



**ACHM**

AUSTRALIAN CULTURAL  
HERITAGE MANAGEMENT

*Due Diligence Report*

# Proposed Baldwin Road Development Plan, Traralgon North

**By:** [REDACTED]

**Date:** 7 February 2024

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Aboriginal Cultural Heritage Present within the Activity Area: No

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## Spatial Data

*Spatial data captured by Australian Cultural Heritage Management (Victoria) Pty Ltd in this document for any newly recorded sites has been obtained by using hand held or differential GPS units using the GDA94 co-ordinate system.*

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# 1 Introduction

Australian Cultural Heritage Management (Vic) Pty Ltd (ACHM) was commissioned by Millar Merrigan, to undertake a due diligence assessment of the subject land located at Baldwin Road, Traralgon (hereafter referred to as the 'study area'). This report is based on the information presented to ACHM by Millar Merrigan and includes a review of the cultural heritage information (Aboriginal and historic heritage) available for the study area.

This due diligence assessment will identify:

- If Aboriginal or historic heritage places are known to exist on, or near, the study area;
- Whether the subject study area is within an area of Aboriginal cultural heritage sensitivity (as defined in the Aboriginal Heritage Regulations 2018), and if so;
- Whether the proposed activity triggers the requirements to undertake further heritage works, and;
- Whether there is evidence for any mitigating circumstances where further cultural heritage work may not be required (for example, significant ground disturbance).

## 1.1 What is a Due Diligence?

A due diligence assessment is the quantification of risk about a defined situation or recognisable hazards in relation to cultural heritage. Risks may arise as the result of an incomplete understanding of the likely harm or hazards to cultural heritage places or the value of those places to the relevant stakeholder groups. Undertaking cultural heritage due diligence assessments contributes significantly to informed decision making by enhancing the amount and quality of information available to proponents and decisions makers regarding the opportunities, risks, costs and benefits of any proposed activity development.

The type of risks encountered in cultural heritage include:

- Accidental archaeological or ethnographic site destruction;
- Prosecution;
- Damage to stakeholder relationships;
- Time delays; and,
- Major costs

Undertaking a due diligence assessment for a project where cultural heritage may be an issue will:

- Save time and money;
- Assist in avoiding unintended harm to Aboriginal places or objects;
- Maintain positive relationships with all stakeholders;
- Provide certainty to landowners, managers and developers about appropriate cultural heritage management strategies to ensure the desired outcomes;
- Ensure that landowners, manager or developers are unlikely to be in breach of the relevant regulations and/or legislation; and,
- Result in more sustainable and effective conservation outcomes for cultural heritage.

## 1.2 Cultural Heritage Legislation

### 1.2.1 Aboriginal Cultural Heritage

#### *Aboriginal Heritage Act 2006*

The *Aboriginal Heritage Act 2006* acts to provide for the protection of Aboriginal cultural heritage in Victoria and is administered by First People-State Relations. It also establishes several bodies and organisations that enforce and preserve policies regarding Aboriginal cultural heritage.

#### *Aboriginal Heritage Regulations 2018*

The Aboriginal Heritage Regulations 2018 give effect to the *Aboriginal Heritage Act 2006*. The Regulations define the standards of and circumstances in which a Cultural Heritage Management Plan is required. They also define areas of cultural heritage sensitivity and what constitutes a high impact activity. When a high impact activity is proposed in an area of cultural heritage sensitivity, a Cultural Heritage Management Plan must be prepared to

assess the likelihood of Aboriginal cultural heritage within a study area and manage and mitigate harm of Aboriginal Places.

#### *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* protects objects and areas that are of significance to Aboriginal people. The Act allows the Environment Minister to make a declaration to protect an area or object of significance to Aboriginal people from harm upon the application of an Aboriginal person or persons.

### **1.2.2 Historic Heritage**

#### *Heritage Act 2017*

The *Heritage Act 2017* identifies and protects heritage places and objects within Victoria that are of state significance, and is administered by Heritage Victoria. The Act establishes the Victorian Heritage Register, the Victorian Heritage Inventory, and the Heritage Council of Victoria.

#### *Planning and Environment Act 1987*

The *Planning and Environment Act 1987* establishes the land use planning controls used by local and state government bodies. One planning control is the local government heritage overlays, which lists places and precincts of local heritage significance that require a planning permit in the event of alteration to the place or precinct.

### **1.2.3 National Legislation**

#### *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* protects heritage on Commonwealth land. The Act establishes the National Heritage List, which includes natural, historical, and Indigenous places of national significance. The Act also establishes the Commonwealth Heritage List, which includes places on Commonwealth land or water that have Indigenous significance. The Act outlines penalties for anyone who takes an action that harms or has the potential to harm a place with Indigenous significance on these lists.

#### *Protection of Movable Cultural Heritage Act 1986*

The *Protection of Movable Cultural Heritage Act 1986* ensures the protection of objects of cultural significance in Australia. The Act prevents the illegal export and import of culturally significant objects in Australia and provides for the return of illegally imported foreign objects to their country of origin.

#### Protection of Movable Cultural Heritage Regulations 2018

The Protection and Movable Cultural Heritage Regulations 2018 give effect to the *Protection of Movable Cultural Heritage Act 1986*. The Regulations define the two classes of objects of cultural significance, and their relevant restrictions on exportation and movement. Class A objects must not be exported from Australia, while Class B objects may be with permission.

## **1.3 Cultural Heritage Triggers**

Under the Aboriginal Heritage Regulations 2018, two triggers are required for a mandatory Cultural Heritage Management Plan (CHMP). The first of these is that the study area must be located within an area of cultural heritage sensitivity as per Division 3 of the Aboriginal Heritage Regulations 2018. The second is that the proposed activity must be a high impact activity as described in Division 5 of the Aboriginal Heritage Regulations 2018.

In this case:

- The study area is within an area of cultural heritage sensitivity:
  - r.26 (1) – land within 200m of a waterway is an area of cultural heritage sensitivity (La Trobe River and Loy Yang Creek)
  - r.25 (2) – land within 50m of a registered cultural heritage place is an area of cultural heritage sensitivity
- The proposed works comprise a high impact activity:
  - r.49 – the subdivision of land into 3 or more lots

Both triggers must be in place for a mandatory CHMP to be required. A high impact activity not located within a defined area of cultural heritage sensitivity does not require a mandatory CHMP - the activity can proceed without

a CHMP. Conversely, a high impact activity located within an area of cultural heritage sensitivity will require a CHMP. The only exemption to requiring a CHMP when both triggers are present is if the entirety of the area of cultural heritage sensitivity within the study area has been subject to prior significant ground disturbance.

The Aboriginal Heritage Regulations 2018 define significant ground disturbance as:

*The disturbance of— (a) the topsoil or surface rock layer of the ground; or (b) a waterway— by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.*

## 1.4 Study Methods

This due diligence assessment includes a review of existing Aboriginal and historic heritage sites located within a defined radius of the study area, which are recorded on the following registers of cultural heritage places:

- Victorian Aboriginal Heritage Register (VAHR) (via the online Aboriginal Cultural Heritage Register and Information System (ACHRIS));
- Victorian Heritage Register (VHR) and Victorian Heritage Inventory (VHI);
- Heritage overlay of the local government planning scheme (Latrobe City Council)
- National Trust of Australia (Victoria) Register; and,
- National, Commonwealth and International heritage lists.

The aim of the register searches is to determine the number and type of cultural heritage places located within or in proximity to, the study area, as well as the likelihood of previously unrecorded cultural heritage places being located within the study area. Aboriginal cultural heritage sites have been reviewed within 5km of the study area. Historic sites have been reviewed within 2km of the study area.

## 1.5 Limitations of Due Diligence

This report is a due diligence assessment and does not constitute a heritage report that meets the requirements for heritage approvals from Heritage Victoria (HV) or First Peoples-State Relations (FP-SR). No detailed archaeological surface survey or excavation was undertaken for the purpose of this due diligence assessment.

