

PROPOSED SUBDIVISION AT PART 131, 143 FLINDERS AVENUE AND 21 CADDYS ROAD, LARA

Cultural Heritage Management Plan Number 13780



Sponsor: Chris Marshall (TGM Group Pty Ltd)

Cultural Heritage Advisor: Monica Toscano (TerraCulture Heritage Consultants Pty Ltd)

Author: Monica Toscano (TerraCulture Heritage Consultants Pty Ltd)

Date: 18th November 2015

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Wadawurrung

ABN: 11 312 302 330

ICN: 3330

2nd December 2015

*Aboriginal Heritage Act 2006
Section 65*

Cultural Heritage Management Plan – Notice of Approval

The Wathaurung Aboriginal Corporation trading as Wadawurrung, acting as the Registered Aboriginal Party hereby approve the cultural heritage management plan referred to below:

Proposed Subdivision – 131 & 143 Flinders Avenue and 21 Caddys Road, Lara

Cultural Heritage Management Plan number: 13780

Sponsor: TGM Group Pty Ltd

Cultural Heritage Advisor: Monica Toscano

Authors: Monica Toscano

Cover Date: 18th November 2015

Pages: Cover Page, i-viii, 1-79

Received for Approval: 11th November 2015

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 DPCD.*

Katrina Thomas
RAP Manager
Wathaurung Aboriginal Corporation
trading as: Wadawurrung

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

PROPOSED SUBDIVISION AT PART 131, 143 FLINDERS AVENUE AND 21 CADDYS ROAD, LARA

Cultural Heritage Management Plan Number 13780

Medium Complex Assessment

Sponsor: Chris Marshall (TGM Group Pty Ltd)

Cultural Heritage Advisor: Monica Toscano (TerraCulture Heritage Consultants Pty Ltd)

Author: Monica Toscano (TerraCulture Heritage Consultants Pty Ltd)

Date: 18th November 2015



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EXECUTIVE SUMMARY

The Activity Area Location

The Activity area is located within the township of Lara, over three lots of land, totalling an area of approximately 3 hectares. The Activity Area is located to the east and west of Caddys Road, with two lots on the east side along Flinders Avenue and one lot on the west side along Caddys Road. The Activity Area is surrounded by vacant farm land, some of which is undergoing construction for a large subdivision. The Activity Area is within the parish of Woornyalook and within the municipality of the City of Greater Geelong and includes the following lots;

Address	Parcel Number	Size
131 Flinders Avenue (northern half)	5 LP213497	0.6 ha
143 Flinders Avenue (southern half)	A PS734359	2.1 ha
21 Caddys Road	1 PS605535	0.3 ha

Table 1 - Activity Area details

Activity Description

The proposed activity is a residential subdivision for part of 131 Flinders Avenue and 21 Caddys Road, and the rezoning and subsequent subdivision for part of 143 Flinders Avenue

Within 131 and 143 Flinders Avenue there are currently two design proposals (Appendix 2). Proposal one consists of 27 lots of varying sizes and in addition, a reserve totalling 2600m² is located at the western end of 131 Flinders Lane. There are two access points proposed from Flinders Avenue which lead into one internal road and another access point on the western side from Caddys Road. The second design proposal consists of 28 varying size lots, with the reserve situated in the middle of the Activity Area. Again access is from two points off Flinders Avenue, leading to two separate internal roads.

The preliminary design plan for 21 Caddys Road property includes 6 lots in total ranging from 459m² to 555m². Access to the property will be off Caddys Road on the east side, and Quail Drive on the west side.

All plans at this stage are preliminary and could change closer to the construction phase.

Associated activities include construction of drainage, water mains, sewerage drains, electricity and telecommunication mains at depths ranging from 600mm to 2 metres; road construction including footpaths and installation of kerb and channel involving excavation down to approximately 1 metre in depth.

While currently 143 Flinders Avenue falls under Rural Living Zone, it will be rezoned as General Residential which 131 Flinders Avenue and 21 Caddys Road already fall under. The schedule to the General Residential Zone is attached as Appendix 4.

Assessment Summary

The following is a summary of the assessment undertaken for this Activity Area.

Desktop

The Desktop Assessment shows that Aboriginal people would have been present within the Lara area both before and after European Settlement. There have been several assessments undertaken that have resulted in sites being located around the broader Lara area. Most of these are low density artefact scatters found close to water sources. One assessment conducted by Toscano (2013) is located to the immediate west and adjacent to the current Activity Area, and recorded 6 surface artefacts. Two sites were recorded in this area as low density surface scatters. While these sites are unlikely to extend further into the current Activity Area, their close proximity is noted here (particularly 7721-1236-2 which is located close to the western boundary of the current Activity Area) and the continuation of low density artefact scatters may account for the presence of some surface artefacts within the current Activity Area. Other surveys that have been conducted further away and to the east of Hovells Creek resulted in only very low density surface artefact scatters (Marshall 2002 and 2006, Schell 2003 and 2003a), although subsurface testing is required in some of these areas to provide a more accurate archaeological record of sensitive material.

In summary, the Desktop Assessment has indicated that it is likely for Aboriginal Cultural Heritage to be found within the Activity Area, more particularly in the form of isolated artefacts or low density artefact scatters, possibly within both surface and subsurface deposits. The background study of the land use history indicated that the Activity Area is part of a larger holding that has been used for agricultural purposes in the past as well as today. This could have caused disturbance to any surface artefacts, or shallow subsurface artefact deposits that may be present within the Activity Area.

Standard

No Aboriginal Places were identified during the Standard Assessment. Most of the Activity Area was covered with long grasses resulting in extremely poor ground surface visibility and as a result the effective survey coverage was estimate at approximately 0.25ha. The part of the Activity Area within an existing residential property had been heavily disturbed from the construction of the house, sheds, concrete paths and associated features. The entire Activity Area was uniformly flat with no major changes in landform or elevation and no areas of potential sensitivity were identified. Given the poor visibility across the majority of the Activity Area, and taking into consideration the previously registered sites nearby, a Complex

Assessment should be undertaken to sample the underlying deposits and to test the area for subsurface cultural heritage material.

Complex

No Aboriginal Places were recorded during the subsurface testing. Excavation revealed a shallow subsurface profile consisting of brown compact silt over clay. Variations to the stratigraphic profile were only seen in test pits that showed evidence of disturbance, confined to the excavations within 21 Caddys Road.

Results and Summary of the Aboriginal Cultural Heritage Identified During the Assessment

No Aboriginal cultural heritage Places were identified within the Activity Area during the preparation of this Cultural Heritage Management Plan.

Management Prior to the Activity

- Prior to Activity commencement the Sponsor or its civil contractors must provide appropriate inductions regarding Aboriginal cultural heritage for all personnel working in the Activity Area. These inductions must be presented by a representative of the *Wathaurung* Aboriginal Corporation. These inductions will include the provision of appropriate OAAV Aboriginal cultural heritage Mini-posters for display to assist with the identification of Aboriginal cultural heritage during operations. The RAP must be provided with at least two weeks notice of the requirement to present a Cultural Heritage Induction. All costs associated with the inductions will be covered by the Sponsor.
- Access to the Activity Area must be provided to representatives of the Wadawurrung before the commencement of works for the purpose of ensuring compliance with the CHMP. The representatives of the Wadawurrung must comply with all OH&S requirements.

Management Needed During the Activity

- All works must be restricted to the extent of the Activity Area as this is shown in Map 1;
- A copy of this CHMP must be kept onsite;
- Access to the Activity Area must be provided to representatives of the Wadawurrung during the construction for the purpose of ensuring compliance with the CHMP. The representatives of the Wadawurrung must comply with all OH&S requirements.
- In the event that additional cultural heritage is recovered during the activity, the contingency plan in sections 9.1 and 9.2 must be followed.

Management Needed After the Activity

- Should any artefacts be recovered during the Activity, they will be analysed and catalogued by the CHA, labelled and packaged with reference to provenance and returned to the site to be reburied in a suitable location at cost to the Sponsor (refer to Sections 9.1 and 9.2);
- Access to the Activity Area must be provided to representatives of the Wadawurrung after construction for the purpose of ensuring compliance with the CHMP. The representatives of the Wadawurrung must comply with all OH&S requirements.
- No additional archaeological investigations are required.

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PART 1 – ASSESSMENT

1. Introduction

This report contains information that the Aboriginal community may regard as sensitive and should not be released for general public viewing or disseminated in other forms without prior consultation with the *Wathaurung* Aboriginal Corporation and with their written permission.

1.1 Preamble

TerraCulture Pty Ltd has been commissioned by TGM Group Pty Ltd to prepare a Cultural Heritage Management Plan (CHMP) for a proposed subdivision within three properties in Lara; part 131 and 143 Flinders Avenue and 21 Caddys Road. The Activity Area is approximately 60 kilometres southwest of Melbourne and 20 kilometres north of Geelong within the parish of Woornyalook and within the county of Grant. Altogether the Activity Area encompasses approximately 3 hectares.

1.2 Reasons for Preparing the Management Plan

Part 2 Division 1 of the *Aboriginal Heritage Regulations* 2007 states that a CHMP is required if:

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

This CHMP is required under Section 47 of the *Aboriginal Heritage Act* 2006, as a subdivision is a high impact activity Regulation 46 (1) in conjunction with Regulation 23 (2); part of the Activity Area being within an area of Cultural Heritage Sensitivity, Regulation 22 (1); within 50 metres of a previously registered site (VAHR 7721-1236).

1.3 Notice of Intent to Prepare a Management Plan

Under Section 54 of the Act and attached to this CHMP, the Sponsor has submitted a Notice of Intent to Prepare a Cultural Heritage Management Plan to the *Wathaurung* Aboriginal Corporation (the RAP) and the Secretary, Aboriginal Affairs Victoria. A copy of this Notice of Intent to Prepare and a copy of the written response by the *Wathaurung* specifying that they will evaluate the Management Plan are included in Appendix 1. The owner was also notified by the Sponsor.

1.4 The Name of the Sponsor

The Sponsor of this CHMP is:

Organisation: TGM Group Pty Ltd

Name: Chris Marshall

Address: 1/27-31 Myers Street Geelong 3220

Phone: 5202 4600

1.5 Cultural Heritage Advisor

The CHA for this CHMP is Monica Toscano who undertook the fieldwork and prepared the plan. Monica holds a Post Graduate Diploma in Classics and Archaeology from the University of Melbourne and has eight years experience in Aboriginal Cultural Heritage assessments in Victoria. Monica has also completed other CHMPs within the Lara area including proposed subdivisions at Grand Lakes Estate, Canterbury Road, Forest Road South and Caddys Road.

1.6 The Names of Owners and or Occupiers of the Activity Area Land

The names of the owners for each lot are provided in the table below.

Property Number	Name	Volume and Folio number
131 Flinders Avenue	Graham David Gittins	06196/096
143 Flinders Avenue	L Bisinella Developments	08971/162
21 Caddys Road	Linda Ruth Coats	09050/824

Table 2 - Names of owners of the Activity Area

1.7 Registered Aboriginal Parties with the responsibility for the Activity Area

The *Aboriginal Heritage Act 2006* requires consultation with any Registered Aboriginal Parties (RAPs) registered under the Act over the Activity Area.

The *Wathaurung* Aboriginal Corporation is a Registered Aboriginal Party under the *Aboriginal Heritage Act 2006* (Vic) and as defined in that Act, has responsibilities under that Act in relation to the management and administration of Aboriginal Cultural Heritage matters in the Activity Area.

The *Wathaurung* Aboriginal Corporation has elected to evaluate the CHMP (Appendix 1).

2. Activity Description

2.1 Description of the Proposed Activity

2.1.1 Proposed Activity

The proposed activity is a residential subdivision for part of 131 Flinders Avenue and 21 Caddys Road, and the rezoning and subsequent subdivision for part of 143 Flinders Avenue.

Within 131 and 143 Flinders Avenue there are currently two design proposals (Appendix 2). Proposal one consists of 27 lots of varying sizes and in addition, a reserve totalling 2600m² is located at the western end of 131 Flinders Lane. There are two access points proposed from Flinders Avenue which lead into one internal road and another access point on the western side from Caddys Road. The second design proposal consists of 28 varying size lots, with the reserve situated in the middle of the Activity Area. Again access is from two points off Flinders Avenue, leading to two separate internal roads.

The preliminary design plan for 21 Caddys Road property includes 6 lots in total ranging from 459m² to 555m². Access to the property will be off Caddys Road on the east side, and Quail Drive on the west side.

All plans at this stage are preliminary and could change closer to the construction phase.

Associated activities include construction of drainage, water mains, sewerage drains, electricity and telecommunication mains at depths ranging from 600mm to 2 metres; road construction including footpaths and installation of kerb and channel involving excavation down to 1 metre in depth.

While currently 143 Flinders Avenue falls under Rural Living Zone, it will be rezoned as General Residential which 131 Flinders Avenue and 21 Caddys Road already fall under. The schedule to the General Residential Zone is attached as Appendix 4.

2.1.2 Possible Impact of Aboriginal Cultural Heritage

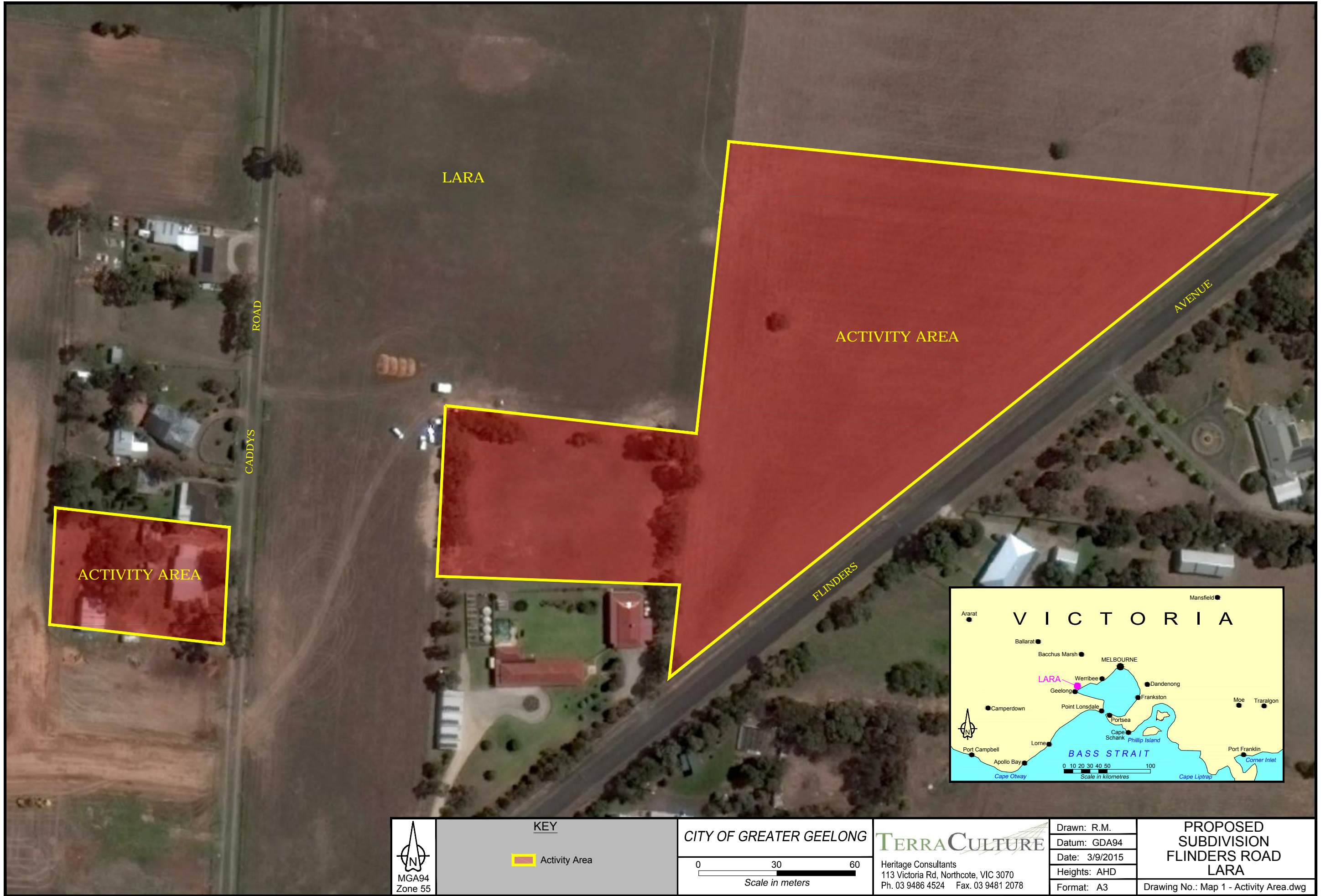
As a high impact activity, the proposed subdivision will impact heavily on the ground surface, involving deep excavation and disturbance across the entire Activity Area and therefore may harm former surfaces that may contain evidence of past Aboriginal occupation.


