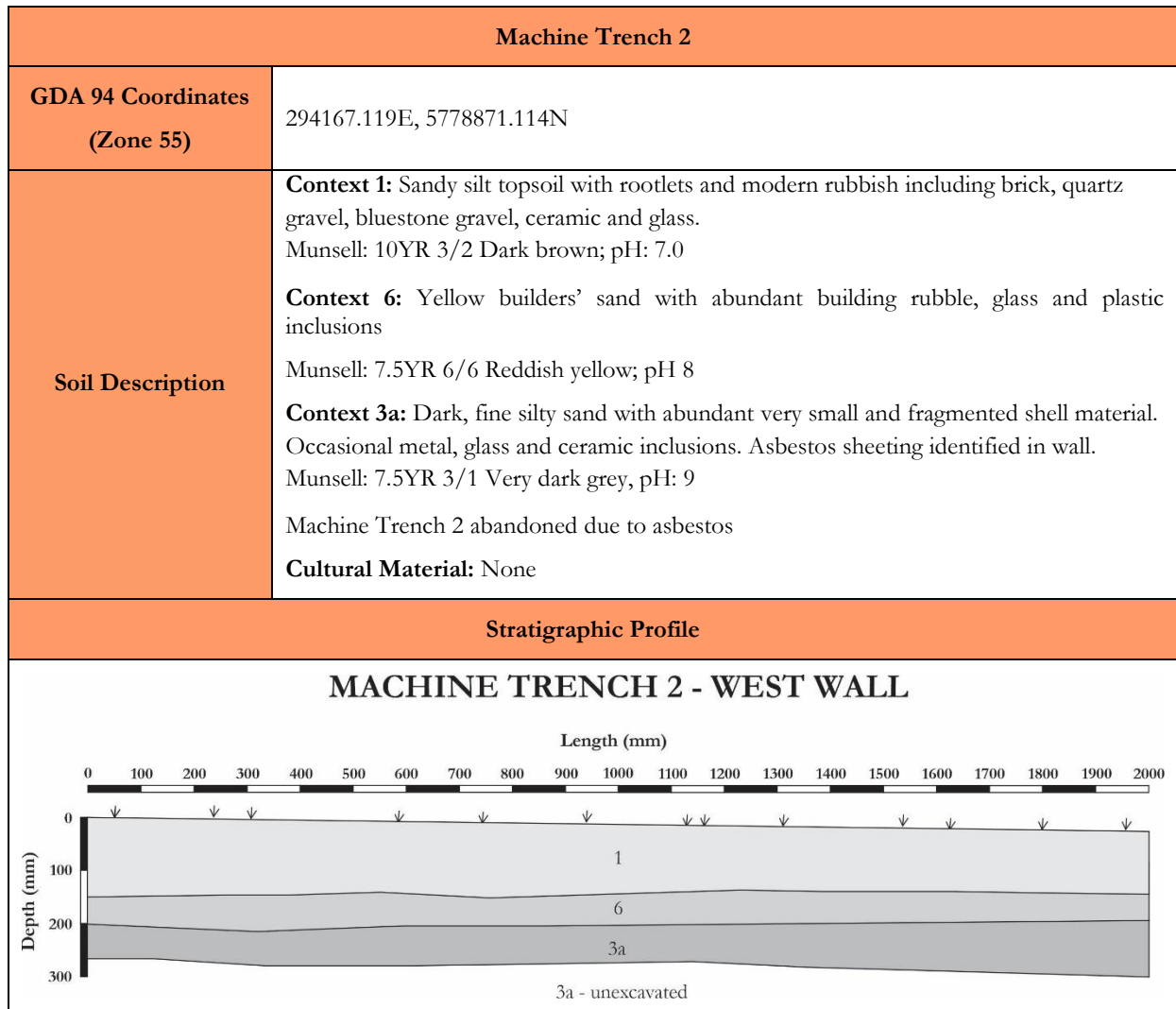
Table 9: Excavation data from machine trenches (photos by J. Hardy 05/12/2019) (cont. over page)

Machine Trench 1	
GDA 94 Coordinates (Zone 55)	294149.256E, 5778885.460N
Soil Description	Context 1: Sandy silt topsoil with rootlets and modern rubbish including brick, quartz gravel, bluestone gravel, ceramic and glass. Munsell: 10YR 3/2 Dark brown; pH: 7.0 Context 2a: Dense sandy rubble layer with abundant bluestone gravel, quartz gravel, brick and bitumen fragments, butchered bone, ceramics, metal, glass and clay lumps. Bitumen fragments increasing with depth. Munsell: 7.5YR 5/2 Brown; pH: 7 Context 3: Dark, fine silty sand with abundant small and fragmented shell material. Occasional metal, glass and ceramic inclusions. Munsell: 7.5YR 2.5/2 Very dark brown; pH: 8 Context 4: Moist, fine sandy silt with occasional glass inclusions. Munsell: 7.5YR 2.5/3 Very dark brown; pH: 7.5 Context 5: Solid, sticky mottled clay. Munsell: 2.5YR 3/6 Dark red with 7.5YR 3/2 Dark brown; pH: 7.5 Cultural Material: None