## 1.6 Proposed Activity

The proposed activity consists of a development subdivision at Baldwin Road, Traralgon. The subdivision will comprise about 350 lots over a rezoned area of ~51.07ha (~11 lots per hectare). The subdivision will include several areas of reserved open space and the retention of extant Gippsland Red Gum trees on the site where possible. A shared pathway will be constructed around the residential sections of the development as a loop track, with an additional pathway through the middle of the site in a north/south direction. The subdivision will also include ~13.99ha of roadway. For an indicative subdivision plan see Appendix 6.1.

## 1.7 Location of Activity

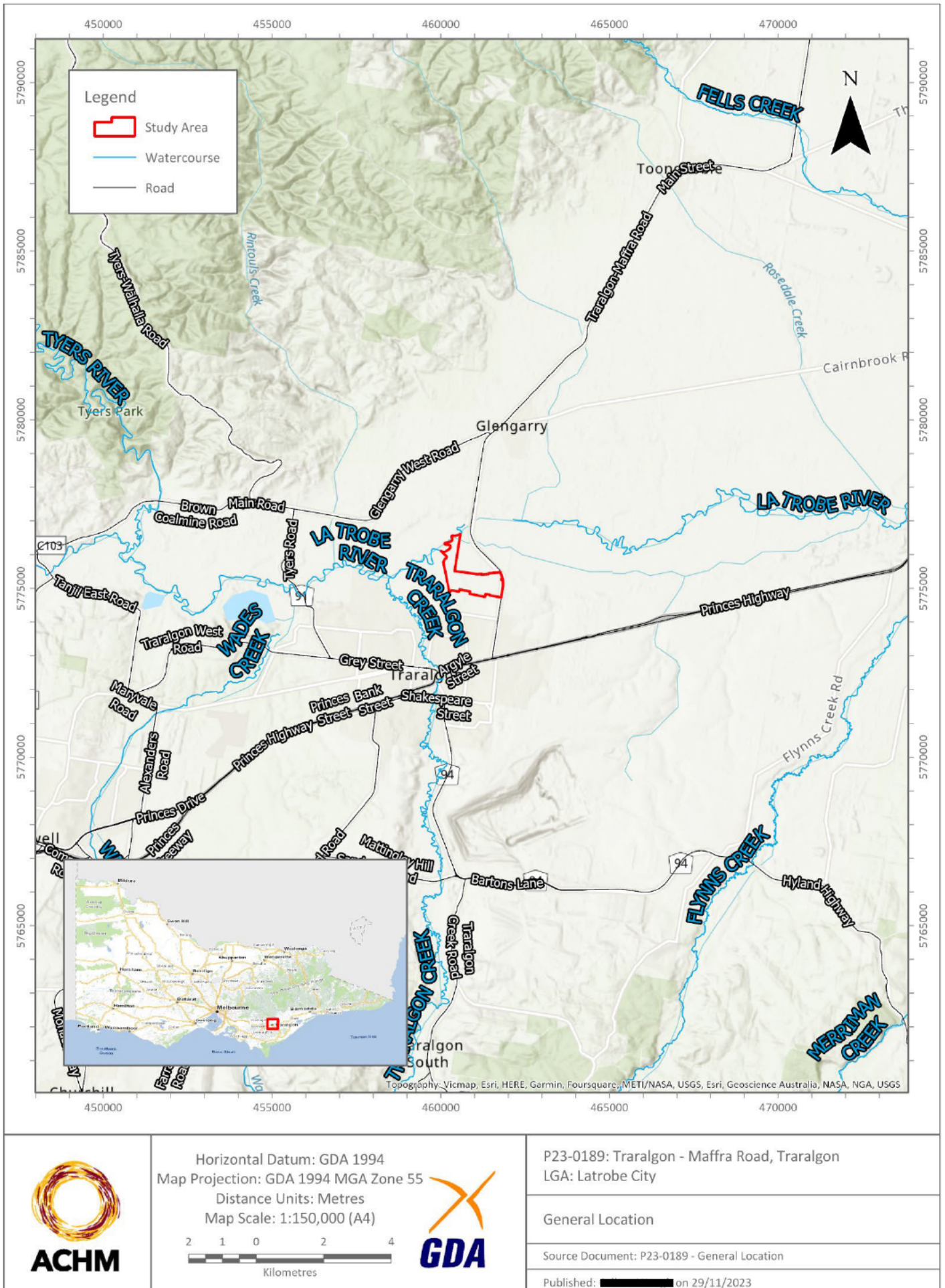
The proposed study area comprises ~51.07ha of freehold land and is located north of the township of Traralgon, ~168km east of Melbourne CBD in the Latrobe City Council Local Government Area (LGA) (Map 1-1). The study area comprises open farmland with some buildings and shedding as well as several large dams. A section of the northern boundary of the site extends along the La Trobe River, the southern boundary is near residential developments that comprise the township of Traralgon, which also extend partially along the study area boundary. In the east, the site is bordered by the Traralgon-Maffra Road. Other sections of the site are surrounded by open farmland with Loy Yang Creek to the north (Map 1-2). The cadastral details of the land parcels within the study area are given in Table 1-1.

Table 1-1: Cadastral details of land parcels included or partially included in the study area

<b>Address</b>	50 Baldwin Road, Traralgon Traralgon-Maffra Road, Traralgon 50 Glendale Road, Traralgon 2/55 Glendale Road, Traralgon 110 Marshalls Road, Traralgon
<b>Parish</b>	Traralgon
<b>Lot/Plan Numbers</b>	Lot 2 PS835779 Lot H PS826075 Lot 1 PS329021

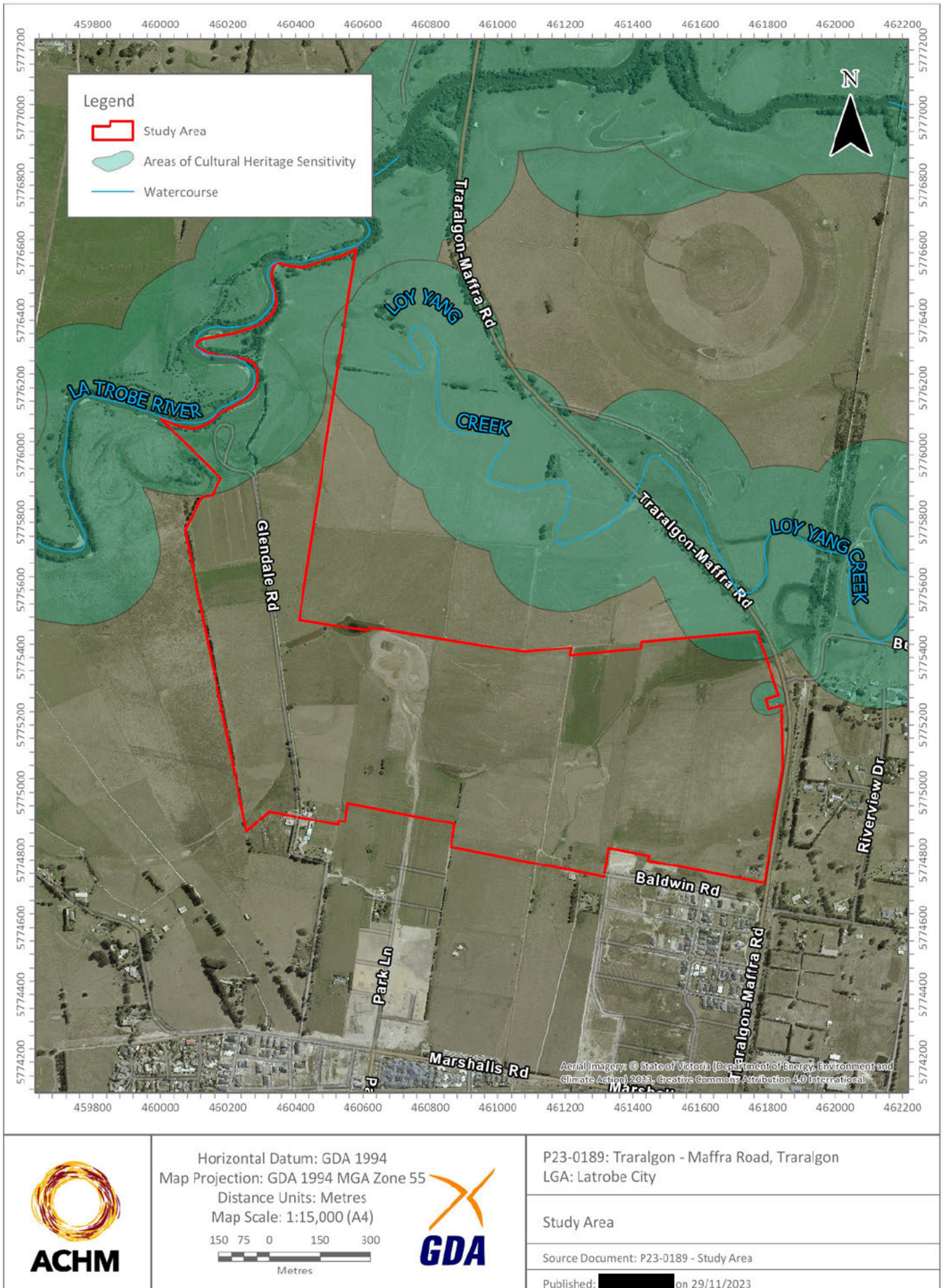
	Lot 26F PP3647 Lot D PS826073
<b>SPI</b>	2\PS835779 H\PS826075 1\PS329021 26F\PP3647 D\PS826073
<b>Local Government</b>	Latrobe City Council
<b>Overlay/Zones</b>	Farming Zone (FZ) General Residential Zone (GRZ) Public Conservation and Resource Zone (PCRZ) Design and Development Overlay (DDO) Development Plan Overlay (DPO) Land Subject to Inundation Overlay (LSIO) Floodway Overlay (FO)