3. Extent of Activity Area

The Activity area is located within the township of Lara, covers three lots of land, totalling an area of approximately 3 hectares. The Activity Area is located to the east and west of Caddys Road, with two lots on the east side along Flinders Avenue and one lot on the west side along Caddys Road. The Activity Area is surrounded by farm land, some of which is undergoing construction for a large subdivision. The Activity Area is within the parish of Woornyalook and within the municipality of the City of Greater Geelong and includes the following lots;

Address	Parcel Number	Volume and Folio Number	Size
131 Flinders Avenue	5 LP213497	06196/096	0.6 ha
143 Flinders Avenue	A PS734359	08971/162	2.1 ha
21 Caddys Road	1 PS605535	09050/824	0.3 ha

Table 3 - Activity Area details



KEY	
	Activity Area

CITY OF GREATER GEELONG	
0	30 60
Scale in meters	

TERRACULTURE
 Heritage Consultants
 113 Victoria Rd, Northcote, VIC 3070
 Ph. 03 9486 4524 Fax. 03 9481 2078

Drawn: R.M.
Datum: GDA94
Date: 3/9/2015
Heights: AHD
Format: A3

**PROPOSED
 SUBDIVISION
 FLINDERS ROAD
 LARA**
 Drawing No.: Map 1 - Activity Area.dwg

MAP 1: Showing Activity Area.

4. Documentation of Consultation

4.1 Consultation in Relation to the Assessment and Recommendations

The following tables provide details of all consultation in relation to the assessment of the Activity Area for the purposes of the development of the Management Plan.

Date	Name	Organisation	Consultation
6 th October 2015	Katrina Thomas	Wathaurung Aboriginal Corporation (Interim RAP manager)	Project Establishment Meeting- Background of Activity Area discussed with reference to geology, geomorphology and previously registered Places within the geographic region; VAHR 7721-1236, part of a broader low density artefact distribution located within 50 metres west of the Activity Area. CHA proposed a Standard Assessment survey conducted via transects depending on ground surface visibility. Complex Assessment methodology to consist of two 1m x 1m test pits (one within 50 metres of VAHR 7721-1236) and 50 cm x 50 cm test pits every 50 metres. This was agreed to.
	Monica Toscano	TerraCulture Heritage Consultants (CHA)	
	Chris Marshall	TGM Group (Sponsor)	
13 th October 2015	Monica Toscano	TerraCulture Heritage Consultants	Monica emailed Katrina informing her that the Client would like to include another parcel of land (21 Caddys Road) within this CHMP. Monica emailed the amended Activity Area and stated that subsurface testing would continue as proposed (every 50m), although it may have to be more opportunistic due to an existing house and associated disturbances. Katrina replied agreeing that it would be better for the testing to be opportunistic.
	Katrina Thomas	Wathaurung Aboriginal Corporation (Interim RAP manager)	
28 th October 2015	Monica Toscano	TerraCulture Heritage Consultants	Post Fieldwork Meeting- Fieldwork discussed, with it agreed that the amount of subsurface testing was adequate. Results of testing were discussed, with the CHA explaining that the stratigraphy was similar throughout the Activity Area with most pits consisting of brown silts and shallow clays. Disturbances were seen within 21 Caddys Road, with introduced quartz pebbles and other rubbish materials. No surface or subsurface artefacts were identified during the field assessment. Katrina was satisfied with the amount of testing and results. General recommendations were discussed including cultural heritage induction prior to the Activity, access for the WAC if needed and a copy of the CHMP to be kept onsite during the Activity.
	Katrina Thomas	Wathaurung Aboriginal Corporation (Interim RAP manager)	

Table 4 - Consultation in relation to assessment

4.2 Participation in the Conduct of the Assessment

Table 2 identifies the names of those individuals who participated in the field assessment.

Date	Name	Role
14 th October 2015	Monica Toscano	Supervising Archaeologist and CHA
12 th , 13 th and 14 th October 2015	Will Truscott	Supervising Archaeologist
12 th and 13 th October 2015	Anthony Hamdorf	Archaeologist
12 th , 13 th and 14 th October 2015	Chloe Clarke	Wathaurung Representative
12 th and 13 th October 2015	Kacie Mitchell	Wathaurung Representative
14 th October 2015	John Clarke	Wathaurung Representative

Table 5 - Participation in the conduct of the assessment

During the Standard and Complex Assessments, discussions were had with all RAP representatives present regarding the landform and the potential for finding artefacts. All test pits were closed with the agreement of the RAP representatives. At the end of the Complex Assessment, RAP representatives present agreed that the amount of testing was sufficient for the Activity Area.

4.3 Summary of Outcomes of Consultation

Outcomes at the conclusion of consultation with the RAP included;

- Testing was enough to sample the land within the Activity Area
- 21 Caddys Road heavily disturbed from existing house and associated structures and features
- No Aboriginal Heritage Places identified during fieldwork
- General requirements to include cultural induction before Activity, access to Wathaurung representatives if needed, and a copy of CHMP to be kept onsite during construction.

5. Aboriginal Cultural Heritage Assessment

5.1 Desktop Assessment

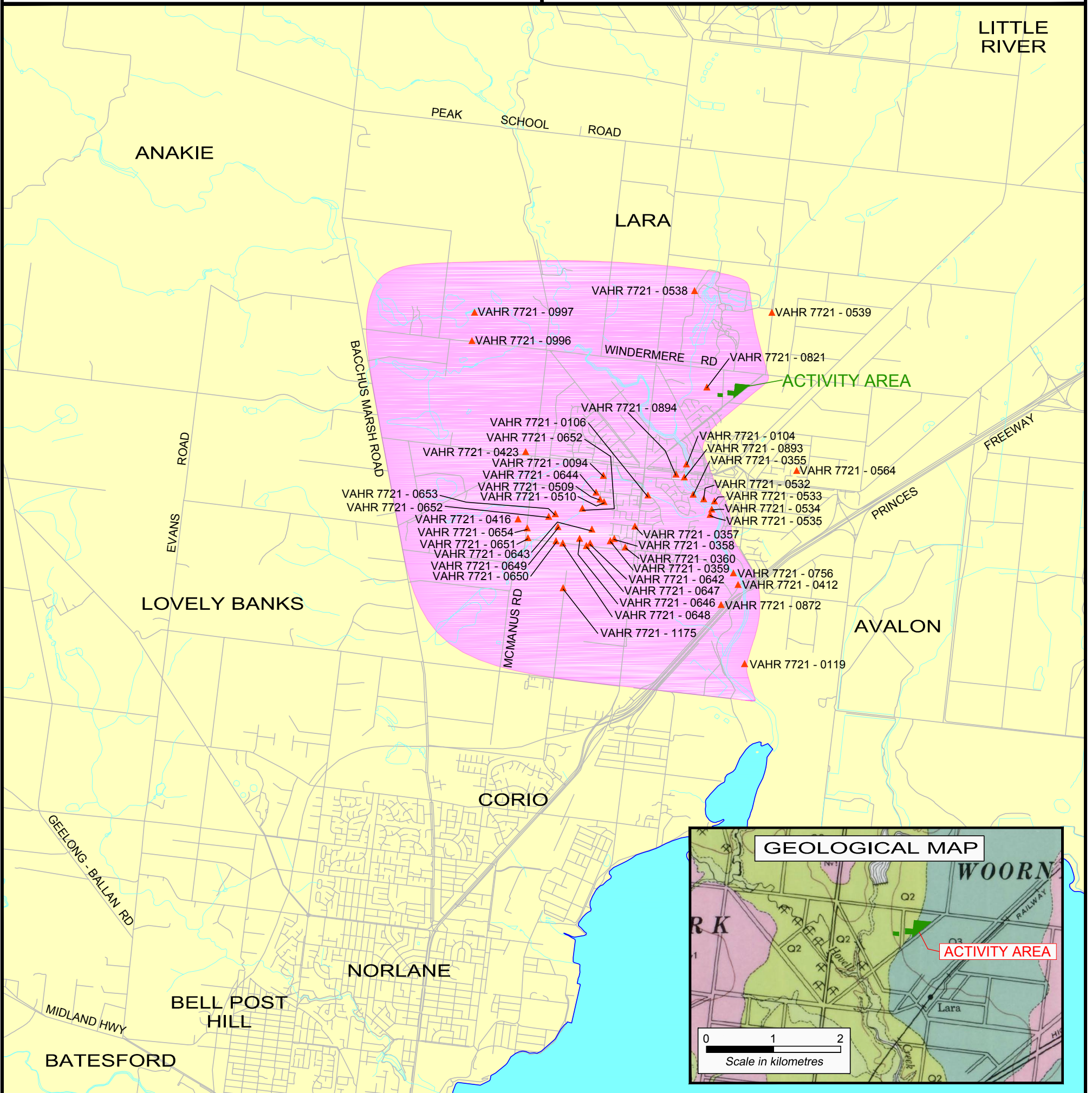
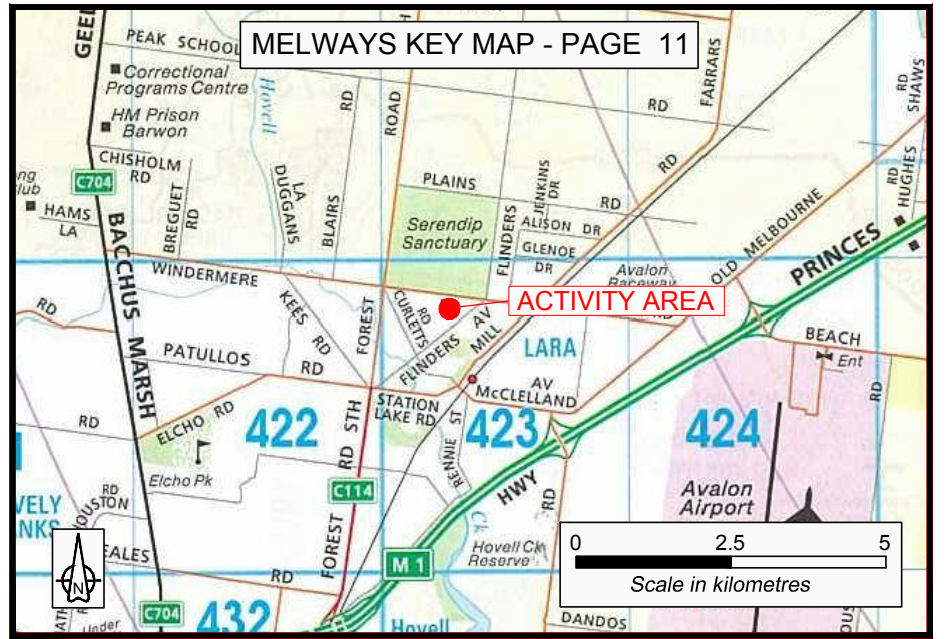
5.1.1 Search of the Victorian Aboriginal Heritage Register

The Desktop Assessment was completed by Monica Toscano (CHA) and Kim White (Archaeologist). Historical information and relevant background was obtained from published and unpublished documents and statutory registers were accessed and environmental information assessed.

The Office of Aboriginal Affairs Victoria (OAAV) maintains an online register called The Aboriginal Cultural Heritage Register and Information System (ACHRIS) of all recorded Aboriginal archaeological sites and a library of all published and unpublished reports describing investigations of Aboriginal archaeological sites in Victoria. ACHRIS was accessed on the 28th September 2015 by Kim White with a map generated showing the location and type of local registered places. Relevant site cards were copied and checked against the relevant report and maps contained therein.

5.1.2 The Geographic Region

For the purposes of this CHMP, the geographic region is the Freshwater Limestone Formation (Q2) and Newer Volcanics (Nv1) as shown on Map 2, between Hovells Creek and Bacchus Marsh Road. The northern extent ends approximately 4.5 kilometres north of Windermere Road while the southern extent of the geographic region stops at Heals Road. This region is relevant as most of the previously registered sites are within the same geological formations as the Activity Area.



	KEY Activity Area Geographic Region Registered Aboriginal Cultural Heritage Place	CITY OF GREATER GEELONG Scale in Kilometers	 Heritage Consultants 113 Victoria Rd, Northcote, VIC 3070 Ph. 03 9486 4524 Fax. 03 9481 2078	Drawn: R.M & P.B Datum: GDA94 Date: 20/10/2014 Heights: AHD Format: A3	FLINDERS AVE LARA GEOGRAPHIC REGION Drawing No.: Geographic Region.dwg
		MAP 2: Showing Geographic Region and Registered Aboriginal Cultural Heritage Places.		10	

5.1.3 Aboriginal Places in the Geographic Region

Table 2 presents a list of known (registered) Aboriginal archaeological sites prior to the commencement of this CHMP and their proximity to the activity area.