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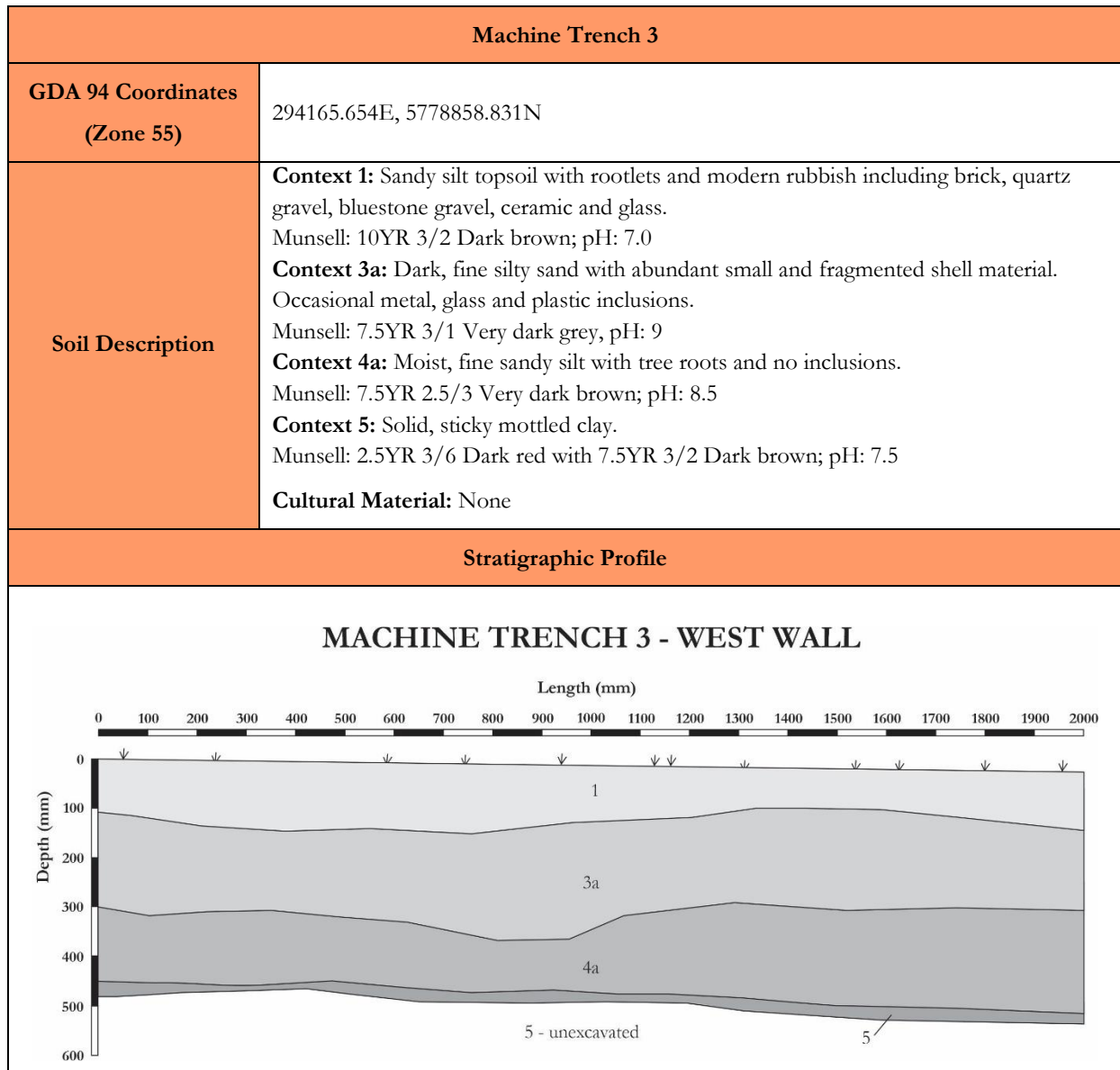
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8.3 Aboriginal Cultural Heritage

No Aboriginal cultural material was located during the complex assessment.

8.4 Conclusions from the Complex Assessment

The complex assessment comprised excavation of one test pit and three machine trenches across the activity area. The soil profile was generally consistent across the activity area, with fill/disturbance layers overlying remnant natural sandy silt and clay base.

Overall, there appeared to be a layer of sandy silt topsoil with rootlets and moderate modern inclusions (Context 1) overlying a layer of highly disturbed sandy rubble layer with abundant inclusions of bluestone gravel, quartz gravel, brick and bitumen fragments, butchered bone, shell, ceramics, metal, glass and clay lumps (Context 2). This layer included an increasing quantity of bitumen fragments with depth in MT 1 (Context 2a) and asbestos sheeting in MT 2 (Context 6). Given the modern age of the abundant inclusions, it is considered likely that Context 2, 2a and 6 are associated with modern disturbance including construction of the existing structure and associated driveways and concreted areas in the 1960s onwards. Context 3 and 3a, which comprised dark, fine silty sand with abundant small and fragmented shell material and occasional metal, glass and ceramic inclusions, likely represent a fill layer of sand that was brought into the activity area in the 1920s in order to help moderate the slope of the site for the construction of the garden (seen in Figures 3 and 4). In Figure 4, it is clear that the activity area is located just after the break of slope down towards the ocean. To the east, it appears as if the slope is steeper than that seen in the activity area, suggesting that the garden, including the activity area, may have had sand introduced in order to create a more level surface. The fill contexts were also deeper in the north of the activity area (TP 1 and MT 1), which also suggests that the activity area originally had a steeper slope to the north before fill was introduced to level the site.

Contexts 4 and 4a are a sandy silt with no/few inclusions which underlies Contexts 3 and 3a and overlies Context 5, a sticky mottled clay. Contexts 4/4a and 5 are interpreted as the remnant natural soils typical of volcanic geologies in the Portarlington area. Context 5 is the natural basal clay and was encountered in TP 1, MT 1 and MT 3. Asbestos sheeting was identified at the beginning of Context 3 in MT 2 and the machine trench was recorded and backfilled at this point.