Map 1-1: General location of the study area.





Map 1-2: Extent of the study area and area of Aboriginal cultural heritage sensitivity.



## 1.8 Registered Aboriginal Parties

The Registered Aboriginal Party for the study area is the Gunaikurnai Land and Waters Aboriginal Corporation (GLWAC).

## 1.9 Heritage Advisor

This due diligence assessment has been prepared by ACHM. The consultant undertaking the works documented in this report is a qualified heritage advisor in accordance with the requirements stated in Section 189 (1) of the *Aboriginal Heritage Act 2006*.

### Dr Frances Thiele

Frances holds a Bachelor of Arts (Humanities) with a major in history, including Australian History, First Class Honours in History from La Trobe University and a PhD in British History from the University of Adelaide. While completing her doctorate she spent time in the UK as a visiting research scholar at the University of Cambridge and received the EW Benham prize for her completed thesis. She worked for many years as the Field Historian at the State Library of Victoria and has extensive experience in the significance assessment of Australian moveable cultural heritage as well as sites.

Frances has been a voluntary member of several heritage committees for local government and was the inaugural recipient of the Latrobe Society Fellowship, for which she completed a monograph on Superintendent La Trobe and the management of the Port Phillip Aboriginal Protectorate. She has been an honorary research associate at La Trobe University and an honorary research fellow at the University of Ballarat. She has contributed to many cultural heritage assessments while working as an historian with ACHM and is a specialist in nineteenth century colonial history.

Frances is a fully qualified Heritage Advisor under the *Aboriginal Heritage Act 2006 (Vic)*.

### Matt Chamberlain

Matt is General Manager of Australian Cultural Heritage Management (Vic) Pty Ltd and has over 22 years of experience specialising in Victorian Indigenous archaeology and cultural heritage management. He holds a bachelor degree majoring in History and Archaeology, with honours in Archaeology (LaTrobe University 2001).

Matt's experience includes work at Aboriginal Victoria (now First Peoples – State Relations), Parks Victoria, and as heritage unit manager of Victoria's busiest Registered Aboriginal Party; the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation - traditional owners of the Melbourne area. In addition, Matt has over 15 years of experience as a private heritage consultant.

Matt is a fully qualified Heritage Advisor under the *Aboriginal Heritage Act 2006 (Vic)*.

## 2 Search of Cultural Heritage Register

### 2.1 Victorian Aboriginal Heritage Register

The Victorian Aboriginal Heritage Register (VAHR), established by the *Aboriginal Heritage Act 2006*, is an important administrative tool for the management of Aboriginal cultural heritage. The VAHR holds details of all known Aboriginal Places and objects within Victoria, including their location and a detailed description. Aboriginal Places and objects are irreplaceable, non-renewable resources and can also include traditional and spiritual sites of significance. These Aboriginal Places or objects are normally identified during archaeological field assessments and recorded by Heritage Advisors.

#### 2.1.1 Registered Aboriginal Places

First People-State Relations (FP-SR) retains a register of all registered Aboriginal Places and a library of all published and unpublished reports and CHMPs describing investigations of Aboriginal archaeological sites in Victoria. If applicable, VAHR Place Forms (site cards) were examined and cross referenced with relevant reports/CHMPs and maps contained therein. The search of the register was undertaken for Aboriginal Places within 5km of the study area.

There are 35 Aboriginal Places and 85 components including low density artefact distributions, artefact scatters and scarred trees within 5km of the study area (Table 2-1; Map 2-1).

There are no recorded Aboriginal Places within the study area.

The nearest recorded Aboriginal Place is VAHR 8221-0200 – an isolated surface artefact of silcrete – immediately adjacent the study area.

Table 2–1: Aboriginal Places within 5km of the study area

Aboriginal Place number	Aboriginal Place name	Component Type	~Distance and Direction from study area
8121-0038-1	MARYVALE CEMETERY 1	Artefact Scatter	4.34km W
8121-0039-1	CEMETERY ROAD 1	Artefact Scatter	4.14km W
8221-0001-1	GLENGARRY	Scarred Tree	1.07km NE
8221-0007-1	TRARALGON CREEK 1	Scarred Tree	4.64km S
8221-0043-1	TRARALGON RESIDENTIAL	Artefact Scatter	4.56km SW
8221-0059-1	TRARALGON T.R.T.	Scarred Tree	3.32km SE
8221-0085-1	TRARALGON BYPASS 2	Artefact Scatter	4.83km S
8221-0086-1	TRARALGON BYPASS 3	Artefact Scatter	4.82km S
8221-0109-1	TUCKER SS 1	Artefact Scatter	4.88km S
8221-0110-1	TUCKER SS 2	Artefact Scatter	4.67km S
8221-0129-1	GWF 2	Artefact Scatter	1.59km SW
8221-0130-1	GWF 6	Artefact Scatter	1.3km SW
8221-0131-1	ROSEDALE PIPELINE 1	Scarred Tree	860m SE
8221-0132-1	ROSEDALE PIPELINE 2	Artefact Scatter	1.16km SE
8221-0140-1	ROSEDALE PIPELINE 10	Artefact Scatter	1.67km SE
8221-0141-1	ROSEDALE PIPELINE 11	Artefact Scatter	1.8km SE
8221-0144-1	Windsor Park, Traralgon 1	Artefact Scatter	1.42km SW
8221-0150-1	WINDSOR PARK, TRARALGON 2	Artefact Scatter	1.46km SW
8221-0151-1	WINDSOR PARK, TRARALGON 3	Artefact Scatter	1.5km SW
8221-0152-1	WINDSOR PARK, TRARALGON 4	Artefact Scatter	1.47km SW
8221-0162-1	Traralgon East Pipeline 1	Artefact Scatter	1.17km SE
8221-0163-1	Traralgon East Pipeline 2	Artefact Scatter	1.09km SE
8221-0182-1	240 Cross's Rd AS	Artefact Scatter	3.4km W
8221-0199-1	Breed Street 1	Low Density Artefact Distribution	1.86km SW
8221-0199-2	Breed Street 1	Low Density Artefact Distribution	1.86km SW
8221-0199-3	Breed Street 1	Low Density Artefact Distribution	1.86km SW
8221-0199-4	Breed Street 1	Low Density Artefact Distribution	1.86km SW
8221-0199-5	Breed Street 1	Low Density Artefact Distribution	1.86km SW
8221-0199-6	Breed Street 1	Low Density Artefact Distribution	1.87km SW
8221-0200-1	Maffra Rd Isolated Artefact	Low Density Artefact Distribution	0m SE
8221-0201-1	Agnes Brereton Park LDAD1	Low Density Artefact Distribution	2.01km SW
8221-0201-2	Agnes Brereton Park LDAD1	Low Density Artefact Distribution	2.01km SW
8221-0201-3	Agnes Brereton Park LDAD1	Low Density Artefact Distribution	2.02km SW
8221-0201-4	Agnes Brereton Park LDAD1	Low Density Artefact Distribution	2.02km SW
8221-0206-1	Longford to Warragul (10420) LDAD	Low Density Artefact Distribution	1.69km E
8221-0206-2	Longford to Warragul (10420) LDAD	Low Density Artefact Distribution	1.69km E
8221-0206-3	Longford to Warragul (10420) LDAD	Low Density Artefact Distribution	1.71km E