VAHR No	Place Name	Easting GDA Zone 55	Northing GDA Zone 55	Place Type	Approximate Distance From Activity Area	Landform
7721-0094	Lara Burial	270844	5788325	Aboriginal Human Remains (Burial)	1.5 km south	Elcho Drain
7721-0094	Lara Burial	270844	5788325	Artefact Scatter	1.5 km south	Elcho Drain
7721-0104	Hovell Ck At Lara	272084	5788499	Artefact Scatter	1.5 km south	Hovells Creek
7721-0106	Forest Road 1	271512	5788035	Artefact Scatter	2.8 km south	Elcho Drain
7721-0355	Investigator Ave 1	272192	5788045	Artefact Scatter	2 km south	Hovells Creek
7721-0357	Darcys Lane 1	271312	5787584	Artefact Scatter	3 km south	Elcho Drain
7721-0358	Darcys Lane 2	271012	5787384	Artefact Scatter	3 km south	Elcho Drain
7721-0359	Darcys Lane 3	270952	5787348	Artefact Scatter	3 km south	Elcho Drain
7721-0360	Darcys Lane 4	271168	5787257	Artefact Scatter	3 km south	Hovells Creek
7721-0412	Princes 1	272843	5786722	Artefact Scatter	3 km south	Elcho Drain
7721-0509	Buckingham St 1	270798	5787969	Artefact Scatter	1.5 km south	Plain
7721-0510	Buckingham St 2	270849	5787956	Artefact Scatter	1.5 km south	Plain
7721-0532	Hovells Creek Rail Reserve 1	272348	5787968	Artefact Scatter	2 km south	Hovells Creek
7721-0533	Hovells Creek Rail Reserve 2	272496	5787945	Artefact Scatter	2 km south	Hovells Creek
7721-0534	Hovells Creek Rail Reserve 3	272442	5787853	Artefact Scatter	2 km south	Hovells Creek
7721-0535	Hovells Creek Rail Reserve 4	272441	5787760	Artefact Scatter	2 km south	Hovells Creek
7721-0538	Serendip 1A 4	272212	5791086	Artefact Scatter	1.5 km north	Serendip Lake
7721-0539	SERENDIP IA 1	273357	5790769	Artefact Scatter	1.2km north	Serendip Lake
7721-0564	Bates Road 1	273725	5788420	Artefact Scatter	1.8 km east	Plain
7721-0644	Grand Park Estate 3	270726	5788087	Artefact Scatter	1.5 km south	Elcho Drain
7721-0645	Grand Park Estate 4	270532	5787840	Artefact Scatter	1.5 km south east	Elcho Drain
7721-0756	Canterbury Road East 1	272496	5786889	Artefact Scatter	3 km south	Hovells Creek
7721-0821	Caddys Rd 1	272390	5789646	Artefact Scatter	500m east	Plain
7721-0893	Station Lake Rd 1	272043	5788340	Artefact Scatter	1.5 km south	Hovells Creek
7721-0894	Station Lake Rd 2	271949	5788355	Artefact Scatter	1.5 km south	Hovells Creek
7722-0520	Serendip Ia 2	272582	5791524	Artefact Scatter	2 km north	Lake
7722-0521	Serendip Ia 3	272464	5791521	Artefact Scatter	2 km north	Lake
7722-0522	Serendip Ia 5	272120	5791581	Artefact Scatter	2 km north	Lake

PART ONE

Proposed Subdivision
Flinders Avenue and Caddys Road, Lara
CHMP No: 13780

7721-1216	Manzeene Avenue la 1	270251.8	5789717	Artefact Scatter	2.5 km west	Hovells Creek
7721-1207	Kees Road la 1	270196.6	5789924	Artefact Scatter	2.5 km west	Hovells Creek
7721-1213	Canterbury Rd West la	270912	5787341	Artefact Scatter	3 km south	Plain
7721-1230	Station Lake Road LDAD1	272565	5788331	Low Density Artefact Distribution	1.5 km south	Hovells Creek
7721-1233	Hovells Creek Object Collection 1	272127	5788339	Object Collection	1.5km south	Hovells Creek
7721-1236	Caddys Road 2	272691	5789608	Low Density Artefact Distribution	50 west of 131 and 145 Flinders Avenue 105m west of 21 Caddys Road	Plain
7721-1236	Caddys Road 2	272691	5789608	Low Density Artefact Distribution	50 west of 131 and 145 Flinders Avenue 105m west of 21 Caddys Road	Plain
7721-1237	Caddys Road 3	272328	5789736	Artefact Scatter	500m west	Plain
7721-1236	Caddys Road 2	272429	5789678	Low Density Artefact Distribution	400m west	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	230m north	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	230m north	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	255m north	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	255m north	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	255m north	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	255m north	Plain
7721-1236	Caddys Road 2	272644	5789763	Low Density Artefact Distribution	255m north	Plain
7721-1236	Caddys Road 2	272644	5789745	Low Density Artefact Distribution	245m north	Plain
7721-1250	Canterbury Road West LDAD	270953	5787270	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	270966	5787270	Low Density Artefact Distribution	3km south	Elcho Drain

7721-1250	Canterbury Road West LDAD	270966	5787270	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	270966	5787271	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	270966	5787271	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	270984	5787272	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	270984	5787272	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271014	5787254	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271022	5787264	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271029	5787261	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271037	5787273	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271037	5787266	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271030	5787261	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1250	Canterbury Road West LDAD	271031	5787261	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1259	Forest Road LDAD 2	270908	5787198	Low Density Artefact Distribution	3km south	Elcho Drain
7721-1268	Brooklyn-Lara 3	273490	5786975	Low Density Artefact Distribution	2.8km south	Hovells Creek
7721-1268	Brooklyn-Lara 3	273262	5786750	Low Density Artefact Distribution	2.8km south	Hovells Creek

Table 6 - Registered Aboriginal Cultural Heritage Places in the vicinity of the activity area

Several sites have been previously registered in the immediate area to the west of the current Activity Area, most recorded as part of the Caddy's Road subdivision (Toscano 2013). These sites were made up of low density artefact distributions with only shallow subsurface deposits containing further artefacts, in a disturbed area. Overall 38 sites are within the geographic region, most of which are artefact scatters located along waterways. There is also one burial

site recorded within the geographic region, approximately 2.5 kilometres south-west of the current Activity Area.

5.1.4 Distribution and Contents of Aboriginal Archaeological Sites in the Geographic Region

In summary of the above table and the preceding review:

- the registry search indicates that there are some 38 registered Aboriginal archaeological sites in the Geographic region, within about three kilometres of the activity area;
- One of these sites (VAHR 7721-1236) is within 50 metres of the Activity Area, found in a surface context
- Most of these archaeological sites take the form of stone artefact scatters, mostly low in density and ranging from single isolated pieces to multiple finds;
- One burial site was located within the geographic region approximately 2.5 kilometres southwest of the Activity Area
- most of the sites are recorded along water ways such as Hovells Creek and the Elcho Drain.

On the basis of these results, it is likely that the Activity Area will contain Aboriginal Cultural material, most likely in the form of low density artefact scatters, with possible subsurface components.

5.1.5 Previous Work in the Geographic Region

The Lara region has been the subject of early Aboriginal assessments which have focused on proposed infrastructure on or adjacent to the Princes Freeway (e.g, Lane 1997; Lane and Brown 1996; du Cros and Associates 1993; Newby and Muir 1999; Webb 1997a, b, c; Rhodes, Marshall and Webb 1999) and along Old Melbourne Road (Marshall and Webb 2000). Smaller local studies have occurred closer to the township (Biosis Research 1998; Weaver 1998; Marshall 1998, 2001, Schell 2003, 2003a).

Stone 2014 CHMP 13064

In 2014, a CHMP was conducted by Dr Tim Stone for a new sewer rising main (RM) along O'Halloran's Road on the western outskirts of Lara, located approximately 3.5 km to the west of the current activity area. The activity area for the RM included a 1.5 ha site in open farmland on the west side of O'Hallorans Road as well as the RM trench alignment that runs to the opposite side of Patullos Road to the north. During the Standard Assessment, no Aboriginal cultural heritage was located on the ground surface. The Complex Assessment involved an initial 1 m x 1 m test pit and a following 32 shovel probes across the proposed activity area. No Aboriginal cultural heritage was uncovered.

Toscano and Nichols 2014 CHMP 12670

In 2014, a CHMP was conducted by Toscano for the residential subdivision at 130-150 Forest Road South, Lara. The Activity Area covered 16 ha in a rectangular shape, with Forest Road South running along the eastern boundary and Canterbury Road West running along the northern boundary. The Flinders Memorial Park is located on the southern boundary combined with vacant farmland that also extends to the west. This is located 3 km to the south of the current Activity Area. During the Standard Assessment 124 surface artefacts were recorded, with 121 found within the northwest corner of the Activity Area that was shown to be a former Freshwater meadow. These artefacts were registered as two sites on the ACHRIS system; Forest Road LDAD 1 VAHR 7721-1258 and Forest Road LDAD 2 VAHR 7721-1259. During the Complex Assessment, no Aboriginal cultural material was found subsurface. The shallow subsurface deposits in the areas of concentrated surface artefacts indicated disturbance from years of ploughing.

Toscano 2013 CHMP 12538

In 2013, Toscano conducted a CHMP for the proposed subdivision and road widening at Caddys Road, Lara. The Activity Area included eleven lots of land and the Caddys Road reserve totalling an area of 15.8 ha. The Activity Area was bordered by Windermere Road to the north, Flinders Avenue to the east, residential housing to the south and open land with a walking track to the west. It is located directly to the east and adjacent to the current Activity Area. During the Standard Assessment six surface artefacts were recorded as two different sites (Caddys Road 2 7721-1236 and Caddys Road 3 7721-1237). Subsurface testing resulted in artefacts recorded in both sites, with a denser scatter within Caddys Road 3. However, the subsurface testing indicated the scatter was unlikely to be wide spread throughout the entire Activity Area, with only 15 out of 100 test pits yielding artefacts across two separate areas.

Light and Albrecht 2012 CHMP 12061

In 2012 Andrew Long and Associates conducted a CHMP for a proposed residential subdivision within 59 ha of land located to the north east of Patullos Road and O'Hallorans Road junction, west of Camerons Court and south of Kees Road in Lara. During the Standard Assessment, two stone artefacts were recorded and registered as VAHR 7721-1216 and VAHR 7721-1207. A complex assessment methodology was devised which was based on the results of the desktop and standard assessments, which indicated the "Aboriginal places recorded in the geographic region are generally surface occurrences of isolated stone artefacts, generally with no subsurface component", therefore the shovel probes were located within areas of poor ground visibility. No subsurface artefacts were found during the excavation of forty-three shovel probes and two 1 x 1m test pits.

Bullers, MacManus and Harbour 2011 CHMP 11902

In 2011, Ecology and Heritage Partners completed a CHMP for the proposed Elcho retarding basin and drainage channel in Lara, approximately 4 kilometres south of the current Activity Area. The Elcho Activity Area consisted of a large paddock between McManus Road and Broderick Road. During the Standard Assessment one Aboriginal Cultural Heritage Place (a single quartzite broken flake) was recorded as VAHR 7721-1175. This site was tested via three radial test pits, with no other subsurface artefacts recorded. An additional subsurface artefact was found 10 metres north of the initial surface artefact, therefore a fourth radial in this position was not excavated. Another two 1 x 1m test pits were excavated within the Activity Area however no further cultural material was identified.

Toscano 2011 CHMP 12099

In 2011, Toscano conducted a CHMP within 50-60 Canterbury Road Lara for a proposed subdivision. During the Standard Assessment it was noted that the ground visibility was too low to offer any information, therefore a Complex Assessment was conducted via three 1 x 1m test pits and forty-seven 50 cm x 50 cm test pits excavated every 50 metres throughout the Activity Area. Only one artefact was recorded, from a 1m x 1m test pit within the southern end of the Activity Area. This was a single silcrete flake found within the clayey deposits that also showed a high level of glass, ceramics and metal. This site was registered as VAHR 7721-1213.

Feldman, Matthews, Albrecht & Chandler 2010 CHMP 11340

In 2010 Andrew Long and Associates completed a CHMP for the Melbourne Geelong Interconnection underground pipeline. The length of the pipe line was approximately 28.8 kilometres running through the Lara area on the way to Geelong. A Complex Assessment was conducted with 141 shovel test pits and three 1 x 1 m test pits excavated. In conjunction with a Standard Assessment, this resulted in the recording of 161 stone artefacts within six Aboriginal Cultural Heritage Places. The closest of these six sites to the current Activity Area are VAHR 7721-0997 and 7721-0996 approximately 3 kilometres west, and VAHR 7722-0746 and 7722-0747 approximately 3 kilometre north-west. The highest density site was VAHR 7722-0747 with 115 artefacts, most of which were eroding out of the banks of Hovells Creek.

Chamberlain and Myers 2008 CHMP 10393

In 2008, Chamberlain and Myers undertook a CHMP for a proposed subdivision at 48 to 58 Station Lake Road in Lara, approximately 1.3 kilometres south of the current Activity Area. During the Standard Assessment, one quartz artefact was recorded on high ground, surrounded by surface rubble, indicating disturbance. A Complex Assessment was then conducted via the excavation of four shovel probes, one 1m x 1m and seven short mechanical trenches ranging from 1.5 to 3 metres in length. At the completion of the complex assessment two Aboriginal Cultural Heritage Places were recorded; Station Lake Road 1 VAHR 7721-0893 consisting of two quartzite and one silcrete artefact located subsurface, and

Station Lake Road 2 VAHR 7721-0894, consisting of six quartzite, four silcrete and one quartz artefact found subsurface, in addition to a quartz artefact found during the survey. Both sites were considered to have low scientific significance due to their poor condition and because both are common within the Lara area.

Marshall and Toscano 2008 CHMP 10413

In 2008 a CHMP for stages 3 to 25 of the Grand Lakes Estate Housing development was prepared. The overall area was approximately 86.55 hectares between Canterbury Road West and Buckingham Street in Lara. Three different methods of excavation were undertaken; six manual 1m x 1m test pits, twenty-three manual 50 cm x 50 cm test pits and twenty-four 2 metre mechanical trenches. Out of all this testing, only seven artefacts were found subsurface. These artefacts constituted a new site registered as VAHR 7721-0873. Three surface artefacts were also recorded as part of this site. Testing was also undertaken in areas near previously registered sites found during a 2004 survey (see Paynter, Collins and Marshall 2004); however no subsurface artefacts were associated with these sites. The stratigraphy included two main deposits: shallow red clays and shallow limestone.

Marshall and Kaskadani 2007

In 2007 TerraCulture undertook an assessment for a subdivision within land to the east and west of Caddys Road. The study area for this assessment is mostly the same as the current Activity Area, with only a few slight changes within the northern paddock. During the 2007 assessment, a survey and subsurface testing was conducted via seven 10m mechanical trenches spread across the study area. This resulted in two quartz artefacts found within one trench being registered as Caddys Rd 1 VAHR 7721-0821. The summary of field results within the report states that stone artefacts in low densities are likely to occur with further ground exposure and visibility.

Matthews, Feldman and Chandler 2007

In 2007 an archaeological subsurface testing program was conducted for the GasNet Brooklyn-Lara Gas Pipeline. This subsurface testing was undertaken after a survey (Howell-Meurs and Chandler 2007) was conducted of the same area resulting in the identification of two broad areas of Aboriginal archaeological sensitivity. The subsurface testing resulted in the registration of 19 Aboriginal sites within the impact zone of the proposed activity (7822-0872, 7822-0869, 7822-1705, 7822-0874, 7822-1511, 7822-2161, 7822-2162, 7822-2045, 7822-2046, 7822-0203, 7822-2160, 7822-1074, 7822-2163, 7822-2044, 7721-0330, 7721-0800, 7721-0116). The closest section to the current Activity Area that was tested during the program was approximately 3 kilometres south near the Princes Fwy and did not result in the recording of any sites.

Marshall 2006

Marshall undertook an archaeological survey for the proposed subdivision at St Andrews Drive, Lara, located approximately 3 km to the east of the current Activity Area. The Activity Area for the survey is bordered by St Andrews Drive running north from McIntyre Rd, the Geelong-Melbourne Railway Line running parallel to the northeast, part of the Boomaroo nurseries complex to the west including a single residence towards its southern end of this boundary. Open crop paddocks lined the east of the Activity Area. One Aboriginal stone artefact (silcrete) was found during the survey, with no evidence for any further archaeological material. However, Marshall notes subsurface testing is required of at least the location of the artefact to better assess the presence of Aboriginal archaeology in the survey area, given the poor survey conditions.

Paynter, Collins and Marshall 2004

In 2004 a large parcel of farmland between Canterbury Road West and Buckingham Street in Lara was surveyed for the housing development known then as Grand Park Estate (future Grand Lakes Estate). The survey recorded low density sites; VAHR 7721-0642, 0643, 0644, 0645, 0646, 0647, 0648, 0649, 0650, 0651, 0652, 0653, 0654. All of these sites were low density scatters made from a variety of stone types including quartz and silcrete. In terms of type, artefacts ranged from flaked fragments and flakes to more formal categories such as anvils and scrapers. It is also noted that all the sites appear to have been disturbed by ploughing with none *in situ*.

Schell 2003

An Archaeological survey was conducted by Schell within land off Flinders Avenue in Lara, approximately 600 metres south of the current Activity Area. No sites were located during the survey and the study area was deemed to have low potential to contain Aboriginal material. The author goes on to state that this result reflects the low occurrence of Aboriginal sites away from Hovells Creek, in addition to the land uses which would have impacted on any evidence of past Aboriginal activity within the area.

Schell 2003a

An Archaeological survey was conducted by Schell for an area of largely open land at 62-72 Bates Road, Lara, approximately 1.5 km south of the current Activity Area. During the field survey, one site consisting of an isolated quartzite stone artefact was recorded (VAHR 7721-564). The area was deemed highly disturbed, due in large part to irrigation pipes, and held low potential for any further Aboriginal sites to be located in the area. Schell likewise states, as aforementioned in the above publication, that these results reflect the low occurrence of Aboriginal sites in areas away from Hovells Creek.