No Aboriginal cultural material was located during the complex assessment. The land-use history for the activity area demonstrated disturbance to the activity area in the form of the importation of soils during the 1920s to moderate the north/south slope within the activity area. Further disturbance was caused by the construction of the existing structure during the 1960s. The soil profile revealed during the complex assessment demonstrates it is unlikely that any cultural material will be located within the activity area.

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9.0 Consideration of Section 61 Matters – Impact Assessment

In accordance with Section 61 of the *Aboriginal Heritage Act 2006*, a Cultural Heritage Management Plan 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)).

9.1 Section 61 Matters in Relation to Aboriginal Cultural Material

9.1.1 Can Harm to Aboriginal Cultural Material be Avoided and/or Minimised?

In accordance with Section 61 of the *Aboriginal Heritage Act 2006*, it is stated that harm to Aboriginal cultural heritage cannot be avoided or minimised if located within activity area. However, no Aboriginal cultural material was located during the conduct of this CHMP.

9.1.2 Cumulative Impact Statement

The conduct of this CHMP did not locate any Aboriginal cultural material.

The geographic region currently contains 90 registered Aboriginal Places, comprising 137 components. Most of the component types represented within the geographic region are artefact scatters, followed by low density artefact distributions, shell middens, earth features, two Aboriginal historic Places and a single scarred tree and stone feature. These Places are primarily located within proximity to the Bellarine foreshore, within both disturbed and undisturbed surface and subsurface contexts.

The activity area lies within a region 24.6km east of the Geelong CBD that has undergone extensive agricultural and some residential development since the nineteenth century. While CHMPs and archaeological assessments in this region have led to the discovery of Aboriginal Places and have often implemented measures to avoid minimise or mitigate harm, many Aboriginal Places have been harmed during the proposed works that the CHMPs were conducted for.

Additionally, it is likely that many Aboriginal Place have ultimately been destroyed through the processes of land use without ever being recorded. If any cultural material is located during proposed works, it will further our knowledge of Aboriginal occupation and use of the landscape along the Bellarine Peninsula.

9.1.3 Are Specific Measures Needed for the Management of Aboriginal Cultural Material?

No specific measures are needed for the management of Aboriginal cultural heritage as no Aboriginal cultural heritage was located during the assessment for this CHMP.

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9.1.4 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.

9.1.5 Necessary Custody and Management Arrangements

In the unlikely event that Aboriginal cultural material is located during the proposed works, management and custody arrangements will be required. Further information regarding the Aboriginal cultural heritage custody and management arrangements are contained in Sections 1 and 2.

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10.0 Other Considerations

10.1 Communication

The project manager 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 project manager (or other relevant supervisory staff) must be responsible for implementing any conditions contained in the CHMP.

The project manager must set in place internal processes of communication 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

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[REDACTED]

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Email: [REDACTED]

Sponsor's Agent

[REDACTED]

Phone: [REDACTED]

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~~Wathaurung Aboriginal Corporation~~
Wadawurrung Traditional Owners Aboriginal Corporation

[REDACTED]

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Legislation

Aboriginal Heritage Act 2006

Aboriginal Heritage Regulations 2018

Organisations

Land Victoria Aerial Photography storage facility (Laverton)

Internet Resources

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(<http://www.ala.org.au/>)

Department of Jobs, Precincts and Regions – Earth Resources GeoVic 2019
(<https://earthresources.vic.gov.au/geology-exploration/maps-reports-data/geovic>)

Department of Jobs, Precincts and Regions –Victorian Resources Online – Corangamite Soil/Landform Unit 77
(http://vro.agriculture.vic.gov.au/dpi/vro/coranregn.nsf/pages/soil_landform_units77)

Department of Environment, Land, Water and Planning – Bioregions and EVC Benchmarks
(<https://www.environment.vic.gov.au/biodiversity/bioregions-and-evc-benchmarks>)

Department of Environment and Primary Industries – NatureKit Interactive Map
(<http://maps.biodiversity.vic.gov.au/viewer/?viewer=NatureKit>)

Department of Premier and Cabinet – Aboriginal Cultural Heritage Register and Information System
(<https://achris.vic.gov.au/#/onlinemap>)

Dial Before You Dig
(<https://www.1100.com.au/>)

NearMap
(<https://au.nearmap.com/>)

State Library of Victoria
(<https://www.slv.vic.gov.au/search-discover>)

Victorian Places – Portarlington
(<https://www.victorianplaces.com.au/portarlington>)

Reports and Published Resources

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Appendix 1a: CHMP Notification

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Premier
and Cabinet

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

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

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

SECTION 1 - Sponsor information

Sponsor:

ABN/ACN:

Contact Name:

Postal Address

Business Number:

Email Address:

Sponsor's agent (if relevant)

Company:

Contact Name:

Postal Address

Business Number:

Email Address:

File:

SECTION 2 - Description of proposed activity and location

Project Name: Proposed Mixed Use Development at 49 Newcombe Street, Portarlington

Municipal district: Greater Geelong City Council

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

Dwellings (3+)

SECTION 3 - Cultural Heritage Advisor

Name

Heritage Insight Pty Ltd

Company

Email address

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

Start Date: 16-Oct-2019

Finish Date: 31-Mar-2020

Submitted on: 16 Oct 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?
Dwellings (3+)
Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? Yes
- ☐ Other Reasons (Voluntary)
- ☐ An Environment Effects Statement is required
- ☐ A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs.
- ☐ An Impact Management Plan or Comprehensive Impact Statement is required for the activity

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

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

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

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

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

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

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

The plan is to be evaluated by:

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

SECTION 9 – Preliminary Aboriginal Heritage Tests (PAHTs)

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

SECTION 10 - Notification checklist

Submitted on: 16 Oct 2019

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and Cabinet

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

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

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

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Submitted on: 16 Oct 2019



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Appendix 1b: CHMP Amendment Notification

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Wadawurrung
Traditional Owners
Aboriginal Corporation

ADVERTISED PLAN

To Whom It May Concern,

RE: NOTICE OF INTENT TO AMEND A CULTURAL HERITAGE MANAGEMENT PLAN

I am writing to acknowledge your written notice of intention to amend an approved management plan, received on the 30th of October for the proposed works of Proposed Mixed-use Development at 49 Newcombe Street, Portarlington.

Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) is the Registered Aboriginal Party (RAP) for the proposed activity area and:

1. Pursuant to s.55(2) of the *Aboriginal Heritage Act 2006* give notice that they elect to evaluate the plan when it is completed.
2. Pursuant to s.60 of the *Aboriginal Heritage Act 2006* give notice that they will do the following-
 - (a) Consult with the sponsor in relation to the assessment of the area for the purposes of the plan;
 - (b) Consult with the sponsor in relation to the conditions to be included in the plan; and
 - (c) Participate in the conduct of the assessment.

To commence consultation for the CHMP, please book in a Project Establishment meeting at rap@wadawurrung.org.au. This meeting will include a discussion of the activity including any design plans and proposed impacts; a detailed discussion of the activity area including size, salient features, geology/geomorphology, and land use history; details of the geographic region being used in the ACHRIS search; details of any sites and relevant CHMPs that may contribute to prediction models for Aboriginal cultural heritage in the Activity area; and details of the next phase of assessment being proposed. All relevant images including maps, plans and photographs should be provided at least 2 business days prior to your meeting, however 7 days prior is preferable. The desktop assessment will be needed to be provided in full.

Fieldwork can be tentatively scheduled prior to the Project Establishment meeting, however, is not to occur prior to the meeting being completed. Please note that the RAP will not be held responsible for scheduled fieldwork timeframes being different to that required to complete the agreed assessment. Further meetings may be requested during the course of the fieldwork, in order to inform assessment requirements.

Follow up meeting(s) will be required post completion of fieldwork in order to establish that the assessment methodology has been completed as agreed; to discuss Section 61 requirements to avoid harm to Aboriginal Cultural Heritage, and, if not possible, measures to minimise harm to Aboriginal Cultural Heritage; and to determine applicable conditions for the CHMP.

Yours sincerely,



ABN 11 312 302 330
ICN 3330

99 Mair St East, Ballarat VIC 3350
p +61 3 4308 0420

86 Mercer St, Geelong VIC 3320
p +61 3 5222 5889

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w wadawurrung.org.au

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Wadawurrung
Traditional Owners
Aboriginal Corporation



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Appendix 2a: Notice to Evaluate CHMP from RAP

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**Wathaurung
Aboriginal
Corporation**

ICN 3330
trading as Wadawurrung
ABN 11 312 302 330

17th of October 2019



To Whom It May Concern,

NOTICE OF INTENT TO PREPARE A CULTURAL HERITAGE MANAGEMENT PLAN

I am writing to acknowledge your written notice of intention to prepare a management plan, received on the 16th of October 2019 for the Proposed Mixed Use Development at 49 Newcombe Street, Portarlington CHMP 16879.

Wathaurung Aboriginal Corporation (WAC) trading as Wadawurrung is the Registered Aboriginal Party (RAP) for the proposed activity area and will:

1. Evaluate the plan when it is completed and
2. Pursuant to s.60 of the Aboriginal Heritage Act 2006 give notice that the WAC will do all or any of the following-
 - (a) Consult with the sponsor in relation to the assessment of the area for the purposes of the plan.
 - (b) Consult with the sponsor in relation to the conditions to be included in the plan.
 - (c) Participate in the conduct of the assessment.

To aid in the development of the CHMP, the following process is requested as a minimum:

At least one pre-planning meeting with Sponsor and Heritage Advisor to determine process and methodology.

One post-investigation meeting to develop appropriate management recommendations.

And for the evaluation of the CHMP, the following is required:

1 hard copy, 1 electronic (PDF or word) copy and full payment to the Wadawurrung Office for evaluation.

Once all three are received the 30-day evaluation period will begin.

For further information regarding this advice, please contact

Ilya Berelov
0433953966
stephanie@wathcorp.com.au

Yours sincerely,



Wathaurung Aboriginal Corporation
Trading as Wadawurrung

99 Mair Street East
BALLARAT VIC 3350

P: 03 4308 0420
F: 03 4308 0421
www.wathcorp.com.au

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Appendix 2b: Notice to Evaluate Amended CHMP from RAP

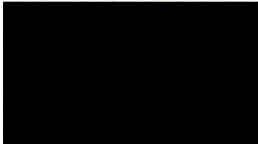
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Wadawurrung
Traditional Owners
Aboriginal Corporation

31st of October 2024



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To Whom It May Concern,

RE: NOTICE OF INTENT TO AMEND A CULTURAL HERITAGE MANAGEMENT PLAN

I am writing to acknowledge your written notice of intention to amend an approved management plan, received on the 30th of October for the proposed works of Proposed Mixed-use Development at 49 Newcombe Street, Portarlington.

Wadawurrung Traditional Owners Aboriginal Corporation (WTOAC) is the Registered Aboriginal Party (RAP) for the proposed activity area and:

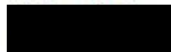
1. Pursuant to s.55(2) of the *Aboriginal Heritage Act 2006* give notice that they elect to evaluate the plan when it is completed.
2. Pursuant to s.60 of the *Aboriginal Heritage Act 2006* give notice that they will do the following-
 - (a) Consult with the sponsor in relation to the assessment of the area for the purposes of the plan;
 - (b) Consult with the sponsor in relation to the conditions to be included in the plan; and
 - (c) Participate in the conduct of the assessment.