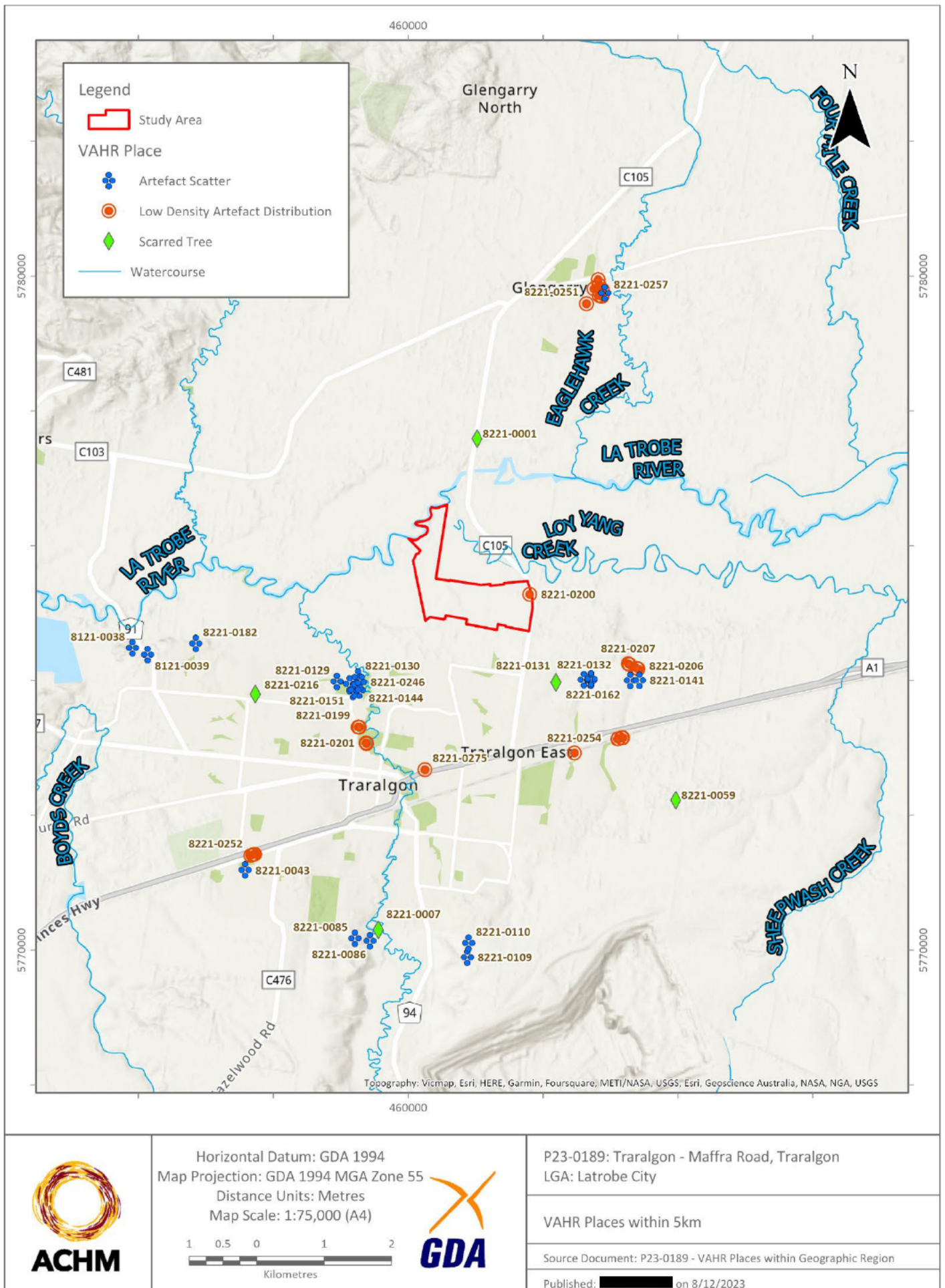
8221-0206-4	Longford to Warragul (10420) LDAD	Low Density Artefact Distribution	1.71km E
8221-0206-5	Longford to Warragul (10420) LDAD	Low Density Artefact Distribution	1.71km E
8221-0206-6	Longford to Warragul (10420) LDAD	Low Density Artefact Distribution	1.71km E
8221-0207-1	Longford to Warragul (10430) LDAD	Low Density Artefact Distribution	1.56km E
8221-0207-2	Longford to Warragul (10430) LDAD	Low Density Artefact Distribution	1.57km E
8221-0207-3	Longford to Warragul (10430) LDAD	Low Density Artefact Distribution	1.57km E
8221-0207-4	Longford to Warragul (10430) LDAD	Low Density Artefact Distribution	1.57km E
8221-0207-5	Longford to Warragul (10430) LDAD	Low Density Artefact Distribution	1.55km E
8221-0207-6	Longford to Warragul (10430) LDAD	Low Density Artefact Distribution	1.56km E
8221-0216-1	St Pauls Grammar canoe tree	Scarred Tree	2.75km SW
8221-0246-2	Breed Street Traralgon AS1	Artefact Scatter	1.33km SW
8221-0251-1	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.84km NE
8221-0251-10	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.63km NE
8221-0251-11	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	4.02km NE
8221-0251-12	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	4.02km NE
8221-0251-13	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	4.02km NE
8221-0251-14	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.96km NE
8221-0251-15	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.87km NE
8221-0251-16	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.93km NE
8221-0251-17	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.93km NE
8221-0251-18	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.93km NE
8221-0251-19	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.88km NE
8221-0251-2	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.85km NE
8221-0251-3	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.83km NE
8221-0251-4	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.83km NE
8221-0251-8	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.63km NE
8221-0251-9	100 Cairnbrook Road LDAD 1	Low Density Artefact Distribution	3.63km NE
8221-0252-1	Bank Street Traralgon 1	Low Density Artefact Distribution	4.32km SW
8221-0252-2	Bank Street Traralgon 1	Low Density Artefact Distribution	4.29km SW
8221-0252-3	Bank Street Traralgon 1	Low Density Artefact Distribution	4.31km SW
8221-0252-4	Bank Street Traralgon 1	Low Density Artefact Distribution	4.31km SW
8221-0252-5	Bank Street Traralgon 1	Low Density Artefact Distribution	4.34km SW
8221-0254-1	Traralgon East 1	Low Density Artefact Distribution	1.93km S
8221-0254-10	Traralgon East 1	Low Density Artefact Distribution	2.07km SE
8221-0254-11	Traralgon East 1	Low Density Artefact Distribution	2.07km SE
8221-0254-12	Traralgon East 1	Low Density Artefact Distribution	2.07km SE
8221-0254-13	Traralgon East 1	Low Density Artefact Distribution	2.07km SE
8221-0254-14	Traralgon East 1	Low Density Artefact Distribution	2.08km SE
8221-0254-2	Traralgon East 1	Low Density Artefact Distribution	2.1km SE