Marshall 2002

In 2002, TerraCulture performed an Aboriginal archaeological survey of an area on the corner of Forest Road and Buckingham Road, north of the current Activity Area. This investigation was undertaken as part of Stage 1 of the Grand Park Estate development (future Grand Lakes Estate). Two Aboriginal Cultural Heritage Places were identified during the field survey registered as VAHR 7721-0509 and 7721-0510. Both sites consisted of a single artefact and were probably redeposited due to European land practices thus not *in situ*.

Conclusion

This review of previous archaeological surveys and assessments demonstrates that the geographic region is sensitive for surface and subsurface stone artefact scatters. Surface artefacts are often found even in areas of poor visibility due to highly disturbed topsoil layers, which reach depths of up to 200mm in some locations. Many assessments have involved both surface survey and complex subsurface excavation, however, the latter has often only provided low density scatters in the region, and sometimes absence of material completely (Marshall and Toscano 2008, Toscano 2012, Light and Albrecht 2012, Chamberlain and Myers 2008). Schell (2003 and 2003a) has likewise highlighted the scarcity of sensitive material in locations further away from Hovells Creek. However, the close proximity of the current Activity Area to previous surveys by Marshall and Kaskadanis (2007) and Toscano (2013) along Caddys Road suggests the presence of low density artefact scatters in a subsurface context as well as surface artefacts.

The review of the previous assessments demonstrated that, within the geographic region, there is a higher likelihood of finding surface rather than subsurface artefacts and that potential for cultural material increases in closer proximity to Hovells Creek.

5.1.6 Historical and Ethno-historical Accounts in the Geographic Region

As one of the two locations from which Europeans colonised much of Victoria, Geelong has a number of written and illustrated historical accounts on the Aboriginal people of the area. Europeans first made written observations of the Aboriginal people of the Bellarine Peninsula from 1802, when explorers began to chart the entrance of Port Phillip Bay. Most of the accounts however relate to 1836 onwards when there was a permanent European presence. Clark (1990) collated the primary sources of this ethnohistory in his reconstruction of traditional language boundaries in western Victoria. These sources include journal entries and government correspondence produced by explorers such as Matthew Flinders and Charles Grimes, as well as settlers and missionaries, particularly G.A. Robinson, the Chief Aboriginal Protector.

William Buckley, an escaped convict from an aborted 1803 settlement at Sorrento, was adopted by the *Wada wurrung* and lived with them until July 1834. As recorded by Morgan (1852), Buckley's reminiscences have also become an important source of historical data on

the Aboriginal clans of the *Wada wurrung* area. Excluding Morgan (1852), most of the historical accounts of the early contact period refer to specific events, usually involving contact and conflict between settlers and the local Aboriginal clan. There is little historic data from this period. However, it may be assumed that at least some clans continued to live in traditional ways.

Corris (1968) cited in Clark (1990) believes '(that) there is so little known about the social organisation of the *Wada wurrung* bespeaks the rapidity with which they were physically destroyed by settlers seeking undisputed possession of their land' (Clark 1990: 277). As noted by Clark:

'By the end of 1836, the sheep runs of the 'ngamadjig' spread round Geelong within a semi-circle of twenty-five miles radius. In the following year streams of squatters from Melbourne and Geelong met and thrust westwards towards the Colac district. The Bacchus Marsh lands were next to be occupied, and then the head-waters of the Leigh and Buninyong'.

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5.1.7 The *Wada wurrung* Language Group

Following Clark (1990), at the time of European contact Lara was part of the *Wada wurrung* language area. The *Wada wurrung* territory extended along the coast from Painkalac Creek at Aireys Inlet east into Port Phillip Bay to the Werribee River. It extended north as far as Fiery and Mt Emu creeks.

The social and spatial organisation of traditional Aboriginal society has been the subject of considerable debate. It is considered by most that Aboriginal society was organised according to local descent groups called clans. Clans were the 'landowning, land renewing and land sustaining unit of Aboriginal society' (Clark 1990: 4, 5). Clans occupied estates or home country and the area of land over which the clan hunted and gathered has been called the range. As explained by Clark:

'...the tract or stretch of country identifiable as the economic range, normally included the estate and was thus owned by clans. The band seasonally occupied and utilised various parts of the range in a settlement pattern that was a response to the group's habitat.' (Clark 1990: 4, 5)

Clark suggests there were twenty-seven *Wada wurrung* clans at the time of European contact.

'I have been able to reconstruct 27 Wada wurrung clans. Using Lourandos' (1977) estimates that clan sizes ranged from between 40 to 60, this would give a Wada wurrung population of between 1080 and 1620 at the time of contact. Dawson (1991) estimated clan sizes were 120, and this would give Wada wurrung a population of 3240. The real figure was probably somewhere between 1620 and 3240' (Clark 1990: 307).

Wada wurrung clans were patrilineal and organised into moieties belonging to either the Waa (crow) or Bunjil (eaglehawk) moiety – marriage partners were required to belong to different moieties (Clark 1990: 276-7, also see Barwick 1984: 105).

Clark noted that:

'Clan heads were known as either Nourenit/Narenit or Arweet. The Wada wurrung were the most powerful and influential people in the western district. During his 1841 tour Robinson met with many Wada wurrung clan heads'.

As mentioned marriage was not allowed between two people from the same tribe 'the object of these laws is to prevent marriages between those of one flesh.' (Dawson 1881:26)

Every person is considered to belong to his father's tribe, and cannot marry into it. Besides this division, there is another which is made solely for the purpose of preventing marriages with maternal relatives. The aborigines are everywhere divided into classes, as everyone is considered to belong to his mother's class, and cannot marry into it in any tribe, as all of the same class are considered brothers and sisters. (Dawson 1881: 26)

According to Dawson, the Aboriginals he wrote about within the Western District of Victoria believed in supernatural beings – celestial, infernal and terrestrial. These included good and bad spirits 'Of terrestrial spirits there are devils, wraiths, ghosts and witches, the difference between them being somewhat indefinite (Dawson 1881: 50).' There were many creation stories, (which differed slightly in other areas) which played an important role within belief system of the Wada wurrung clans. Within these creation stories, animals have a significant role. One such story is recounted by Dawson;

There is a tradition that fire, such as could be safely used, belonged exclusively to the crows inhabiting the Grampian mountains; and as these crows considered it of great value, they would not allow any other animal to get light, However a little bird called Yuulion keer –'fire tail wren'- observing the crows amusing themselves by through firesticks about, picked up on and flew away with it. A hawk called Tarrakukk took the firestick from the wren, and set the whole country on fire. From that time there have always been fires from within lights could be obtained (Dawson 1881: 54).

This religious system people were identified with a particular animal plant or natural feature, which like themselves was endowed with life essence by creation ancestors in the Dreamtime (Flood 1990: 273).

The *Wada wurrung* clans who lived on the coast were the first to come into direct contact with the 'ngamadjig/amerjig' or white man. As noted above, this occurred by at least 1802 '...when Lieut. John Murray in the *Lady Nelson*, charted part of Indented Head and named *Swan Bay*' (Clark 1990: 227). The clan that occupied the areas around Geelong, the *Wada wurrung balug*, was probably the next to have direct contact with the white explorers and continued to have the same between 1802 and 1835.

Neerer balug

The *Neerer balug* occupied an area between Geelong and the You Yangs. Clark shows the location of this clan at Hovells Creek but neither the clan head nor the moiety of this group was recorded (Clark 1990: 326). Hume and Hovell reported an encounter with a local Aboriginal group possibly belonging to the clan:

In 1842, Hamilton Hume and William Hovell led an overland exploration party that traversed the Werribee Plains on December 16th. At the Creek they named Kennedy's Creek (Hovells Creek), they encountered some Wada wurrung who showed some aggression to one of the group when they surprised him alone. When the Aborigines saw the size of the expedition they became more circumspect, but were more fearful of the Ngamadjigs's animals than their weapons. (Clark 1990: 279, 280)

Yaawangji

The *Wada Wurrung* clan that occupied the You Yangs was called the *Yaawangji*. Citing Tudehope (1962: 234) this clan name means 'Yawang Hills' and 'Yawang Plains' = You Yangs. In 1835 the *Yaawangji* clan head was named *Murradonnaneuke* (and variants). Clark states that;

Buckley expressed fear of this man, although he proved entirely friendly and was closely associated with Wolmudging, the head of the Wada wurrung balug (sic the Barrabool Hills people). In December 1841 Land Commissioner Addis noted that Murordorake had been killed in 1839 by the 'Yarra's (Woi wurrung)' – his loss was regrettable by colonists because of his support after several 1836 murders (when shepherds refused supplies which Wada wurrung thought was the compensation promised by Batman's party).

Citing several historic sources, Clark lists the approximate territory of *Yaawangji* as the You Yangs (Clark 1990: 331, Table 15). It may be that members of this clan were mostly based in the You Yangs as Clark has clan locations for two other groups close by: the *Worinyaloke balug* on the west side of Little River and the *Neerer Balug* between Geelong and the You Yangs (Clark 1990: 335). Like most of the other clans that made up the *Wada wurrung*, there

is little specific historical information of the *Yaawang*. Other than *Murodorake*, the only other individual discussed (at least by Clark) is Billy Leigh, in relation to his death.

5.1.8 Wada wurrung Hunting and Gathering

The details of traditional *Wada wurrung* settlement patterns, technology and social organisation are unknown. It can be assumed that they were mobile hunters and gatherers who occupied a specific range over which they moved according to subsistence requirements and trading and social obligations.

Plains fauna such as kangaroo and emu were hunted for food. Dawson (1881) writes that several kinds of kangaroo were eaten, as well as wombat, wild dog, porcupine ant-eater, possum and other smaller animals. Fish was also consumed such as eel and shell fish.

Of fish, the eel is the favourite; but besides it, there are many varieties of fish in the lakes and rivers, which are eaten by the natives. (Dawson 1881: 19)

Smaller foods such as grubs were also part of Indigenous people's diet. These were usually cut out of trees and eaten alive.

The grubs are about the size of the little finger, and are cut out of trees and dead timber, and are eaten alive, while the work of chopping is going on... but ... caution is necessary to avoid their powerful mandibles, ever ready to bite the lips or tongue' (Dawson 1881: 21).

The western basalt plains probably provided edible plant species such as Murnong. These were gathered by women using digging sticks with the tubers eaten raw or cooked (Zola and Gott 1990: 52).

It is much esteemed on account of its sweetness, and is dug up by the women with the muurang pole. The roots are washed and put into a rush basket made on purpose, and placed on the oven in the evening to be ready for next mornings breakfast. ...the cooking of the muurang entails a considerable amount of labour on the women, inasmuch as the baskets are made by them; and as these often get burnt they're rarely served more than twice. The muurang root, when cooked, is call yuwatch. It is often eaten uncooked. (Dawson 1881: 21)

Root plants such as these were abundant as they are safer from animals and birds growing beneath the soils. Plants were also used for medicines, including River mint and Old Man Weed, which were used for colds and chest problems. Gum from gum trees and wattle barks were also used for burns and stomach issues. Plants for medical uses could be prepared in a number of ways; Infusion, steaming, smoking, poultices, and binding of the plants around the head. (Zola and Gott 1990: 52).

5.2 *Wada wurrung* Post-Contact History

The presence of *Wada wurrung* people in the area continued to be written about, mostly in government correspondence, until they were forced onto mission stations such as at Buntingdale or until their integration into the broader community. As an indication of their decline Clark records:

'Fyans noted that when he arrived in the Geelong district in 1837 he was ordered to assemble all the Aboriginal population to receive gifts. Assisted by William Buckley all the Aborigines within 30 miles of Geelong were assembled, amounting to 297 men, women and children. Each received a blanket and a portion of flour. In 1858 Fyans considered that no more than 20 of these 297 people were alive.' (Clark 1990: 299)

In 1861, the surviving *Wada wurrung* were gathered onto a parcel of land at Mt Duneed, the Duneed Reserve, on which a 'shelter hut' had been installed (Clark 1990: 300). The remnant population, which around this time appears to have numbered eleven people, were encouraged to stay at the Duneed Reserve and were prohibited from staying in the Geelong Township after sundown. There is considerable historical detail on the fate of particular individuals. According to Clark the last 'full blood' *Wada wurrung balag* who was known as 'King Billy...whose Aboriginal name was *Waurm Bunyip* or *Worm Banip* died at the Geelong hospital on the 11th of November 1885' (1990: 306). In relation to other *Wada wurrung* clans Clark records the demise of Billy Leigh of the *Yaawang* (You Yangs):

'Billy Leigh, purported to be the last of the Yawang (sic Yaawang) clan, died on the 9th of August 1912. Billy had been adopted by Fredrick Armytage and his wife, the owners of Wooloomanata Station. He was baptized and confirmed in the Trinity Church of England in Lara, and when he died the Armytages erected a memorial above his grave in the eastern cemetery in Geelong.' (Clark 1990: 335)

Wadawurrung Post- Contact history continues to this day and Wadawurrung people are represented by the Wathaurung Aboriginal Corporation and continue the tradition of caring for country.

5.3 Land Use History

Early Settlement of Victoria

In the mid-1830s permanent European settlement of Victoria commenced with the arrival of the first squatters. A treaty was signed in 1835 by John Batman and elders of the local Aboriginal inhabitants for an arrangement to exchange supplies of basic goods for the provision of 600,000 acres of land (Kociumbas 1992: 190-191). The treaty was never recognised by the Government in NSW.

By 1838 squatters had moved into large areas of Victoria and usurped large tracts of land from the resident Aboriginal people for the purpose of grazing livestock. Spreadborough and

Anderson (1983: ix) discuss the 'squatting expansion' between 1834 and 1860, noting that '...it was the early squatters who were permitted to become 'free' selectors, choosing and learning about their land with a fair degree of independence from official control'. The first decade of this expansion saw squatters taking up land across Victoria, particularly on the plains north of Melbourne and running westward to Geelong (Spreadborough & Anderson 1983: Figure 1).

Township of Lara

The first land sales in the parish of Lara occurred in the late 1850s. Subdivision of Section 15A was offered by J. Bates for the establishment of the township of Lara. To the west, James Austin advertised his land, subdivided to form Cheddar Farms and the Cheddar Township. To the east, John Highett attempted to commence the township of Swindon. Settlement in the Parish of Lara at this time consisted of small pastoral holdings around the larger estates such as Elcho, Marathon and Wooloomanatta. The first hotel; the Robin Hood' was situated at Lanercost (along the Princes Hwy) but was licensed for only 2 years. The subsequent You Yangs Hotel was licensed in 1857 and in 1872 the Lakebank Hotel was opened on the corner of Canterbury Road West and Forest Street (Bayce 1974: 8; Rowe and Huddle Vol.2 1998-2000:12).

By 1882 the fledgling Lara township included a state school, three churches and a small settlement with a population of around 200 (Shire of Corio 1864, A brief History: 6). The name of 'Lara' did not come about until 1874. Prior to that the township was known variously as Kennedy's Creek (as called by Hume and Hovell), Woon Yallock, Limeburners Creek, Ducks Ponds, Ducks Pond Creek and Hovell Creek in 1872 (Shire of Corio 1864, A brief History: 5).

Land use History of Activity Area

The activity area in Flinders Lane, which is part of Crown Allotment 7, Section 11, Parish of Woornyalook, was first sold by the government in the 1870s. Allotment 7 was granted to Stephen Young in August 1876.

Allotment 7 was repurchased by the Crown around the early 1900s under the Closer Settlement Act (1904). The act was created to boost Victoria's farming industry and land economy, which were severely damaged during the 1890s Depression (PROV Website). The government bought a large quantity of land across the state and resold them as smaller farm blocks. The new crown grantees were required to farm, graze or to improve the acquired land for up to six years before any land transaction or mortgages could take place (PROV website).