To commence consultation for the CHMP, please book in a Project Establishment meeting at rap@wadawurrung.org.au. This meeting will include a discussion of the activity including any design plans and proposed impacts; a detailed discussion of the activity area including size, salient features, geology/geomorphology, and land use history; details of the geographic region being used in the ACHRIS search; details of any sites and relevant CHMPs that may contribute to prediction models for Aboriginal cultural heritage in the Activity area; and details of the next phase of assessment being proposed. All relevant images including maps, plans and photographs should be provided at least 2 business days prior to your meeting, however 7 days prior is preferable. The desktop assessment will be needed to be provided in full.

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Yours sincerely,



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Appendix 3: Aboriginal Places in the Geographic Region

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Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type
7821-0007	INDENTED HEAD 5	7821-0007-1	Artefact Scatter
7821-0008	INDENTED HEAD 1	7821-0008-1	Artefact Scatter
7821-0009	INDENTED HEAD 2	7821-0009-1	Artefact Scatter
7821-0010	INDENTED HEAD 3	7821-0010-1	Artefact Scatter
7821-0011	INDENTED HEAD 4	7821-0011-1	Artefact Scatter
7821-0170	STEELES ROCK 1	7821-0170-2	Earth Feature
7821-0170	STEELES ROCK 1	7821-0170-1	Shell Midden
7821-0171	STEELES ROCK 2	7821-0171-2	Earth Feature
7821-0171	STEELES ROCK 2	7821-0171-1	Shell Midden
7821-0172	PORTARLINGTON DUNES 1	7821-0172-1	Artefact Scatter
7821-0172	PORTARLINGTON DUNES 1	7821-0172-2	Earth Feature
7821-0372	INDENTED HEAD BPAS 38	7821-0372-3	Artefact Scatter
7821-0372	INDENTED HEAD BPAS 38	7821-0372-2	Earth Feature
7821-0372	INDENTED HEAD BPAS 38	7821-0372-1	Shell Midden
7821-0375	NELLANI 1 BP 85/2	7821-0375-1	Artefact Scatter
7821-0376	CARINYA 1 BP 85/3	7821-0376-1	Artefact Scatter
7821-0377	CARINYA 2 BP 85/4	7821-0377-1	Earth Feature
7821-0378	CARINYA 3 BP 85/5	7821-0378-2	Artefact Scatter
7821-0378	CARINYA 3 BP 85/5	7821-0378-1	Earth Feature
7821-0379	CARINYA 4 BP 85/6	7821-0379-1	Artefact Scatter
7821-0380	CARINYA 5 BP 85/7	7821-0380-2	Artefact Scatter
7821-0380	CARINYA 5 BP 85/7	7821-0380-1	Earth Feature
7821-0418	BARWON WATER 6	7821-0418-1	Scarred Tree
7821-0419	BARWON WATER 1	7821-0419-1	Artefact Scatter
7821-0419	BARWON WATER 1	7821-0419-2	Earth Feature
7821-0420	BARWON WATER 2	7821-0420-1	Artefact Scatter
7821-0420	BARWON WATER 2	7821-0420-2	Earth Feature
7821-0421	BARWON WATER 3	7821-0421-1	Artefact Scatter
7821-0422	BARWON WATER 5	7821-0422-1	Artefact Scatter
7821-0423	BARWON WATER 7	7821-0423-1	Artefact Scatter
7821-0451	INDENTED HEAD 6	7821-0451-1	Shell Midden
7821-0571	PBAS 1	7821-0571-1	Artefact Scatter
7821-0572	PBAS 2	7821-0572-1	Artefact Scatter
7821-0573	PBAS3	7821-0573-1	Artefact Scatter
7821-0574	PBAS 4	7821-0574-1	Artefact Scatter
7821-0575	PBAS 5	7821-0575-1	Artefact Scatter
7821-0576	PBAS 6	7821-0576-1	Artefact Scatter
7821-0577	PBAS 7	7821-0577-1	Artefact Scatter
7821-0578	PBIA 1	7821-0578-1	Artefact Scatter
7821-0579	PBIA 2	7821-0579-1	Artefact Scatter
7821-0580	PBIA 3	7821-0580-1	Artefact Scatter
7821-0581	PBIA 4	7821-0581-1	Artefact Scatter
7821-0582	PBIA 5	7821-0582-1	Artefact Scatter
7821-0585	BATMAN PARK 1	7821-0585-1	Artefact Scatter
7821-0597	HALF MOON BAY	7821-0597-1	Artefact Scatter
7821-0597	HALF MOON BAY	7821-0597-2	Shell Midden
7821-0601	AMALFI COVE ESTATE 1	7821-0601-1	Artefact Scatter
7821-0602	AMALFI COVE ESTATE 2	7821-0602-1	Artefact Scatter
7821-0615	ALLENS ROAD 1	7821-0615-1	Artefact Scatter
7821-0616	ALLENS ROAD 2	7821-0616-1	Artefact Scatter
7821-0617	ALLENS ROAD 3	7821-0617-1	Artefact Scatter
7821-0621	ABBOTSON 1	7821-0621-1	Artefact Scatter