8221-0254-3	Traralgon East 1	Low Density Artefact Distribution	2.1km SE
8221-0254-4	Traralgon East 1	Low Density Artefact Distribution	2.11km SE
8221-0254-5	Traralgon East 1	Low Density Artefact Distribution	2.11km SE
8221-0254-6	Traralgon East 1	Low Density Artefact Distribution	2.11km SE
8221-0254-7	Traralgon East 1	Low Density Artefact Distribution	2.08km SE
8221-0254-8	Traralgon East 1	Low Density Artefact Distribution	2.08km SE
8221-0254-9	Traralgon East 1	Low Density Artefact Distribution	2.07km SE
8221-0257-1	100 Cairnbrook Road Artefact Scatter 1	Artefact Scatter	3.91km NE
8221-0275-1	Argyle Sreet LDAD	Low Density Artefact Distribution	2.21km S

## 2.1.2 Aboriginal Historical References

First Peoples-State Relations (FP-SR) also maintains a register of Aboriginal historical references on the VAHR. These places are generally related to post-colonial interactions between Aboriginal communities and European settlers and document references to places associated with Aboriginal people or communities. They incorporate a wide range of places, sites and events that are of significance to Aboriginal communities but may not necessarily comprise archaeological deposits.

There are no Aboriginal historical references within 5km of the study area.



Map 2-1: Aboriginal Places within 5km of the study area.

## 2.2 Victorian Heritage Register

The Victorian Heritage Register (VHR), established by the *Heritage Act 2017*, provides the highest level of statutory protection for historic sites in Victoria. Only the state's most significant historic sites are listed on the VHR.

There are no historic sites listed on the VHR within 2km of the study area.

## 2.3 Victorian Heritage Inventory

The Victorian Heritage Inventory (VHI), established by the *Heritage Act 2017*, provides statutory protection for all historical archaeological sites, areas, relics and private collections of relics in Victoria. Sites listed on the VHI are not of state significance but are usually of local or regional significance.

There is one historic site listed on the VHI within 2km of the study area.

Table 2–2: Heritage sites on the Victorian Heritage Inventory within 2km of the study area

VHI Number	Place ID/Hermes Number	Place Name	Place Location	Place Description
H8221-0017	14028	George Bolton Eagle Grave	230 Marshalls Road, Traralgon	The grave site of George Eagle, a young Englishman who was assisting Henry Meyrick in droving sheep from Pt Phillip to Meyrick's run at Glenmaggie. A large, stepped concrete slab marks the grave site. The larger basal slab measures 3.66m by 3.4m, and steps up to a smaller slab measuring 1.98m long by 1.07m wide. The larger slab has a metal barrier made of galvanised pipe to keep out grazing stock, and the smaller slab supports a grave surround consisting of a hooped, wrought iron fence. A brass plaque, presented by the Traralgon City/Shire Council 150th Anniversary Committee and the Traralgon Historical Society, sits on a pillow of concrete within the inner enclosure. The inscription reads "In memory of George Eagle. Died 30 July 1846, Aged 24 years. First white settler to die in Traralgon".

## 2.4 Local Council Heritage Overlay

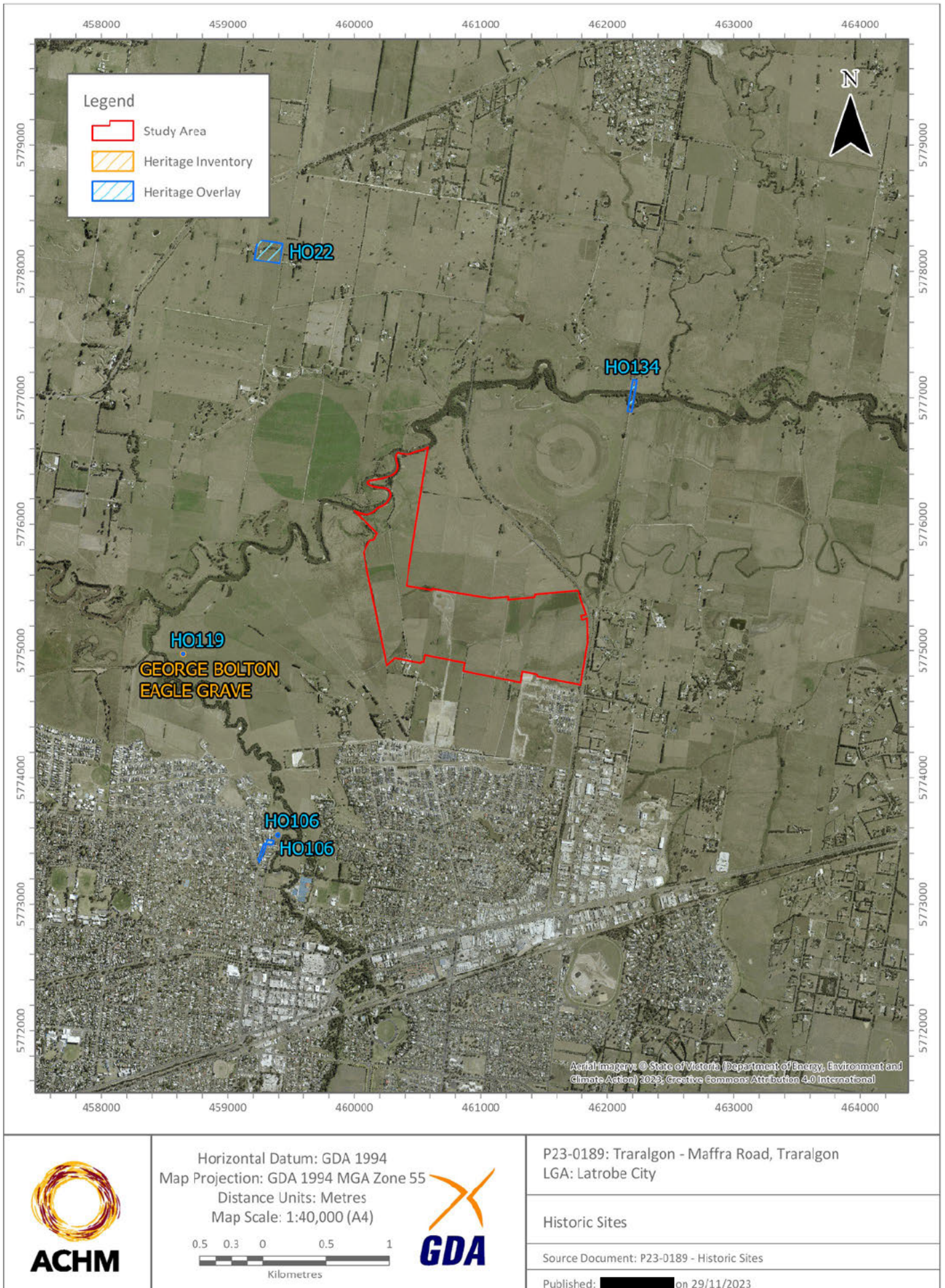
The study area is located within the Latrobe City Council LGA and is governed by their planning scheme, which sets out policies and provisions for the use, development, and protection of land.

There are 4 sites listed on the Heritage Overlay within 2km of the study area and included on the planning scheme of the Latrobe City Council.