It was in this context that Allotment 7 was bought and then resold by the Crown as smaller blocks. Allotment 7 became Crown Allotments 1-4 within Section D, Township of Lara (Township Plan of Lara, 1959). They were sold in the 1920s and 30s as Agricultural Labourer's Allotments, and the new crown grantees were:

Volume/Folio	Crown Allotment	Section	Crown Grantee	Occupation of Crown Grantee
6196/096	2	D	Terence Brennan Walsh	Attendant
4932/342	4	D	Edward Ernest Kent	Farmer

Table 7 - Previous land owners

Currently the Activity Area is used for livestock grazing and farming, and is part of a larger rural holding (see Figure 2)

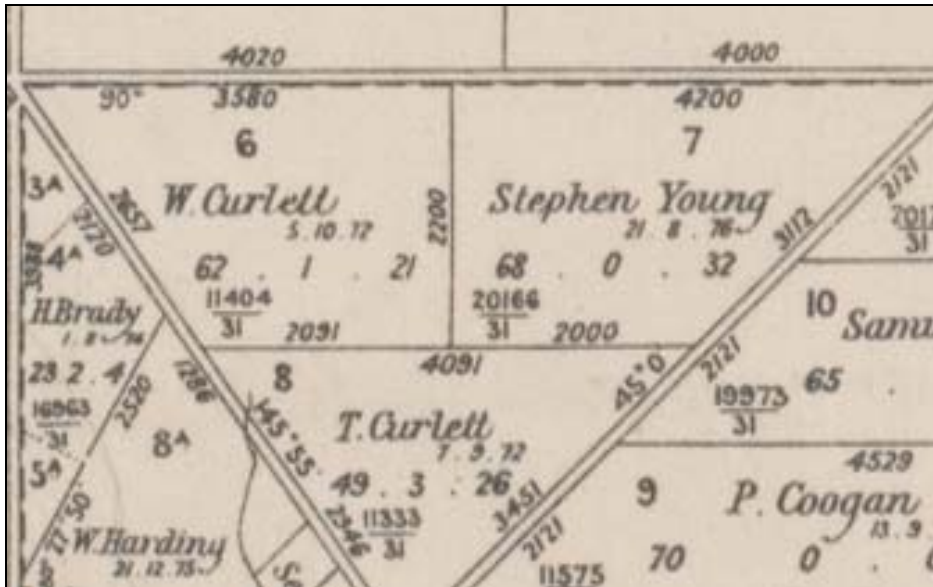


Figure 1 - Part of Parish of Woornyalook (1880) showing the activity area within Crown Allotments 6 and 7 in Section 11. National Library of Australia Digital Collection. Access no. MAP RM 2741/318

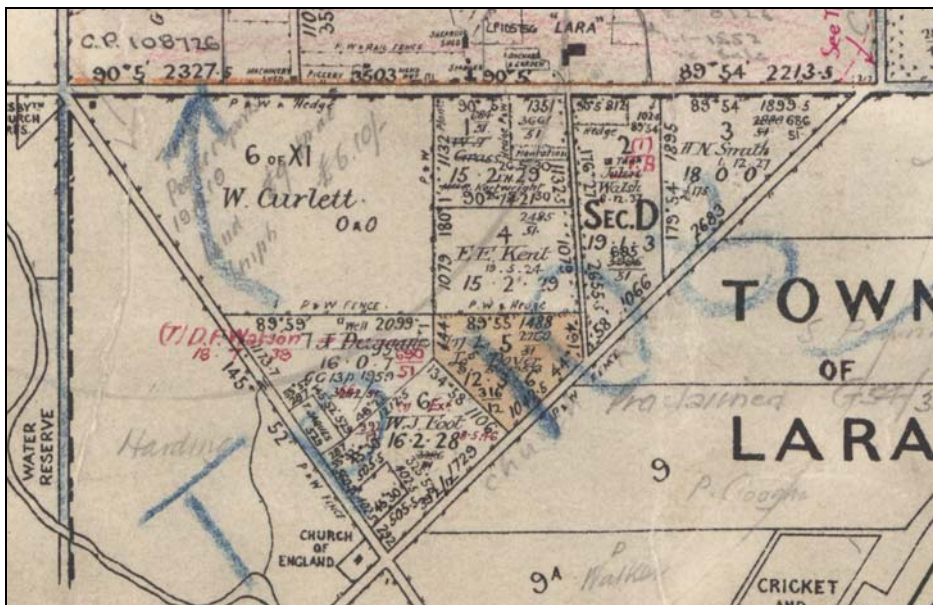


Figure 2 - Closer Settlement Plan Lara Estate showing the activity area under Closer Settlement Act The plan was created in 1906 with information being added on in the later years. Public Record Office of Victoria Collection

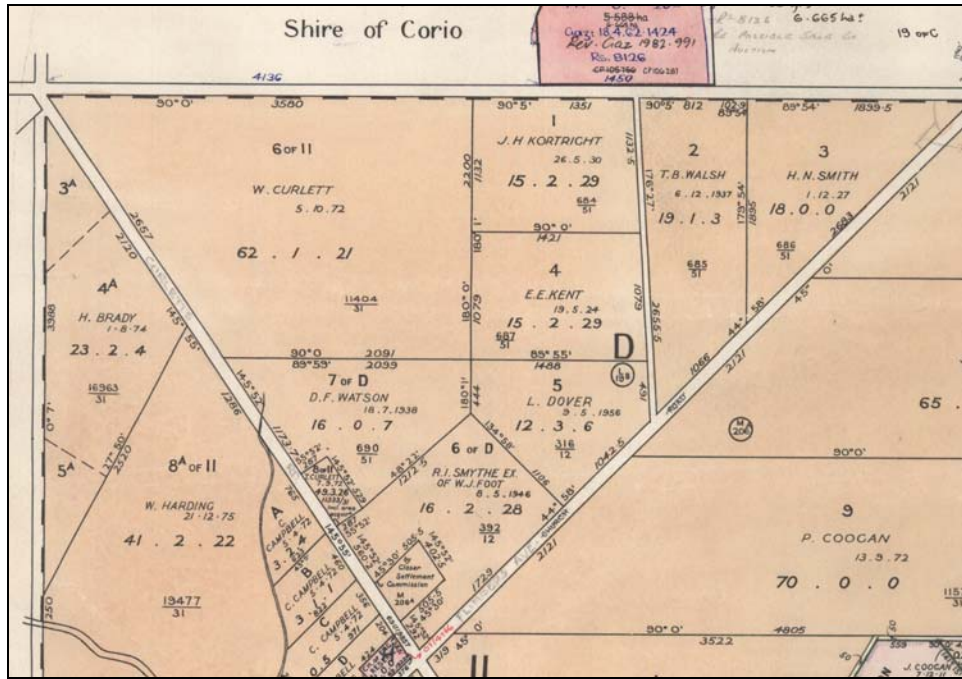


Figure 3 - Part of Township of Lara (1959) showing Crown Allotments 2, 4 and 5, Section D, and Crown Allotment 6, Section 11. Public Record Office of Victoria Collection



Figure 4 - 2015 aerial photograph from Google Maps of the Activity Area and surrounding geography

5.3.1 Landforms and/or geomorphology of the Activity Area

Climate

Lara has a temperate climate with cold to mild winters and hot summers. Annual rainfall is between 400 and 600 mm, falling evenly through the year but highest from August through to October. Summer temperatures are warm to hot, averaging 24 to 27 degrees Celsius. Winter temperatures are cold, averaging 9 to 12 degrees Celsius, with the lowest winter minimums in July and August. (see LCC 1985)

Regional Geology and Geomorphology

In his explanatory notes for the Geelong Geological map sheet (Department of Mines 1:63,360 map sheet), Spencer Jones (1970) describes the physiography of Geelong and surrounding area;

Broadly speaking the area is a plain, consisting of extensive basalt flows overlying and partly blanketing flat-lying Tertiary sediments. This plain has been broken into several units by block faulting and is dominated by the raised Barrabool Hill fault or horst, which exerts a controlling influence on the outcrop geology and drainage pattern. The Roswell Fault and Lovely Banks Monocline, both orientated broadly north south, are part of the major fault system, which forms the western side of the Port Phillip Sunklands or graben. These structures progressively step down the plain level of the country from the northwest to the east across the Geelong standard sheet area (Spencer-Jones 1970: 7)

On the origins of these plains he notes:

These flows represent several phases of evolution and extrusion and the coalescing of these flows has resulted in the development of lava plains in the low lying areas. The basalt flows in the northern half of the area emanated from eruption centres to the north, for example, three eruption centres at Anakie. Three prominent eruption centres within the area are Mts. Moriac, Pollack, and Duneed (Spencer Jones 1970:7)

Freshwater limestone formations are also common within the Lara area. These are Pleistocene in age and have been described by Spencer Jones:

Freshwater limestone's associated with sand and gravel out crop at sea level on Limeburners Point and over a fairly wide area near the township of Lara. They outcrop in the valley of Hovells Creek upstream from the Princes

Highway. The limestone and associated sediments overlie the NV1 basalts and obviously formed in lakes dammed by some of the basalt lava flows. A high percentage of detrital material is of granitic origin suggesting that the source area may have been the You Yangs. Marsupial bones and fresh water mollusks have been found in these sediments and recorded at Limeburner's Point and Lara (Spencer Jones 1970:6)

Local Geology and Geomorphology

The 1:63,360 Geological map for Geelong shows that the Activity Area samples the freshwater limestone formations that are discussed above and also within unnamed colluvium, described as fluvial ; gully alluvium, colluvium consisting of gravel sand and silt.

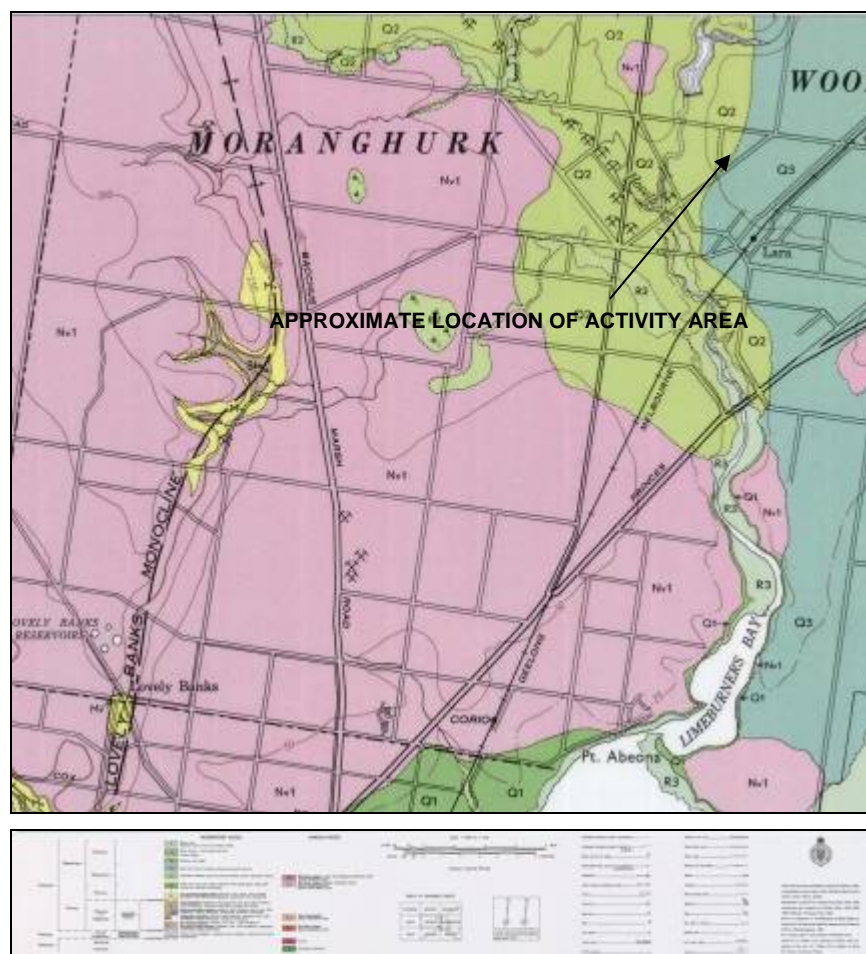


Figure 5 - 1:63,000 Geology map a Geelong. Drawn for reproduction in the Department of mines, 1963

Hydrology

The closest waterway to the Activity Area is a drainage channel that runs from Lake Serendip to the north into the main water source; Hovells Creek, approximately 500 metres south of the Activity Area. Hovells Creek is approximately 26 kilometres long starting below Mt Anakie and drains into Limeburners Bay on the northern shoreline of Corio Bay.

Flora and Fauna

Lara and the surrounding district have been extensively cleared of the native vegetation to allow for grazing and other farming activities that have been the main economic use of the land since European settlement. The LCC (1985) describes the current vegetation as '*disturbed or altered...usually occupied by pasture species and occasional native grassland*'. The once more extensive native grasslands were probably dominated by kangaroo grass or similar species. The LCC also provides extensive lists of the native terrestrial fauna in the Lara area, noting that most of the larger species are now locally extinct (see LCC 1985).

5.3.2 Conclusions from the Desktop Assessment

The Desktop Assessment shows that Aboriginal people would have been present within the Lara area both before and after European Settlement. There have been several assessments undertaken that have resulted in sites located around the broader Lara area. Most of these are low density artefact scatters found close to water sources. One assessment conducted by Toscano (2013) is located to the immediate west and adjacent to the current Activity Area, and recorded 6 surface artefacts. Two sites were recorded in this area as low density surface scatters. While these sites are unlikely to extend further into the current Activity Area, their close proximity is noted here (particularly 7721-1236-2 which is located close to the western boundary of the current Activity Area) and the continuation of low density artefact scatters may account for the presence of some surface artefacts within the current Activity Area. Other surveys that have been conducted further away and to the east of Hovells Creek resulted in only very low density surface artefact scatters (Marshall 2002 and 2006, Schell 2003 and 2003a), although subsurface testing is required in some of these areas to provide a more accurate archaeological record of sensitive material.

In summary, the Desktop Assessment has indicated that it is likely for Aboriginal Cultural Heritage to be found within the Activity Area, more particularly in the form of isolated artefacts or low density artefact scatters, possibly within both surface and subsurface deposits. The background study of the land use history indicated that the Activity Area is part of a larger holding that has been used for agricultural purposes in the past as well as today. This could have caused disturbance to any surface artefacts, or shallow subsurface artefact deposits that may be present within the Activity Area.

5.4 Standard Assessment

5.4.1 Standard Assessment Methodology

Due to the very poor ground surface visibility, a survey via formal transects was not undertaken. Instead a general survey which included a walk over the entire Activity Area was conducted with emphasis on sections that retained better visibility. Notes and photographs were taken of any changes in landform or elevation, features and disturbances as well as other general observations. The surveying of the ground surface was opportunistic, with any patches of visibility thoroughly examined. Mature trees were checked for cultural scarring and the area was scanned for rock shelters caves and cave entrances, of which there were none. The following division has been established to assess ground surface visibility. The higher the percentage the less vegetation:

- Excellent visibility 90-100%
- Good 50-90%
- Poor 30-50%
- Very Poor 0-30%

5.4.1.1 Personnel

The following table lists the participants in the field investigation.

Date	Name	Role
12 October 2015 and 14 October 2015	Will Truscott	Supervising Archaeologist
14 October 2015	Monica Toscano	CHA
12 October 2015	Anthony Hamdorf	Archaeologist
12 October 2015	Chloe Clarke	Wathaurung Representative
12 October 2015	Kacie Mitchell	Wathaurung Representative
14 October 2015	John Clarke	Wathaurung Representative

Table 8 - Names of persons who took part in the survey.

5.4.1.2 Obstacles and Constraints

Ground visibility was extremely poor for the majority of the Activity Area.