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Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type
7821-0621	IBBOTSON 1	7821-0621-2	Earth Feature
7821-0628	HARPORT FARM 1	7821-0628-1	Artefact Scatter
7821-0629	HARPORT FARM 2	7821-0629-1	Artefact Scatter
7821-0630	HARPORT FARM 3	7821-0630-1	Artefact Scatter
7821-0631	HARPORT FARM 4	7821-0631-1	Artefact Scatter
7821-0631	HARPORT FARM 4	7821-0631-2	Earth Feature
7821-0632	INDENTED HEAD AS 1	7821-0632-1	Artefact Scatter
7821-0661	PORTARLINGTON MENS SITE	7821-0661-2	Aboriginal Historical Place
7821-0662	PORTARLINGTON BIRTHING CAVE	7821-0662-1	Aboriginal Historical Place
7821-0761	HALF MOON BAY 2	7821-0761-1	Artefact Scatter
7821-0762	OXLEY ST 1	7821-0762-1	Artefact Scatter
7821-0763	OXLEY ST 2	7821-0763-1	Artefact Scatter
7821-0764	OXLEY ST 3	7821-0764-1	Artefact Scatter
7821-0765	OXLEY ST 4	7821-0765-1	Artefact Scatter
7821-0766	OXLEY ST 5	7821-0766-1	Artefact Scatter
7821-0767	OXLEY ST 6	7821-0767-1	Artefact Scatter
7821-0768	OXLEY ST 7	7821-0768-1	Artefact Scatter
7821-0769	OXLEY ST 8	7821-0769-1	Artefact Scatter
7821-0770	OXLEY ST 9	7821-0770-1	Artefact Scatter
7821-0771	OXLEY ST 10	7821-0771-1	Artefact Scatter
7821-0772	OXLEY ST 11	7821-0772-1	Artefact Scatter
7821-0773	OXLEY ST 12	7821-0773-1	Artefact Scatter
7821-0774	OXLEY ST 13	7821-0774-1	Artefact Scatter
7821-0798	GRASSY POINT ROAD 1	7821-0798-1	Artefact Scatter
7821-0799	GRASSY POINT ROAD 2	7821-0799-1	Artefact Scatter
7821-0800	GRASSY POINT ROAD 3	7821-0800-1	Artefact Scatter
7821-0801	GRASSY POINT ROAD 4	7821-0801-1	Artefact Scatter
7821-0802	BATMAN ROAD 1	7821-0802-1	Artefact Scatter
7821-0803	BATMAN ROAD 2	7821-0803-1	Artefact Scatter
7821-0809	SEASCAPE DRIVE ARTEFACT COLLECTION	7821-0809-1	Object Collection
7821-0810	SEABREEZE 1	7821-0810-1	Artefact Scatter
7821-0810	SEABREEZE 1	7821-0810-2	Object Collection
7821-0811	SEABREEZE 2	7821-0811-1	Artefact Scatter
7821-0811	SEABREEZE 2	7821-0811-2	Object Collection
7821-0812	SEABREEZE 3	7821-0812-1	Artefact Scatter
7821-0812	SEABREEZE 3	7821-0812-2	Object Collection
7821-0812	SEABREEZE 3	7821-0812-3	Object Collection
7821-0819	SEABREEZE 4	7821-0819-1	Artefact Scatter
7821-0820	SEABREEZE 5	7821-0820-1	Artefact Scatter
7821-0820	SEABREEZE 5	7821-0820-2	Object Collection
7821-0821	SEABREEZE 6	7821-0821-1	Artefact Scatter
7821-0821	SEABREEZE 6	7821-0821-2	Object Collection
7821-0822	SEABREEZE 7	7821-0822-1	Artefact Scatter
7821-0822	SEABREEZE 7	7821-0822-2	Object Collection
7821-0823	ESPLANADE ROAD RESERVE	7821-0823-1	Artefact Scatter
7821-0823	ESPLANADE ROAD RESERVE	7821-0823-2	Shell Midden
7821-0899	St Leonards Foreshore 2	7821-0899-1	Low Density Artefact Distribution
7821-0899	St Leonards Foreshore 2	7821-0899-2	Low Density Artefact Distribution
7821-0923	525 The Esplanade, Indented Head AS1	7821-0923-2	Artefact Scatter

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Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type
7821-0928	Batman Memorial 1, Indented Head	7821-0928-1	Low Density Artefact Distribution
7821-0928	Batman Memorial 1, Indented Head	7821-0928-2	Low Density Artefact Distribution
7821-0929	Salt Lake, St Leonards	7821-0929-2	Artefact Scatter
7821-0929	Salt Lake, St Leonards	7821-0929-1	Shell Midden
7821-0930	Red Bluff	7821-0930-1	Artefact Scatter
7821-0930	Red Bluff	7821-0930-2	Shell Midden
7821-0930	Red Bluff	7821-0930-3	Stone Feature
7821-0932	St Leonards Foreshore 1	7821-0932-1	Artefact Scatter
7821-0934	Glenrana Drive LDAD	7821-0934-1	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-2	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-3	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-4	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-5	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-6	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-7	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-8	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-9	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-10	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-11	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-12	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-13	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-14	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-15	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-16	Low Density Artefact Distribution
7821-0934	Glenrana Drive LDAD	7821-0934-17	Low Density Artefact Distribution
7821-0937	Indented Head Coastline LDAD	7821-0937-1	Low Density Artefact Distribution
7821-0937	Indented Head Coastline LDAD	7821-0937-2	Low Density Artefact Distribution
7821-0937	Indented Head Coastline LDAD	7821-0937-3	Low Density Artefact Distribution
7821-0937	Indented Head Coastline LDAD	7821-0937-4	Low Density Artefact Distribution
7821-0937	Indented Head Coastline LDAD	7821-0937-5	Low Density Artefact Distribution
7821-0938	Indented Head Coastline	7821-0938-1	Shell Midden
7821-0941	Indented Head Main Beach 1	7821-0941-1	Shell Midden
7821-0942	Grassy Point 1 Portarlington	7821-0942-2	Artefact Scatter
7821-0942	Grassy Point 1 Portarlington	7821-0942-1	Shell Midden