Table 2–3: Latrobe City Council Heritage Overlay sites within 2km of the study area

Heritage Overlay Number	Place Description	Place Location	Scheduled Controls
HO22	'Scarne' (Christensen family homestead)	70 Christensen's Road, Glengarry	Solar energy systems controls
HO106	'Traralgon Park' – homestead with trees marking homestead driveway within Hedges Avenue and a mature oak tree at east end of Windsor Court	21 Hedges Avenue & 5 Windsor Court, Traralgon	Tree controls; Solar energy systems controls
HO119	George Bolton Eagle Grave site	Marshall's Road, Traralgon	Solar energy systems controls
HO134	Latrobe River Railway Bridges	off Traralgon-Maffra Road, Traralgon	Solar energy systems controls





Map 2-2: Statutorily registered historic sites within 2km of the study area.



## 2.5 National Trust of Australia (Victoria) Register

The National Trust of Australia (Victoria) is an independent, not-for-profit organisation that classifies heritage places and trees. Heritage places and trees on the National Trust of Australia (Victoria) register are not afforded any statutory protection, however, National Trust listings may be supported by local council/shire planning scheme.

There are 2 historic places listed on the National Trust of Australia (Victoria) Register within 2km of the study area.

Table 2-4: Heritage places on the National Trust of Australia (Victoria) Register within 2km of the study area

File Number	Place name	Place location	Place description	Significance Level
B4890	Star Hotel	2 George St, Traralgon	The Star Hotel was constructed in 1875 for F G Hickox on the east side of Traralgon Creek on the then road to Sale. The original weatherboard building with shingle roof contained six guest rooms. With the advent of the railway line, the bias of the town shifted westwards and the Sale road was diverted to the opposite bank of the creek. This effectively removed the hotel trade and the licence was transferred in 1882 to new premises elsewhere. The original building then became a boarding house and later a private house. The original form of the hotel is largely intact, although the general land level having been raised around the building, the floor is vulnerable to dampness. Original sapling studs still exist in partitions and wooden shingles survive beneath the later corrugated iron roof.	Regional
B7371	Latrobe River Railway Bridge	Gippsland Plains Rail Trail, 4.10 km north of Princes Highway, Traralgon	This bridge, over the Latrobe River, formed part of the Traralgon-Maffra-Stratford Railway, which was opened as far as Heyfield on 13 November 1883. It was built by contractors Lewis P. Moline & James King for the Victorian Railways in 1882-3 and is the third-oldest substantial timber-beam railway bridge surviving in Victoria. It is substantially a four-piled structure, with stay-piles added to the piers on the river. It is 242 metres long, with fifty-three 15 foot spans (4.6m) and is the third longest intact bridge of this design.	State

## 2.6 National, Commonwealth and International Heritage Lists

The Australian Government Department of Climate Change, Energy, the Environment and Water maintains the National Heritage List (NHL) comprising outstanding natural, Aboriginal and historical heritage places that contribute to Australia's nationwide character. This department also retains the Commonwealth Heritage List (CHL) of natural, Aboriginal or historical heritage places located on Commonwealth land that have Commonwealth heritage values.

A place can be listed on one or both lists, and placement on either list gives the place statutory protection under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

The World Heritage List (WHL) lists cultural and natural heritage places that are considered by the World Heritage Council to have outstanding universal value.

In addition, the Department of Climate Change, Energy, and Environment and Water also maintains the Register of the National Estate (RNE), which is a list of natural, Indigenous and historic heritage places throughout Australia. Following amendments to the *Australian Heritage Council Act 2003*, the RNE was frozen on 19 February 2007, which means that no new places can be added, and no places can be removed. The RNE continued as a statutory register until February 2012.

Listings on the CHL, NHL, WHL, and RNE are accessed via the Australian Heritage Database (AHD), and managed by the Department of Climate Change, Energy, the Environment and Water.

There are no previously recorded historic sites listed on any statutory national, Commonwealth, and international heritage list within the study area.

There are 2 historic sites listed on the non-statutory AHD within 2km of the study area.



Table 2–5: Heritage places on the AHD within 2km of the study area

Place ID Number	Place Name	Place Location	Place Description	Legal Status
14295	Former Star Hotel	Peterkin St, Traralgon (possible also 2 George St)	The Star Hotel was constructed in 1875 for F G Hickox on the east side of Traralgon Creek and on the road to Rosedale and Sale. It was one of four hotels licensed that year and one of the seven total in the town. With the advent of the railway line the bias of the town shifted to the opposite side of the Creek and the Star Hotel's licence was transferred to new premises. The original building became a boarding house and later a private house. At some unknown date (probably c1900) the six roomed weatherboard cottage had a gabled timber extension added at right angles to the western end.	Registered - RNE
19752	Traralgon Park Homestead	Breed St, Traralgon	Traralgon Park is well screened from Breed Street by extensive plantings, some of which appear quite old. The property comprises the house, outbuildings, fencing, garden and farm plantings. It also contains the site of Duncan [Dugald] Campbell's c1855 house; there may be sub-surface evidence at this site.	Indicative - RNE

## 2.7 Heritage Issues Identified during the Register Searches

### 2.7.1 Aboriginal Cultural Heritage

There are 35 registered Aboriginal Places recorded within 5km of the study area identified during the register searches. The nearest recorded Aboriginal Place is VAHR 8221-0200 – an isolated surface artefact of silcrete – immediately adjacent the study area.

There are no Aboriginal Places within the study area.

The study area is within an area of Aboriginal cultural heritage sensitivity.

### 2.7.2 Historical Cultural Heritage

There are 3 statutorily registered sites, excluding multiple registrations, within 2km of the study area listed on the Victorian Heritage Inventory (n=1) and on the local planning scheme Heritage Overlay (n=4) for the Latrobe City Council LGA.

Two of the statutorily registered sites and one other place are listed on the non-statutory National Trust of Australia (Victoria) register and the Register of the National Estate (RNE). No sites were listed on the World Heritage List (WHL), National Heritage List (NHL) or Commonwealth Heritage List (CHL).

Across the statutory and non-statutory registrations there are 5 historic sites, some with multiple listings, within 2km of the study area. These sites do not have any heritage values or issues that are specifically connected with the study area, although the Traralgon Park homestead site is associated.

There are no registered historic sites within the study area.

## 3 Documentation of Prior Significant Ground Disturbance

### 3.1 History of Land Use

The main exploration of Gippsland in the south-east of the Port Phillip District was by men travelling south from New South Wales, rather than east from Melbourne. Angus McMillan, for example, journeyed from the Monaro area near Mt Kosciuszko to the Avon River and from there south to Port Albert, near Sunday Island, looking for land to depasture his sheep and a port (Fletcher, Helms and Gruber 2010). McMillan reached Port Albert in February 1841. Around the same time the Polish explorer Sir Paul Edmund de Strzelecki travelled through the south-east country with an Aboriginal guide named Charley Tarra. Partially following McMillan's track, Strzelecki and Tarra made it through rough terrain and mountainous landscapes to Westernport. McMillan, a Scotsman, called the south-east region 'Caledonia Australis' but Strzelecki renamed the area 'Gipp's Land' in honour of the Governor New South Wales, Sir George Gipps (Context 2019:19).