5.4.1.3 Survey Results

131 Flinders Avenue

The part of this property within the Activity Area consists of a paddock covering approximately 0.6 ha at the rear of the lot. At the time of the survey this part of the Activity Area was blanketed with short grass cover with little ground surface visibility (5%). Patches of ground surface were visible around the line of trees that were situated along the boundaries of the paddock. The land was uniformly flat with no changes in landform or elevation.



Photograph 1 - View south of Activity Area within 131 Flinders Avenue.



Photograph 2 - View south of Activity Area within 131 Flinders Avenue.

143 Flinders Road Avenue

This section of the Activity Area showed little to no ground surface visibility as it was covered in long grasses (2%). A small patch of ground surface exposure was noted around a single tree which was thoroughly examined. The ground was uniformly flat with no major changes in landform or elevation.



Photograph 3 - View west of Activity Area within 143 Flinders Avenue.



Photograph 4 - View north of Activity Area within 143 Flinders Avenue.

21 Caddys Road

This section of the Activity Area is a residential property with an existing house and associated structures and as a result, several disturbances were noted during the survey. At the front of the property is a concrete driveway leading into the backyard and garage, as well as a connecting concrete pathway along the eastern edge of the house, leading around to the backyard. In the front yard disturbances were noted from pipes/ drainage as well as a recently cut trench for a power pole. In the rear of the property was a large storage container as well as a large shed located in the south western corner. Two smaller sheds are also located in the rear of the lot, one immediately south of the dwelling and one in the north west corner. Several piles of rubbish are visible, as well as a small bonfire with coal and burnt rubbish

spread across the yard. Another concrete path leads from the back door of the house to the larger shed. Due to these disturbances and overgrown vegetation, ground surface visibility was approximately 5%.



Photograph 5 - View west of Activity Area within 21 Caddys Road (front yard)



Photograph 6 - View northeast of Activity Area within 21 Caddys Road (backyard)



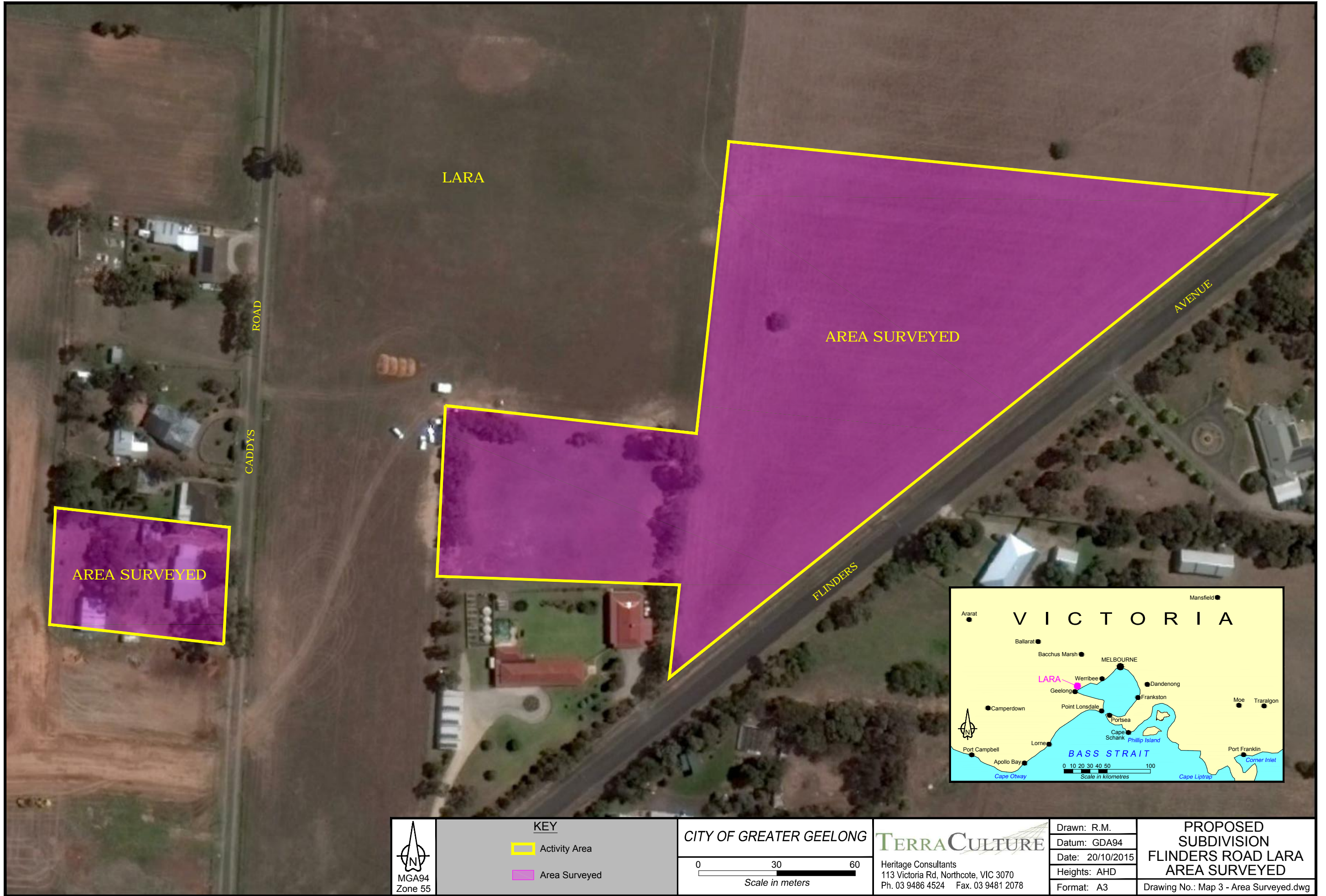
Photograph 7 - View west of Activity Area within 21 Caddys Road 2 (front yard)



Photograph 8 - View east of Activity Area (rear of property).

5.4.2 Conclusions from the Ground Survey

No Aboriginal Places were identified during the Standard Assessment. Most of the Activity Area was covered with long grasses with ground surface visibility extremely poor and as a result the effective survey coverage was estimate at approximately 0.25ha. The part of the Activity Area within an existing residential property had been heavily disturbed from the construction of the house, sheds, concrete paths and other associated features. The entire Activity Area was uniformly flat with no major changes in landform or elevation and no areas of potential sensitivity were identified. Given the poor visibility across the majority of the Activity Area, and taking into consideration the previously registered sites nearby, a Complex Assessment should be undertaken to sample the underlying deposits and to test the area for subsurface cultural heritage material.



MAP 2: Showing Area Surveyed.

5.5 Complex Assessment

5.5.1 Aims of the Complex Assessment

The aims of the Complex Assessment were to sample the underlying deposits and determine whether subsurface Cultural Heritage is present within the Activity Area.

5.5.2 Methodology of the Complex Assessment

Following Burke and Smith (2004: 66 – 68), a random and judgment sampling strategy was adopted for the Complex Assessment. Initially a 1m x 1m test pit was excavated within 50 metres of previously registered site VAHR 7721-1236. A second 1m x 1m test pit was excavated within the approximate middle of the Activity Area. Following this, sixteen 50cm x 50cm test pits were excavated in a grid formation over both of the properties off Flinders Avenue, with spacing of 50 metres. Within 21 Caddys Road, subsurface testing was opportunistic due to the existing conditions and disturbances, with four 50cm x 50cm excavated within the property.

The location of each test pit was recorded by a differential GPS (MGA 95 Zone 55 Coordinates) with photographs taken at the end of each spit followed by depth taken with an automatic (dumpy) level with a datum temporarily established. Munsell and pH readings were also taken on each stratigraphic deposit. The 1m x 1m test pit was excavated manually, using horizontal control of 10 cm spits and recorded in terms of stratigraphy and archaeological content. The 50 cm x 50 cm test pits were also excavated manually according to stratigraphy. Tools used during the excavations included spade, trowel and brush. A crow bar was also used when the deposit became impenetrable using a spade. Spoil piles were placed approximately one metre from the pit and all deposits were screened using a 4 mm gauge sieve.

5.5.2.1 Personnel

The following table details the participants of the Complex Assessment:

Date	Name	Role
12, 13 and 14 October 2015	Will Truscott	Supervising Archaeologist
14 October 2015	Monica Toscano	CHA
12 and 13 October 2015	Anthony Hamdorf	Archaeologist
12, 13 and 14 October 2015	Chloe Clarke	Wathaurung Representative
12 and 13 October 2015	Kacie Mitchell	Wathaurung Representative
14 October 2015	John Clarke	Wathaurung Representative

Table 9 - Names of persons who took part in the subsurface testing.

5.5.3 Results of the Complex Assessment

The following section details the results of the Complex Assessment, which comprised a total of two 1m x 1m and twenty 50 cm x 50 cm test pits excavated throughout the Activity Area. The tables below summarise these results;

Test Pit ID	Location MGA 55 GDA 94 Easting	Location MGA 55 GDA 94 Northing	Depth (cm)	Artefacts	Soil Profile, Munsell and pH
Test Pit A	272709	5789599	25	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 4/3 pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 4/3 pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3 pH 7.0
Test Pit B	272872	5789618	20	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 4/3. pH 7.0 2-10 cm: Brown compact clayey silt Munsell 7.5YR 4/3. pH 7.0 10-20 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0

Table 10 - 1m x 1m Test Pit Location Summary.

Test Pit ID	Location MGA 55 GDA 94 Easting	Location MGA 55 GDA 94 Northing	Depth (cm)	Artefacts	Soil Profile, Munsell and pH
Test Pit 1	272821	5789691	25	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 2	272871	5789691	20	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-10 cm: Brown compact clayey silt Munsell 7.5YR 5/3 pH 7.0 10-20 cm: Dark red/brown compact clay Munsell 7.5YR 3/3 pH 7.0
Test Pit 3	272921	5789691	20	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0

					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 4	272971	5789685	15	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 5	273015	5789682	19	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 6	272821	5789641	25	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 7	272871	5789641	23	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 8	272921	5789641	22	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 9	272965	5789642	30	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 10	272721	5789591	25	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0

					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 11	272771	5789591	22	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0
					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 12	272821	5789591	20	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0
					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 13	272871	5789591	26	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0
					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 14	272721	5789541	20	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0
					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 15	272771	5789541	25	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0
					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 16	272821	5789541	40	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0
					2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0
					15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0

Test Pit 17	272577	5789521	15	0	0-8 cm: Brown silt loose quartz pebbles. Munsell 7.5YR 5/3. pH 7.0 8-15 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 18	272578	5789547	40	0	0-2 cm: Brown silt loose with frequent grass roots. Munsell 7.5YR 5/3. pH 7.0 2-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 19	272566	5789562	20	0	0-15 cm: Brown compact clayey silt, with plastic pieces. Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0
Test Pit 20	272562	5789545	20	0	0-15 cm: Brown compact clayey silt Munsell 7.5YR 5/3. pH 7.0 15-20/25 cm: Dark red/brown compact clay Munsell 7.5YR 3/3. pH 7.0

Table 11 - 50 cm x 50 cm Test Pit

5.5.3.1 Test Pit Descriptions

A total of two 1m x 1m and twenty 50cm x 50cm test pits were excavated across the Activity Area. The first 1m x 1m test pit (EP1) was located within 50 metres of previously registered site VAHR 7721-1236. The stratigraphic profile of this pit revealed shallow deposits with brown loose silt with frequent grass roots over slightly compact brown silt over red/brown blocky clay. The second 1m x 1m test pit (EP2) was positioned within 143 Flinders Avenue, in the approximate middle of the property and showed the same stratigraphic profile as EP1. The smaller test pits (50cm x 50cm) were excavated in a grid formation over properties 131 and 143 Flinders Avenue, spaced out every 50 metres. 21 Caddys Road was sampled opportunistically due to the residential house and associated structures. In addition the lot was scattered with rubbish. The majority of the 50cm x 50cm test pits comprised similar subsurface soil profiles to the 1m x 1m test pits, with variations noted within disturbed deposits. For example, Test Pit 17 excavated within 21 Caddys Road showed a layer of silt with introduced quartz pebble inclusions over red/brown clay. Test pit 19, also excavated within 21 Caddys Road revealed disturbance through the first 20cm with black plastic pieces recorded throughout.



Photograph 9 - End levels of EP1



Photograph 10 - End levels of EP2



Photograph 11 - End levels of Test Pit 3



Photograph 12 - End levels of Test Pit 17

5.5.3.2 Stratigraphy

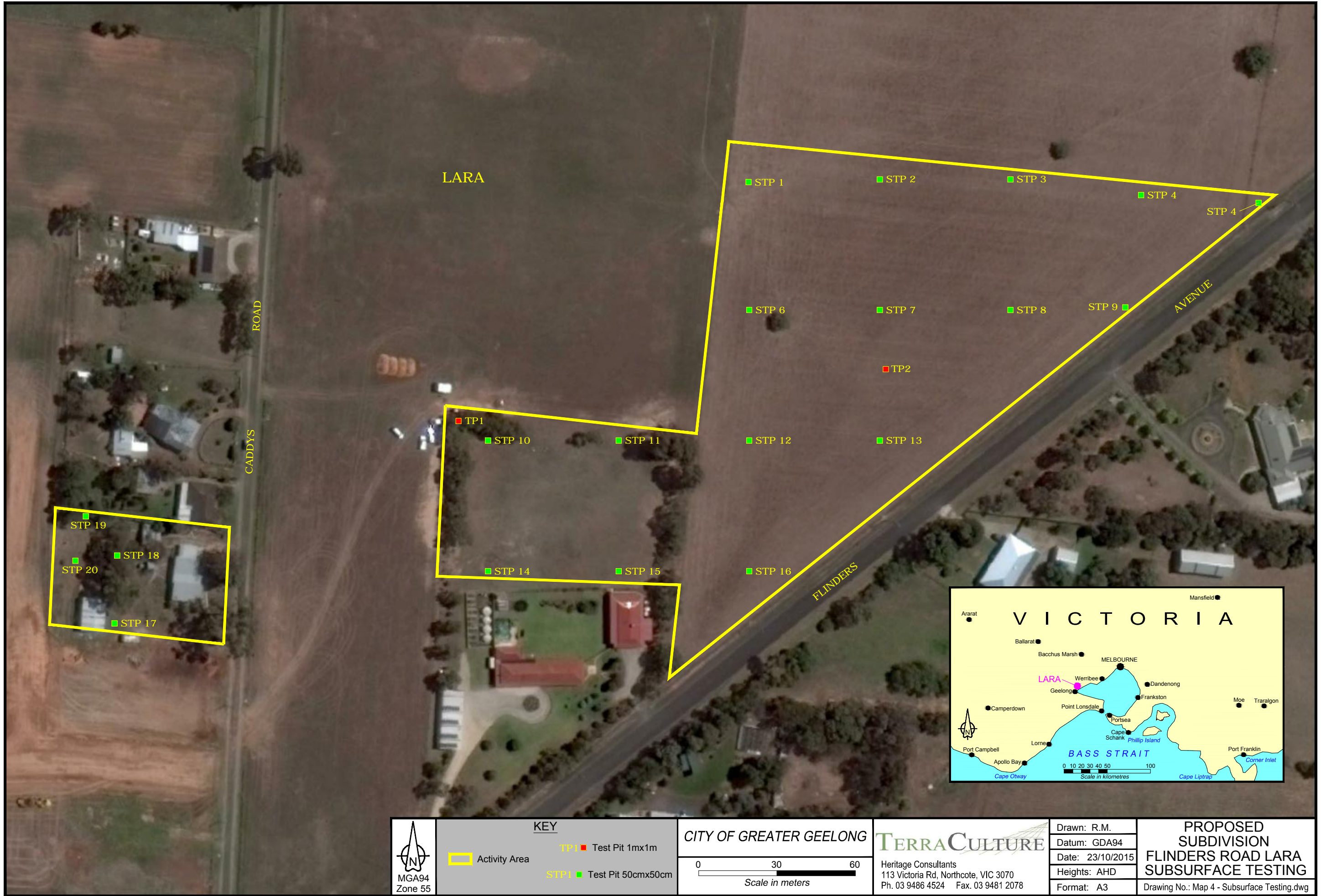
There was little variation in the stratigraphy throughout the Activity Area. The majority of pits excavated revealed brown compact silt over red/brown clay. Average depth of clay deposits was 24cm. Test pits that displayed a different soil profile were generally those that sampled disturbed deposits, mainly in 21 Caddys Road.