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Aboriginal Place No	Aboriginal Place Name	Component Place Number	Component Type
7821-0956	Steeles Rock 1, Portarlington	7821-0956-2	Artefact Scatter
7821-0956	Steeles Rock 1, Portarlington	7821-0956-1	Shell Midden
7821-1063	Allens Road, Portarlington LDAD	7821-1063-1	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-2	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-3	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-4	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-5	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-6	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-7	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-8	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-9	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-10	LDAD
7821-1063	Allens Road, Portarlington LDAD	7821-1063-11	LDAD
7821-1092	Kaleb's Scarred Tree	7821-1092-1	Scarred Tree
7821-1120	Church Road, Portarlington – LDAD 1	7821-1120-1	LDAD
7821-1120	Church Road, Portarlington – LDAD 1	7821-1120-2	LDAD
7821-1120	Church Road, Portarlington – LDAD 1	7821-1120-3	LDAD
7821-1120	Church Road, Portarlington – LDAD 1	7821-1120-4	LDAD
7821-1137	Portarlington Water Reclamation Plant – AS 1	7821-1137-2	Artefact Scatter
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-1	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-2	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-3	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-4	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-5	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-6	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-7	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-8	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-9	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-10	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-11	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-12	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-13	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-14	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-15	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-16	LDAD
7821-1138	Portarlington Water Reclamation Plant – LDAD	7821-1138-17	LDAD
7821-1141	St Leonards AS 1	7821-1141-2	Artefact Scatter
7821-1142	Point Road, Portarlington AS 1	7821-1142-2	Artefact Scatter

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Appendix 4: Previous Reports in Geographic Region

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Report No.	Title	Author	Report Year
22	BELLARINE PENINSULA: ARCHAEOLOGICAL SITE ASSESSMENT AND MANAGEMENT STUDY (VOLUME 1 - REPORT)	RHOADS, J.W.	1986
23	BELLARINE PENINSULA: ARCHAEOLOGICAL SITE ASSESSMENT AND MANAGEMENT STUDY (VOLUME 2 - APPENDICES)	RHOADS, J.W.	1986
53	SITES OF SPECIAL SCIENTIFIC INTEREST IN THE VICTORIAN COASTAL REGION: ARCHAEOLOGY	COUTTS, P.J.F., WITTER, D.C., ET AL.	1976
123	STABILISATION OF COASTAL ARCHAEOLOGICAL SITES IN VICTORIA: A PILOT STUDY	ZALLAR, S.A., SIOW, K. & COUTTS, P.J.F.	1979
170	BELLARINE PENINSULA ARCHAEOLOGICAL SURVEY: POSITION PAPER NO. 1, DISCUSSION PAPER NO.2: STUDY DESIGN	STOCKTON, J.	1983
380	SOME UNUSUAL STONE ARTEFACTS: SERIES NO. 2	MASSOLA, A.	1961
410	PREVIOUSLY UNRECORDED ABORIGINAL STONE ALIGNMENTS IN VICTORIA	LANE, L. & FULLAGAR, R.L.K.	1980
728	HISTORY OF THE ABORIGINAL PEOPLE: MELBOURNE AREA - DISTRICT 1	BLACK, C.F.	1984
811	AN ARCHAEOLOGICAL SURVEY OF THE LAND ADJACENT TO THE PORTARLINGTON WASTEWATER TREATMENT PLANT	TULLOCH, J.	1995
856	ABORIGINAL ARCHAEOLOGICAL INVESTIGATIONS IN THE BARWON DRAINAGE BASIN	RICHARDS, T. & JORDAN, J.	1999
1051	AN ARCHAEOLOGICAL ASSESSMENT OF THE STEELES ROCK MIDDEN, PORTARLINGTON	MARSHALL, B.	1997
1154	KARDELLA PARK" CORNER OF MCDONALD STREET AND IBBOTSON ROAD, INDENTED HEAD.	WEAVER, F.	1997
1260	W.L. KOENIG COLLECTION: DOCUMENTATION OF STONE ARTEFACTS FROM A PRIVATE COLLECTION.	AMOROSI, L.	1998
1320	ABORIGINAL ARCHAEOLOGICAL SENSITIVITIES STUDY OF THE WATER WAYS AND FLOOD PLAINS GREATER MELBOURNE	DU CROS, H. & RHODES, D.	1998
1370	COAST ACTION COAST CARE 1998/99 ABORIGINAL ARCHAEOLOGICAL DESKTOP STUDY	MARSHALL, B. & SCHELL, P.	1998
1636	PROPOSED AQUACULTURE PROJECT THE ESPLANADE INDENTED HEAD VICTORIA	WEAVER, F.	2000
1776	PROPOSED STORM WATER RE-USE SCHEME PORTARLINGTON GOLF CLUB, HOOD ROAD PORTALINGTON VICTORIA.	WEAVER, F.	2000
1852	EFFECTIVE STRATEGIES FOR THE MANAGEMENT OF COASTAL ABORIGINAL ARCHAEOLOGICAL SITES AND PLACES IN VICTORIA.	FRESLOV, J.	1996
1989	THE KEY ABORIGINAL PLACES PROGRAM - PROGRESS REPORT	WILLIAMS.D & WESTAWAY.M	2000
2177	AN ARCHAEOLOGICAL SURVEY OF THE PROPOSED BELLARINE PENINSULA GAS SUPPLY ROUTE, VICTORIA	STONE, T.	2001
2239	COAST ACTION/COASTCARE GRANT APPLICATIONS: ABORIGINAL ARCHAEOLOGICAL DESKTOP ASSESSMENT	SCHELL, P. & A. LIGHT	2001
2469	AN ARCHAEOLOGICAL INVESTIGATION OF A PROPOSED STORMWATER PIPE BETWEEN GLENTFEST AND HELEN STREET INDENTED HEAD	TERRA CULTURE	2003