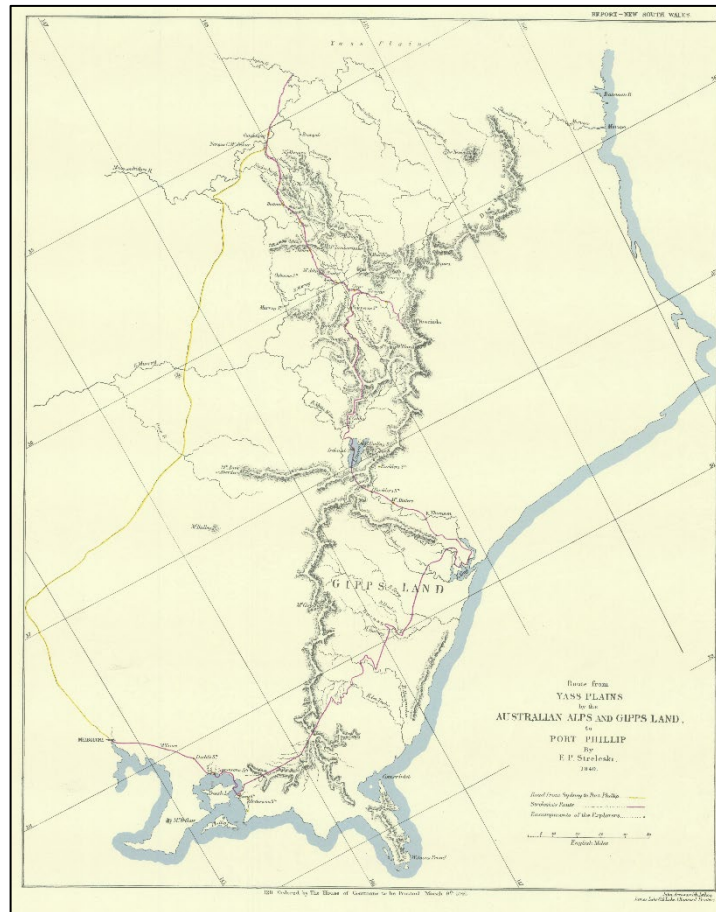


Figure 3–1: 'Route from Yass Plains by the Australian Alps and Gippsland, Port Phillip by E.P. Strzeleski 1840' (Strzelecki 1968).

In June 1841, Edward Barker, Albert Bodribb and Edward Hobson travelled on foot, accompanied by two Aboriginal men, from Melbourne to Gippsland via Port Albert before returning to Melbourne. Beaumont, Curran, Hughes and Milligan (1979:1) noted that the road into Gippsland followed the route of this party. Barker, Bodribb and Hobson observed that the country in this part of the Port Phillip District was well timbered with a variety of wildlife, including kangaroos, wallabies, bandicoots, kangaroo rats, emus, lyrebirds and wild turkeys (Beaumont et al. 1979:1-2).

While other areas in the Port Phillip District were quickly taken up by pastoralists for grazing, the more eastern sections of Gippsland were thickly forested and not initially thought suitable for pastoral settlement. However, in these 'unsettled' districts squatting licenses were held from the late 1840s including the area around Traralgon. In 1848 the government gazetted the Traralgon pastoral run of 28,000ac. The run holder was Edmund Hobson, brother of Edward Hobson who had explored the Gippsland area in 1841 with Barker and Bodribb. Hobson seems to have taken out a license for the run from about 1844, even though it wasn't formally gazetted until four years later (Spreadborough and Anderson 1983:29; Billis and Kenyon 1932:263). The boundaries of the run were defined as: 'On the N by a frontage to the River La Trobe of 7½ miles, on the West by Messrs Broadbill, Bennet and Gorringe; on the E by a line running through a water-hole at the head of the Half Moon Flat N and S to the La Trobe River and Barren Ranges' (*Port Phillip Government Gazette*, 23 August 1848:335). The government estimated that the Traralgon run had a grazing capacity of 1,600 cattle and 12,000 sheep (*Port Phillip Government Gazette*, 23 August 1848:335). Following Hobson's death, the run was divided into Traralgon East and Traralgon West in 1853. The Traralgon East run had several different license holders before it was forfeit in May 1878 (Spreadborough and Anderson 1983:29). The last license holder was William Whittakers, although previous license holder John Fowler Turnbull claimed the pre-emptive right (Billis and Kenyon 1932:263).

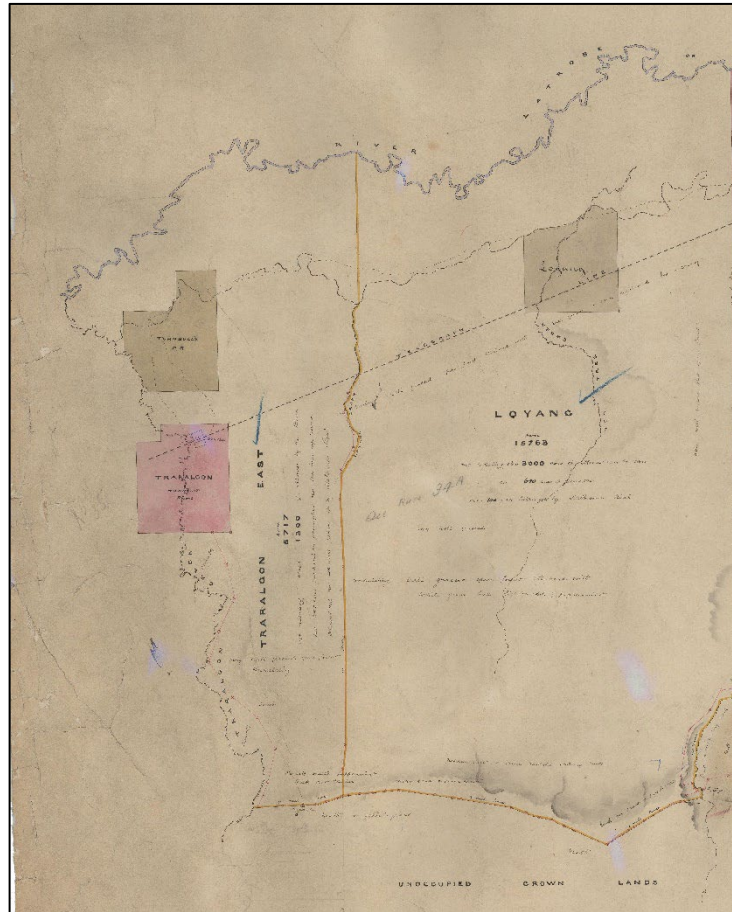


Figure 3–2: 'Run 34; SNAKES RIDGE MERTON LOY YANG TRARALGON EAST HOLEY PLAINS; SHAKESPEAR' (Shakespear 1864).

In the 1850s Joseph Jackson slashed through the Gippsland forest to create a stock route so he could transport cattle from Heyfield to Melbourne. Jackson's Track, as this route became known, passed north of Drouin and crossed the Tarago River making other parts of Gippsland more accessible (Context 2006:6). Most of the pastoral landholders in the West Gippsland region did not live on their runs, however, so development in these areas was slower compared with other parts of the Port Phillip District. Pastoral land was mainly used for grazing cattle, rather than settlement. The discovery of gold in the Tanjil Valley north of Moe, however, brought many more people to the area as they travelled through Gippsland to reach the goldfield.

By the 1860s the government started legislating to break up the larger pastoral runs and encourage small farm settlement. Smaller allotments were surveyed and offered for selection to people who were able to clear and develop the land. The selection of these allotments in the 1860s and 1870s led to the establishment of many townships along the Gippsland Road.

A coach service ran from Melbourne through to Berwick, although the condition of the road made it difficult to traverse. In the 1860s it took thirty-six hours to travel from Melbourne to Sale, including ten hours for the section between Bunyip and Moe that was particularly challenging to traverse. Improvement in the condition of the track reduced the time it took from Melbourne to Sale to twenty-two hours in the summer and twenty-seven in the winter. Stagecoaches were the main form of transport bringing passengers to Gippsland until the construction of the railway line (Berwick-Pakenham Historical Society 1982:43).

In 1871 the Commissioner of Crown Lands and Survey created the County of Buln Buln, notification of which appeared the *Victoria Government Gazette* in February along with several other counties (*Victoria Government Gazette*, 24 February 1871:334). The government began surveying the West Gippsland region in 1873 and the following year the government contracted the Noonan Brothers to build the Gippsland Railway line from Bunyip to Moe.

The Gippsland Railway line opened in 1877 with a line from Moe to Sale, including a station at Traralgon. Construction of the railway line to Melbourne finished in 1879 and by then the Gippsland line extended east as far as Bairnsdale, eventually reaching Orbost in 1916 (Court n.d.:10). The railway was crucial for local industry and provided transport for goods such as timber and farm produce to Melbourne.