5.5.3.3 Obstacles and Restraints

The owner of 21 Caddys Road requested that no excavation occurred within the front of his property.

5.5.4 Conclusions from the Complex Assessment.

No Aboriginal Places were recorded during the subsurface testing. Excavation revealed a shallow subsurface profile consisting of brown compact silt over clay. Variations to the stratigraphic profile were only seen in test pits that showed evidence of disturbance, confined to the excavations within 21 Caddys Road.



MAP 4: Showing Subsurface Testing.

6. Details of Aboriginal Cultural Heritage in the Activity Area

No Aboriginal cultural heritage was identified within the Activity Area during the assessment.

7. Consideration of Section 61 Matters – Impact Assessment

7.1 Section 61 matters

7.1.1 Dispute Resolution

In case of a dispute arising between the Sponsor and the RAP regarding cultural heritage management in the Activity Area the procedures outlined in Section 9.1.1 of this Report should be adhered to.

7.1.2 Section 61 - Harm Avoidance/Minimisation

As there was no Aboriginal cultural heritage or areas of potential identified during the assessment there are no requirements under Section 61 of the Aboriginal Heritage Act (2006).

7.2 Are there particular contingency plans that might be necessary?

Contingency Plans that are relevant for this Activity Area are detailed in Section 9 of this report. They include the following:

- Dispute resolution (Section 9.1.1);
 - Discovery of Aboriginal cultural heritage during works (Section 9.1.3);
 - Reporting discovery of Aboriginal cultural heritage during works (Section 9.1.3);
 - Management of Aboriginal cultural heritage discovered during works (Section 9.2);
- and,
- Reviewing compliance (Section 9.3).

7.3 What custody and management arrangements might be needed?

As there was no Aboriginal cultural heritage identified during the assessment there is currently no requirement for custody and management arrangements.

However, as outlined in Section 9.4 of this report, were any Aboriginal cultural heritage to be identified during the completion of the Activity it would be the responsibility of the Sponsor to arrange for an appropriately qualified CHA to process, catalogue and assess the material. Following this the RAP for the area, the Wathaurung Aboriginal Corporation, would assume responsibility for the custody of this material.

PART 2 - CULTURAL HERITAGE MANAGEMENT RECOMMENDATIONS

Note: These recommendations become compliance requirements once this Cultural Heritage Management Plan is approved.

8. Specific Cultural Heritage Management Requirements

8.1 Management Prior to the Activity

- Prior to Activity commencement the Sponsor or its civil contractors must provide appropriate inductions regarding Aboriginal cultural heritage for all personnel undertaking ground disturbing works within the Activity Area. These inductions must be presented by a representative of the Wathaurung Aboriginal Corporation. These inductions will include the provision of appropriate OAAV Aboriginal cultural heritage Mini-posters for display to assist with the identification of Aboriginal cultural heritage during operations. The RAP must be provided with at least two weeks notice of the requirement to present a Cultural Heritage Introduction. All costs associated with the inductions will be covered by the Sponsor.
- Access to the Activity Area must be provided to representatives of the Wadawurrung before the commencement of works for the purpose of ensuring compliance with the CHMP. The representatives of the Wadawurrung must comply with all OH&S requirements.

8.2 Management Needed During the Activity

- All works must be restricted to the extent of the Activity Area as this is shown in Map 1;
- A copy of this CHMP must be kept onsite
- Access to the Activity Area must be provided to representatives of the Wadawurrung during the construction for the purpose of ensuring compliance with the CHMP. The representatives of the Wadawurrung must comply with all OH&S requirements.
- In the event that additional cultural heritage is recovered during the activity, the contingency plan in section 9.1 and 9.2 must be followed.

8.3 Management Needed After the Activity

- Should any artefacts be recovered during the Activity, they will be analysed and catalogued by the CHA, labelled and packaged with reference to provenance and returned to the site to be reburied in a suitable location at cost to the Sponsor (refer to Sections 9.1 and 9.2);
- Access to the Activity Area must be provided to representatives of the Wadawurrung after construction for the purpose of ensuring compliance with the CHMP. The representatives of the Wadawurrung must comply with all OH&S requirements.
- No additional archaeological investigations are required.

9. Contingency Plans

9.1 Section 61 Matters

9.1.1 Dispute Resolution

RAP Authorised Project Delegate: Katrina Thomas,
Interim Wathaurung RAP Manager
Phone: (03) 4308 0420
Email: katrina@wathcorp.com.au

Sponsor Authorised Project Delegate: Chris Marshall
TGM Group Pty Ltd
Phone: (03) 5202 4600
Address: 27-31 Myers Street
Geelong, Victoria 3350
Email: chrism@tgmgroup.com

Resolution of any disputes between the Sponsor and the Wadawurrung in relation to the implementation of the CHMP or the conduct of the activity

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 relevant RAPs 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 those parties conduct themselves in good faith. If a dispute arises that may affect the conduct of the activity, resolution between parties using the following Informal Dispute Resolution guidelines is recommended.

Informal Dispute Resolution

- The party raising the dispute must complete a Dispute Notification Form (included below) and email or fax a copy to the other party delegate (as listed above).
- Project delegates (as listed above) of each party (RAP and Sponsor) must attempt to negotiate a resolution to any dispute related to cultural heritage management of the activity area within 48 hours of written notice being received that a dispute between parties is deemed to exist. If the project delegates cannot reach an agreement, representatives of both parties must meet to negotiate a resolution to an agreed schedule.
- If representatives of the relevant parties fail to reach an agreement, an independent mediator must be initially sought to assist in resolving the dispute. A timeframe for the

independent mediator must be agreed upon by both parties. If an independent mediator cannot be agreed on, mediation shall be effected by a mediator nominated upon the application by either party, by the Victorian Chapter of the Institute of Arbitrators and Mediators or the Dispute Settlement Centre of Victoria.

- If the matter remains unresolved after mediation the Parties shall seek to agree upon the appointment of an independent arbitrator to hear and resolve the matter. In the absence of agreement as to an arbitrator, arbitration shall be effected by an arbitrator nominated upon the application by either Party by the Victorian Chapter of the Institute of Arbitrators and Mediators, or, failing such nomination within 28 days, appointed with the provisions of the *Commercial Arbitration Act (Vic) 1984*.
- A reference to arbitration under this Clause shall be deemed to be a reference to arbitration within the meaning of the laws relating to arbitration in force in the State of Victoria. The arbitrator shall have all the powers conferred by those laws. The arbitrator's decision shall be final, subject to any rights of appeal under the *Commercial Arbitration Act (Vic) 1984*.
- The procedures concerning mediation and arbitration, including payment of costs, shall be agreed between the Parties. These arrangements do not preclude any legal recourse open to the Parties being taken but the Parties agree the above avenues will be exhausted before such recourse is made.

In order to facilitate the above procedure:

- The Party with the grievance must notify each other Party of the problem at the earliest opportunity;
- Throughout all stages of the procedure all relevant facts must be clearly identified and recorded;
- All disputes will be jointly investigated; and
- Sensible time limits must be allowed for completion of the various stages of discussion. However, the parties must cooperate to ensure that the dispute resolution procedures are carried out as quickly as possible.

Without prejudice to either party, and except where a bona fide safety issue is involved, and/or when the nature of the work or the area affected by the work concerns the matter in dispute, Work should continue in accordance with this Plan while matters in dispute between them are being negotiated in good faith. No party shall be prejudiced as to final settlement by the continuance of work in accordance with this procedure.

Any corrective or remedial activities required by a resolution to a dispute under this Clause (e.g. repairing damage to sites) will be overseen by representatives from the *Wadawurrung* and will take place in accordance with their instructions.

DISPUTE RESOLUTION NOTIFICATION FORM					
Cultural Heritage Plan No					
Relevant Party Making the Dispute:					
Contact Person:					
Date:					
Nature of the Dispute:					
Proposed Meeting Time/Date & Place:					
Relevant parties who have been sent (email or fax) this notification (tick box):					
Party to Agreement	Name of Delegate	Fax	Postal Address	Email	Contacted (✓)
RAP	Katrina Thomas (WAC Interim RAP Manager)	(03) 4308 0421	PO Box 734 Ballarat VIC 3353	Katrina@wathcorp.com.au	
The Sponsor					
Site Supervisor					
CHA					

Discovery of Aboriginal Cultural Heritage during Works

9.1.2 Unexpected discovery of Human Remains

If any suspected human remains are found during any Activity, works must cease. The Victoria Police and the State Coroner's Office (1300 309 519) should be notified immediately.

Do not contact the media. If there are reasonable grounds to believe that the remains are Aboriginal, the State Control Centre must be contacted immediately on 1300 888 544. This advice has been developed further and is described in the following 5 step contingency plan. Any such discovery at the Activity Area must follow these steps.

Discovery:

If suspected human remains are discovered, all Activity in the vicinity must **stop** to ensure minimal damage is caused to the remains; and,

The remains must be left in place, and protected from harm or damage.

Notification:

Once suspected human skeletal remains have been found, the Coroners Office (1300 309 519) and the Victoria Police must be notified immediately;

If there is reasonable grounds to believe that the remains could be Aboriginal, the State Control Centre must be immediately notified on 1300 888 544; and

All details of the location and nature of the human remains must be provided to the relevant authorities.

If it is confirmed by these authorities that the discovered remains are Aboriginal skeletal remains, the person responsible for the Activity must report the existence of the human remains to the Secretary, DPCD in accordance with s.17 of the Act.

Impact Mitigation or Salvage:

The Secretary, after taking reasonable steps to consult with any Aboriginal person or -body with an interest in the Aboriginal human remains, will determine the appropriate course of action as required by s.18(2)(b) of the Act.

An appropriate impact mitigation or salvage strategy as determined by the Secretary must be implemented (This will depend on the circumstances in which the remains were found, the number of burials found and the type of burials and the outcome of consultation with any Aboriginal person or body);

Curation and further analysis:

- The treatment of salvaged Aboriginal human remains must be in accordance with the direction of the Secretary.

Reburial:

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

9.1.3 Unexpected Discovery of Aboriginal Cultural Heritage**Discovery:**

A person who discovers Aboriginal Cultural Heritage during the Activity will immediately notify the site Supervisor and suspend any relevant works at the location of the discovery. An appropriate buffer (i.e. 10 metres in terms of an artefact or twice the extent of a tree canopy (drip-line) for a scarred tree) would be established of the relevant site extent

(the “area of exclusion”). Works shall be immediately suspended until the appropriate investigation outlined below is completed;

Notification:

The supervisor would immediately contact the Sponsor of the identification of the Cultural Heritage.

A RAP representative and a CHA would be contacted to evaluate and record the Aboriginal Cultural Heritage and advise on possible management strategies.

In accordance with the requirements of Section 24 of the *Aboriginal Heritage Act 2006*, the person in charge of the Activity will ensure that the Secretary of the Department of Planning and Community Development is notified of the discovery of any Aboriginal Cultural Heritage, by providing the Secretary with completed site record cards (completed by a Cultural Heritage Advisor) as soon as is practicable but within 14 days.

Impact Mitigation or Salvage:

The sponsor must make every effort to avoid harm to the Aboriginal Cultural Heritage

Within a period not exceeding three (3) working days a decision/recommendation will be made by the RAP representative in consultation with the Sponsor and the Cultural Heritage Advisor, as to the process to be followed to manage the Aboriginal Cultural Heritage in a culturally appropriate manner, and how to proceed with the works. Such management may include investigation strategies, salvage operations or *in situ* retention of the Aboriginal Place.

In situ retention involves;

- The preservation of an area of land encompassing the Aboriginal Cultural Heritage that is not disturbed by development. This must be an outcome if the cultural heritage is assessed by the RAP and CHA to have high significance and good contextual integrity;

Investigation strategies include;

- the surface collection of the Aboriginal Cultural Heritage;
- a briefing to contractors on this heritage by the RAP;
- the hand excavation of test pits (2x1 metre, 1x1 metre or other size as needed) to determine the nature of the Aboriginal Place. Additional, hand excavated test pits (such as 50x50cm test pits) are required if the Place is found to have a stratified subsurface component.
- Samples must be taken for dating analysis (if suitable samples are identified).

Work may recommence within the area of exclusion;

- when an appropriate course of action has been agreed between the Sponsor, and the CHA;
- the appropriate protective measures have been taken;
- all parties agree there is no alternative prudent or feasible course of action;
- any relevant Dispute has been resolved.

The sponsor will ensure that the above steps are followed and the legal obligations and requirements are complied with at all times.

The Sponsor is to ensure that all appropriate documentation of the Aboriginal Cultural Heritage is completed and submitted to Secretary of the Department of Planning and Community Development.

9.2 Management of Aboriginal Cultural Heritage Discovered during Works

The RAP has provided the following procedure which must be implemented:

The custody of Aboriginal cultural heritage discovered or salvaged during or after the Activity must be assigned to the *Wathaurung* Aboriginal Corporation. Every effort to avoid harm to any Aboriginal cultural heritage located must be made. If not possible to preserve *in situ*, Aboriginal cultural material will have been collected and must be managed as follows:

- Reburial must take place within 30 days of completion of the activity;
- once reburied, the reburial location must be recorded to sub-metre accuracy by a CHA and be relocatable;
- flagging tape should be laid within the hole, at a depth of 30cm above the reburied cultural material to identify that cultural material is buried below the flagging tape;
- the relevant VAHR site record card must be updated and a 'collection' component form must be completed by the CHA and lodged with OAAV;
- cultural material to be reburied must be placed in a durable container manufactured by WAC;
- a separate container is to be manufactured for each Aboriginal Place to be reburied;
- where an Aboriginal Place is comprised of a large amount of cultural material it will be necessary to manufacture a number of containers to rebury the cultural material;
- the contents of the container must include the cultural material to be reburied, a catalogue of the cultural material, a copy of the relevant sections of the CHMP under which the reburial is being performed, and a handful of soil from the Aboriginal Place from which the cultural material originated;
- a smoking ceremony must be performed prior to the reburial of cultural material;

- the reburial must be attended by a Wadawurrung Elder and a Wadawurrung field representative; and
- the cost of the manufacture of the container, the analysis and preparation of the cultural material for reburial, smoking ceremony and Wadawurrung attendance at the reburial must be borne by the Sponsor.

9.3 Reviewing Compliance

To ensure that the work carried out is in compliance with the recommendations of the CHMP a copy of the checklist, included as Appendix 3 must be present on site during the Activity and referred to as necessary. Access to the Activity Area must be provided to representatives of the Wathaurung Aboriginal Corporation before, during and after construction for the purpose of ensuring compliance with the Cultural Heritage Management Plan.