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Report No.	Title	Author	Report Year
2533	CHANNEL DEEPENING EXISTING CONDITIONS REPORT ABORIGINAL HERITAGE	RHODES, D.	2003
2695	ARCHAEOLOGICAL MONITORING OF THE INSTALLATION OF A STORM WATER PIPE OUTFALL AT INDENTED HEAD	TERRA CULTURE	2004
2704	ABORIGINAL HERITAGE MANAGEMENT IN VICTORIAN FORESTS VOLUME 4 MAIN REPORT WEST VICTORIA REGION	MCCONNELL, A, BUCKLEY, K & WICKMAN, S	2002
2705	ABORIGINAL HERITAGE MANAGEMENT IN VICTORIAN FORESTS VOLUME 4 SUBSIDIARY REPORT	MCCONNELL, A, BUCKLEY, K & WICKMAN, S	2002
2730	AN ARCHAEOLOGICAL INVESTIGATION AT AMALFI COVE ESTATE INDENTED HEAD	TERRA CULTURE	2004
2759	ARCHAEOLOGICAL STUDY, PORT BELLARINE PROPOSAL, PORTARLINGTON, VICTORIA	CEKALOVIC, H	2003
2871	AN ARCHAEOLOGICAL ASSESSMENT AT PORTARLINGTON ROAD, PORTARLINGTON	COLLINS, S & MARSHALL, B	2004
2945	ARCHAEOLOGICAL SUBSURFACE TESTING PORTARLINGTON ROAD, PORTARLINGTON	COLLINS, S	2004
3286	AN ARCHAEOLOGICAL ASSESSMENT AT HARVEY ESTATE, INDENTED HEAD, VICTORIA	TULLOCH, J	2005
3316	PROPERTY AT CORNER TOWER ROAD AND PORT ARLINGTON-QUEENSCLIFF ROAD, PORTARLINGTON	FELDMAN, R & HOWELL-MEURS, J	2005
3604	ARCHAEOLOGICAL SUBSURFACE TESTING AT 'HARPORT FARM' COATSWORTH ROAD, PORTARLINGTON	MARSHALL, B	2005
3938	BELLARINE SAFE HARBOUR, PORTARLINGTON AN ABORIGINAL & HISTORICAL DESKTOP ARCHAEOLOGICAL ASSESSMENT	FELDMAN, R., HOWELL-MEURS, J.	2007
4616	Port Phillip Aboriginal Heritage Strategic Desktop Assessment	Jim Wheeler, Laura Matarese, Alyssa Gilchrist and Alison O'Connor	
10182	PORTARLINGTON SAFE HARBOUR DEVELOPMENT	CHAMBERLAIN, M, MYERS, S & SZYDZIK, S	2010
10461	BATMAN RESERVE CARAVAN PARK REDEVELOPMENT	FORD, A	2009
10462	WRATHALL RESERVE BOAT RAMP REDEVELOPMENT, INDENTED HEAD, CULTURAL HERITAGE MANAGEMENT PLAN	COLLINS, S & FORD, A	2009
10610	PROPOSED SAND QUARRY, OXLEY ST, PORTARLINGTON	TOSCANO, M	2009
10617	13 GREGORY COURT INDENTED HEAD, VICTORIA	MITCHELL, J & RICHMOND, J	2008
10856	INDENTED HEAD/ST LEONARDS FEEDER MAIN	HOWELL-MEURS, J	2010
11023	Seabreeze Stages 11-14, Indented Head	Brendan Marshall, Jarrod MacCulloch and Jasma Walker	
11077	DRAINAGE OUTLET, SIMSON ROAD, PORTARLINGTON	Monica Toscano	
13842	325 The Esplanade, Indented Head Residential Development Cultural Heritage Management Plan	John Young and Matthew Barker	
13987	Glenrana Drive, Indented Head Residential Subdivision	Jarrod MacCulloch	
14688	Portarlington Water Reclamation Plant to Clifton Springs Transfer Pipeline, Bellarine Peninsula	Dr Tim Stone Cornelia de Rochefort	
14772	Upgrade to the Portarlington CFA Station, Fisher Street, Portarlington, Victoria	Leah Tepper and Tiffany James-Lee	
15017	Portarlington Eastern Breakwater Access	Natasha Sanders and Denis Coutant	

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Report No.	Title	Author	Report Year
15890	Batman Road, Indented Head: Road Construction	Catherine Webb, Eleni Arnaoutidou, Brendan Marshall, Helene Athanasiadis and Daniel Barker	
17310	Residential Subdivision: 151-179 & 181-183 & 185-235 Geelong Road and 62-80 Pigdon Street Portarlington	David Matthews, Peter Matthews and Joseph Brooke	
17356	Car Park Upgrade: Point Richards, Portarlington	Karen Kapteinis	
17911	Proposed Construction of Five Dwellings 100-106 Harvey Road, St. Leonards	Nathalia Guimaraes and Thomas Lally	
17944	Rock Groyne Project: Point Richards, Portarlington	Karen Kapteinis	
19090	Portarlington Water Treatment Plant Upgrade	David Matthews and Melinda Albrecht	
19564	Portarlington WPR Inlet Pipeline Replacement and Odour Inlet	David Matthews, Cameron Frost and Melinda Albrecht	

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Appendix 5: Glossary

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Adze A flake with stepped retouch along lateral margins that can be hafted for use as 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, pp.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).

Footing 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 –

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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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AAV Mini Posters (1–7).

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Holdaway, S & Stern, N 2004, *A Record in Stone: The Study of Australia's Flaked Stone Artefacts*, Museum Victoria and Aboriginal Studies Press, Melbourne.

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