- All non-compliance issues must result in stop works until such a time as a meeting can be held to determine process to be followed moving forward.
 - Compliance with the recommendations of an approved CHMP or Cultural Heritage Permit is mandatory under the *Aboriginal Heritage Act 2006 (Vic)*. Non-compliance that results in harm to Aboriginal Cultural Heritage is an offence under the *Aboriginal Heritage Act (2006)* and the Sponsor may be charged accordingly;
 - Should the recommendations of this approved CHMP not be followed then the RAP must be contacted immediately;
 - Should the recommendations of the approved CHMP not be followed and harm has occurred to Aboriginal Cultural Heritage then OAAV must be contacted immediately;
 - When non-compliance is suspected that has resulted in harm to Aboriginal Cultural Heritage the Minister for Aboriginal Affairs Victoria may order a Cultural Heritage Audit under Section 80 an audit may be undertaken independently of an order from the Minister in order to ensure compliance;
 - Where OAAV finds a breach of the CHMP has resulted in the harming of Aboriginal Cultural Heritage the sponsor may be directed to remedy the harm

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APPENDICES

Appendix 1 - Notice of Intent to Prepare a Cultural Heritage Management Plan and Response from RAP



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: TGM Group PTY LTD
 ABN/ACN: _____
 Contact Name: Chris Marshall
 Postal Address: Level 1 27-31 Myers Street Geelong
 Business Number: 52024600 Mobile: _____
 Email Address: chrism@tgmgroup.com

Sponsor's agent (if relevant)

Company: _____
 Contact Name: _____
 Postal Address: _____
 Business Number: _____ Mobile: _____
 Email Address: _____

SECTION 2 - Description of proposed activity and location

Project Name: Part 131 Flinders Avenue and part 143 Flinders Avenue Lara
 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)

Subdivision _____

SECTION 3 - Cultural Heritage Advisor

Monica Toscano Terraculture Pty Ltd monica@terraculture.com.au
Name Company Email address

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

Start Date: 09-Sep-2015 Finish Date: 30-Sep-2016

Submitted on: 09 Sep 2015



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?
 Subdivision
 Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? Yes
- Other Reasons (Voluntary)
- An Environmental Effects Statement is required
- A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs.

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 7 - Notification checklist

Ensure that any relevant registered Aboriginal party/s 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/s, 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.

Submitted on: 09 Sep 2015





Wadawurrung
ABN: 11 312 302 330

PO Box 734 Ballarat VIC 3353
99 Mair Street East
BALLARAT VIC 3350
P: 03 4308 0420
F: 03 4308 0421
www.wathcorp.com.au

21st September 2015

TGM Group Pty Ltd
Att:- Chris Marshall
Level 1, 27-31 Myers Street
GEEELONG VIC 3220

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 9th September 2015, for the Subdivision – 131 and 143 Flinders Avenue, Lara project.

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 recommendations 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/Cultural 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

Katrina Thomas on:
0457 008 616
katrina@wathcorp.com.au
Yours sincerely,

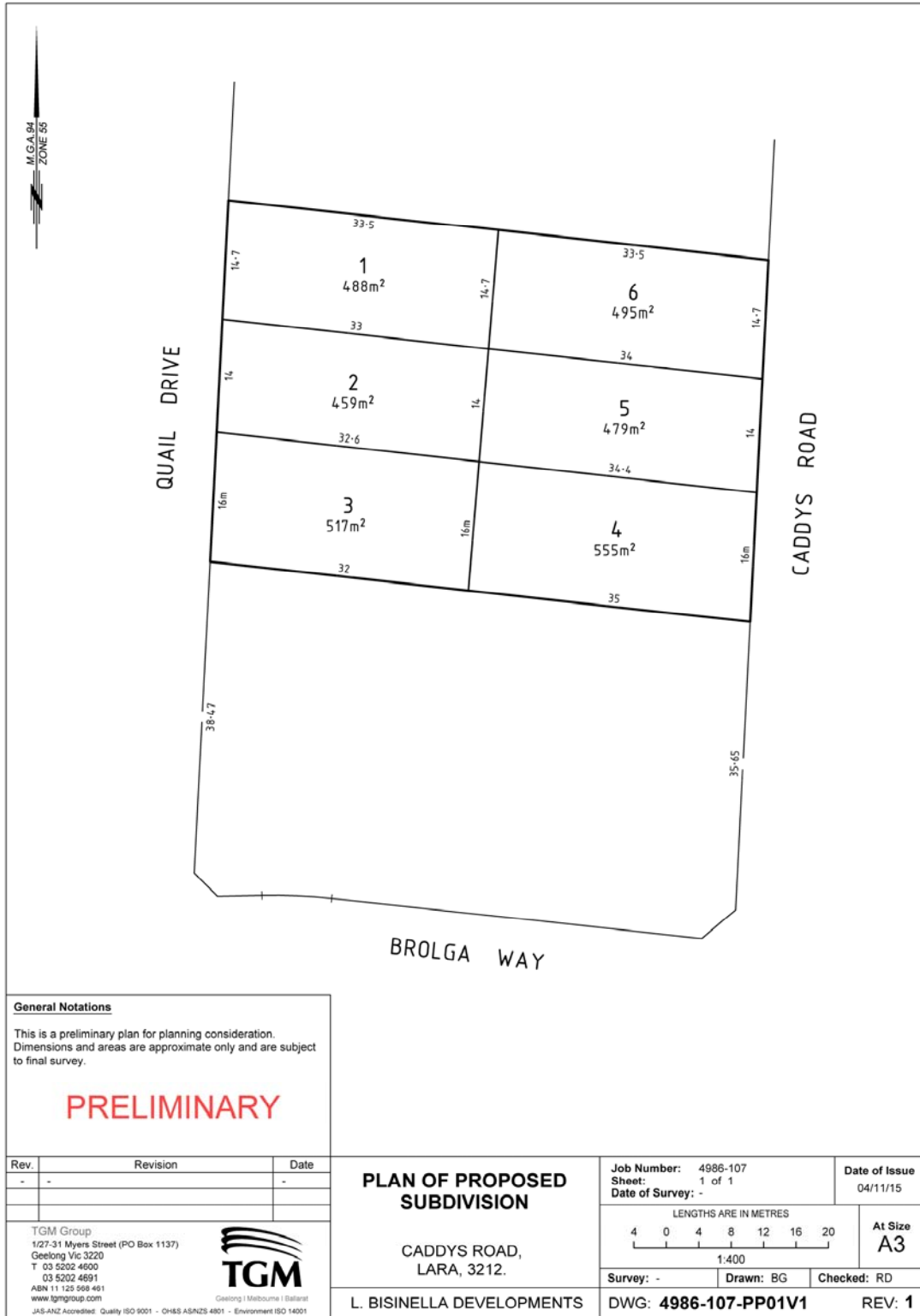
Katrina Thomas
RAP Manager
Wathaurung Aboriginal Corporation
trading as: Wadawurrung

Appendix 2 - Proposed Activities





\\004986 (Caddys Road Lara)\208-55 (Cook)\Dwg\Proposal parcels 2.dwg



Appendix 3 - Checklist

Checklist for Compliance with the Recommendations within CHMP 13780

Is a copy of the CHMP 13780 containing this checklist kept onsite?	8.2
Has a Cultural Heritage Induction been conducted by the RAP before the Activity	8.1
If unexpected Aboriginal Cultural Heritage was identified during the activity, was the following undertaken -	
▪ Have works ceased within the appropriate buffer zone?	9.1.3
▪ Have the RAP and Cultural Heritage Advisor been notified, and investigated the discovery?	9.1.3
▪ If Cultural Heritage is discovered has effort been made to avoid harm?	9.1.3
▪ If agreed to, have adequate protection measures been put in place?	9.1.3
▪ If agreed to, has salvage excavation been carried out under the supervision of a qualified archaeologist?	9.1.3
▪ Have all conditions met before recommencing activity?	9.1.3
▪ Has the Cultural Heritage Advisor completed/updated site cards?	9.2
▪ Has cultural material been reburied within 30 days of completion of the activity?	9.2
If suspected human remains were discovered, were the police, the RAP and OAAV (1300 888 544) immediately notified?	9.2.1

Appendix 4 - General Residential Zone

32.08
 01/07/2014
 VC116

GENERAL RESIDENTIAL ZONE

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

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

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

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

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

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

32.08-1
 01/07/2013
 VB

Table of uses

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than 2 animals.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Dwelling (other than Bed and breakfast)	
Home occupation	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under clause 52.06-3. The site must adjoin, or have access to, a road in a Road Zone.
Minor utility installation	
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.
Railway	
Residential aged care facility	

Use	Condition
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Section 2 - Permit required	
Use	Condition
Accommodation (other than Dependent person's unit, Dwelling and Residential aged care facility)	
Agriculture (other than Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)	
Animal keeping (other than Animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Road Zone.
Community market	
Convenience restaurant	The site must adjoin, or have access to, a road in a Road Zone.
Convenience shop	
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Place of assembly (other than Amusement parlour, Carnival, Circus, Nightclub, and Place of worship)	
Plant nursery	
Service station	The site must either: <ul style="list-style-type: none"> ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Road Zone. The site must not exceed either: <ul style="list-style-type: none"> ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Road Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Road Zone.

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
Use	
Amusement parlour	
Animal boarding	
Animal training	
Brothel	
Cinema based entertainment facility	
Horse stables	
Industry (other than Car wash)	
Intensive animal husbandry	
Motor racing track	
Nightclub	
Office (other than Medical centre)	
Retail premises (other than Community market, Convenience shop, Food and drink premises, Plant nursery)	
Saleyard	
Stone extraction	
Transport terminal	
Warehouse (other than Store)	

32.08-2

01/07/2013
V8**Subdivision****Permit requirement**

A permit is required to subdivide land.

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

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

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

32.08-3 Construction and extension of one dwelling on a lot01/07/2013
V8**Permit requirement**

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

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

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

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

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

32.08-4 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings22/08/2013
VC104**Permit requirement**

A permit is required to:

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

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

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

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

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

Transitional provisions

Despite the amendments made to Clause 55 by Amendment VC100, Clause 55 does not apply to:

- an application to construct or extend a development of four or more storeys made before the approval date of the planning scheme amendment that introduces those amendments into the planning scheme; and
- an application under section 69 of the Act to extend a permit to construct or extend a development of four or more storeys granted on or before the approval date of Amendment VC100.

32.08-5 Requirements of Clause 54 and Clause 55

01/07/2013
V8

A schedule to this zone may specify the requirements of:

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

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

32.08-6 Buildings and works associated with a Section 2 use

01/07/2013
V8

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-1.

32.08-7 Maximum building height requirement for a dwelling or residential building

01/07/2013
V8

The maximum height of a building used for the purpose of a dwelling or residential building must not exceed the building height specified in a schedule to this zone.

This does not apply to:

- An extension of an existing building that exceeds the specified building height, provided that the extension does not exceed the existing building height.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.

If no building height is specified, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

32.08-8 Application requirements

01/07/2013
V8

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

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.

- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

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

32.08-9 Exemption from notice and review

01/07/2013
V8

Subdivision

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

32.08-10 Decision guidelines

01/07/2013
V8

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

General

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of this zone.
- Any other decision guidelines specified in a schedule to this zone.

Subdivision

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

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.
- For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment 2004).

Non-residential use and development

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

32.08-11 Advertising signs01/07/2013
V8

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

Notes: Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check whether an overlay also applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

Appendix 5 - Glossary

Glossary of Terms

The following glossary presents definitions for words and terms that may have been used in the preceding TerraCulture report. Archaeological site types or specific stone artefact types that have counterparts elsewhere in the world are usually defined according to their known or inferred use in Aboriginal Australia. The definitions of some terms are based on common usage or convention rather than literal meaning. Italicised words within any definition have also been separately defined.

AAV: Aboriginal Affairs Victoria

Aboriginal: Referring to indigenous people and their descendants who occupied Australia at the time of European colonisation.

Aboriginal Archaeology: The scientific study of the material remains of past indigenous peoples. Aboriginal archaeology covers both the *pre-contact* (also known as prehistoric) and the *post-contact* period.

Aboriginal Archaeological Site: A location with material evidence of past activity by indigenous people. Activities such as the manufacture and use of stone artefacts have a recognisable archaeological signature. Other activities will have little or no material consequences and are regarded as being archaeologically invisible.

Aboriginal Archaeological Site Types: Aboriginal archaeological sites can be classified into generic types according to their context, fabric and probable function. Aboriginal Affairs Victoria currently recognises some 10-site types including stone artefact scatters, shell middens and scarred trees.

Aboriginal Artefact Scatter: A collection of Aboriginal artefacts usually distributed across the surface of the ground. Stone artefacts are a common component and can be found in association with organic remains, shell, ochre and charcoal. Artefact scatters are the material remains of past Aboriginal use of a location and are generally referable to technological and economic behaviour. They are also called surface scatters.

Aboriginal Burial: Aboriginal interment consisting of human skeletal remains. Aboriginal burials occur in a wide range of forms and physical contexts and may be found with grave goods.

Aboriginal Historic Place: Aboriginal historic places are the locations of events, places or place names that were recorded in historical documents or in oral tradition during the *post contact period*. Unlike Aboriginal archaeological sites, Aboriginal historic places do not necessarily retain any physical evidence of any former structures, activities or specific events.

Activity Area: The area that is under investigation. Also referred to a study area.

Archaeology: Conventionally, the scientific study of the material remains of past human activity.

Artefact: Any object created or modified by humans.

Artefact Scatter: A collection of artefacts usually distributed across the surface of the ground.

Assemblage: Archaeological term used to describe a collection of artefacts associated by a particular place or time and assumed to have been generated by a single group of people. An assemblage can be made from different *artefact* types.

Blade: A *flake* that is at least twice as long as it is wide.

CHMP: Cultural Heritage Management Plan

Context: Refers to the place of artefacts or archaeological features with regards to time and space.

Core: A piece of stone from which other stone artefacts are made. In *freehand flaking* the *core* would be struck with a *hammerstone* removing *flakes* and other fragments of stone often referred to as *debitage*.

Core Tool: A *core* displaying signs of use.

Cortex: The weathered external surface of a stone. Cortex often identifies the origins and original form of flaked stone, e.g. river pebbles.

Deposit: A term used to describe buried archaeological material.

Excavation: The systematic removal of archaeological deposits using archaeological techniques.

Flake: A piece of stone detached by percussion or pressure from a *core*. The flake will usually display characteristic features such as a *platform* and *bulb of percussion*. The *core* will display a negative flake scar. These features assist in distinguishing between stone that has been altered through human agency and that which has been naturally shaped.

Ground Exposure: A measure of the quantity of sediment that would normally be buried beneath a modern land surface.

Ground Visibility: A term used to describe the area of the ground's surface that is visible during archaeological field surveys. Effective ground visibility refers to the actual area of ground visible during a field survey calculated as the area of ground inspected multiplied by the percentage of ground visibility.

Industry: A single class of artefacts that are consistent in their form and that can be credited to a single group of people.

In situ: In its original place.

Layer: A recognisable band of material of varying thickness.

Platform: Face of core that is struck by a *hammerstone*, leaving remnants on both the *core* and the resultant *flake*.

Pleistocene: The geological period equivalent to the last ice age and preceding the *Holocene* from ca 2 million to 10,000 years ago. The late Pleistocene commonly refers to the last 40,000 years BP.

RAP: Registered Aboriginal Party

Quartz: A hard mineral that varies from white to blue in colour and in transparency from opaque to clear.

Quartzite: A metamorphic rock formed through the 'recrystallisation of quartz rich sandstone'.

Retouch: Secondary modifications to stone artefacts such as trimming or resharpening. Retouch often indicates use of a stone *flake* and therefore its identification of an actual tool (cf waste flake)

Salvage Excavation: The systematic documentation and recovery of an archaeological site prior to its destruction. Also known as rescue archaeology.

Scarred Trees, Aboriginal: Trees that were used as a source of bark to make canoes and other items. Bark was cut using a stone axe and then levered from the sapwood leaving a scar. The bark around the edge of this scar is called regrowth. Natural scarring is common on some trees and is often difficult to distinguish from scars made by Aborigines during the *pre-contact period*.

Scraper: A stone tool made on a *flake* or *core* with steep *retouch* along one or more edges.

Silcrete: A highly silicious rock formed by the replacement of a parent rock (commonly sandstone) by silica in solution.

Spit: arbitrary quantity of excavated ground.

Stratigraphy: A geological term used to describe the sequence of vertical *layers* and *deposits* that comprise an archaeological site.

Stone Artefacts, Aboriginal: Stones that have been modified or used by Aboriginal people.

Subsurface Testing: The testing for buried archaeological material through manual or mechanical excavation.

Survey, Pedestrian: The act of looking for archaeological material. Also known as foot survey.

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