Figure 3–3: 'Traralgon Railway Station' (c.1885).

Initially the timber trade was a main industry in the region as land was cleared and then opened up for pasture. The forest in West Gippsland was a vast resource to be exploited and in Melbourne timber was in demand for construction and heating, a market made more easily accessible by the railway. Large and small sawmills were in operation throughout the area. The timber industry also assisted in the growth of rural towns through land clearing and sometimes landowners established sawmills just to clear their selection (Butler 1979:490).

The dairy industry developed following extensive clearing of the forest. The early pastoral runs were cattle stations and dairy cattle also did well on the rich Gippsland grasses. In the twentieth century butter factories in Gippsland towns like Traralgon produced milk, butter and cheese. Technological improvements in the industry meant that by the 1890s there were many dairy farms in the district supplying a booming market. Many of the farmers formed co-operatives to improve the regularity and quantity of supply to manufacturers. The *Appropriation Act* supported agricultural development in Victoria and provided cash bonuses for the promotion of primary industry including dairying, fruit and wine growing. The government encouraged investment in new manufacturing processes and factories for butter and cheese (Butler 1979:443; Court n.d.:10).

Other industries at Traralgon included hop growing and drying in large kilns, market gardening, eucalyptus distilling and the collection of wattle bark for tanning. The discovery of high-quality clay deposits at Traralgon also led to the establishment of a successful brick works in the town (Court n.d.:10-11).

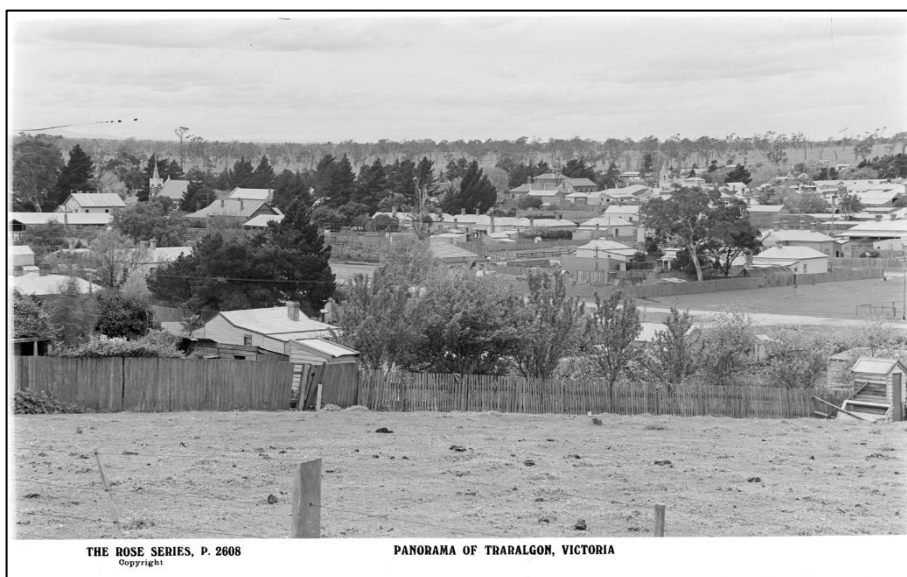


Figure 3–4: 'Panorama of Traralgon, Victoria' (Rose Stereograph Co. c.1920-1954).

In 1903 the *Australian Handbook* described Traralgon as a larger town on the Traralgon Creek with several hotels, 4 churches, a state school, 2 banks, a mechanics institute, a library, shire hall, court house, treasury building, police quarters, a lodge and a tannery. The town was also the main location for the local court of petty sessions and the

Shire of Traralgon Council. The population of Traralgon was 1,385 in 1903, while the Shire included 2,175 inhabitants (Victorian Places 2015).

In the twentieth century, development in Traralgon occurred mainly as a result of the establishment in 1937 of the Australian Paper Manufacturers pulp mill in Maryvale, near the Latrobe River west of Traralgon. The year before the government had passed the *Wood Pulp Agreement Act* giving the mill access to the Gippsland Forest. The construction of the paper mill brought many people to the area for work creating a housing boom in Morwell and Traralgon.

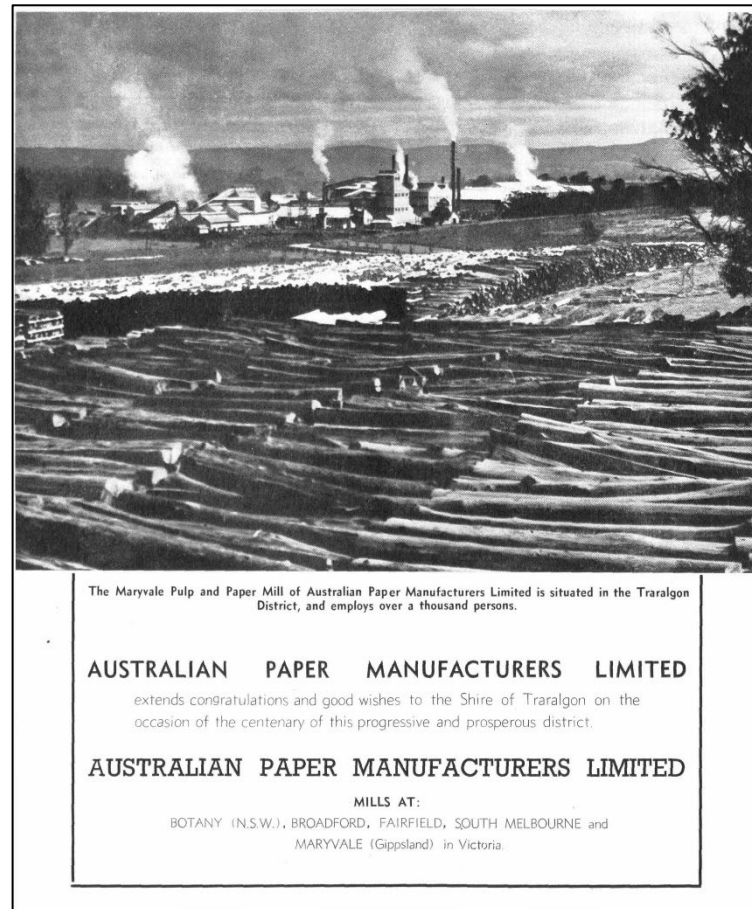


Figure 3–5: ‘Australian Paper Manufacturers Limited’ (Traralgon Centenary Committee 1946).

A huge bush fire swept through the Gippsland Forest in 1939. Paper production, however, continued in the wake of the fire due to a government program of extensive re-forestation in the area and the planting of over 10 million pine trees during the 1950s (Court n.d.:12). The population of Traralgon increased significantly at this time, expanding from 8,845 inhabitants in 1954 to 12,300 in 1961.

During the 1970s other industrial development, such as the establishment of a power station south of Traralgon at Loy Yang, further established Traralgon as a major regional center in the Latrobe Valley in Gippsland.

#### **Land Use History of the Study Area**

As part of the original Traralgon pastoral run, the study area was mainly used for grazing sheep before the extensive clearing of vegetation occurred. Located south of the Latrobe River, the river flats provided excellent grazing opportunities and the soil was exceedingly productive.



Figure 3-6: '[Latrobe Flats, Traralgon]' (Victorian Railways c.1945-1954).

Edward William Hobson, the brother of Edmund who held the Traralgon run license, was thought to have managed the run on his brother's behalf. Edward noted in 1847 that 'the country is by no means an interesting one, being very thickly timbered excepting on the banks of the rivers, where the plains are extensive and exceedingly rich. On my run I could plough 1,000 acres of the richest soil in the world without cutting down a tree' (Traralgon Centenary Committee 1946).

After the Traralgon run was divided in 1853, the study area became part of the Traralgon East run, which was used for cattle grazing (Traralgon Centenary Committee 1946). In 1855 John Fowler Turnbull claimed 640ac of the run as a pre-emptive right purchase.

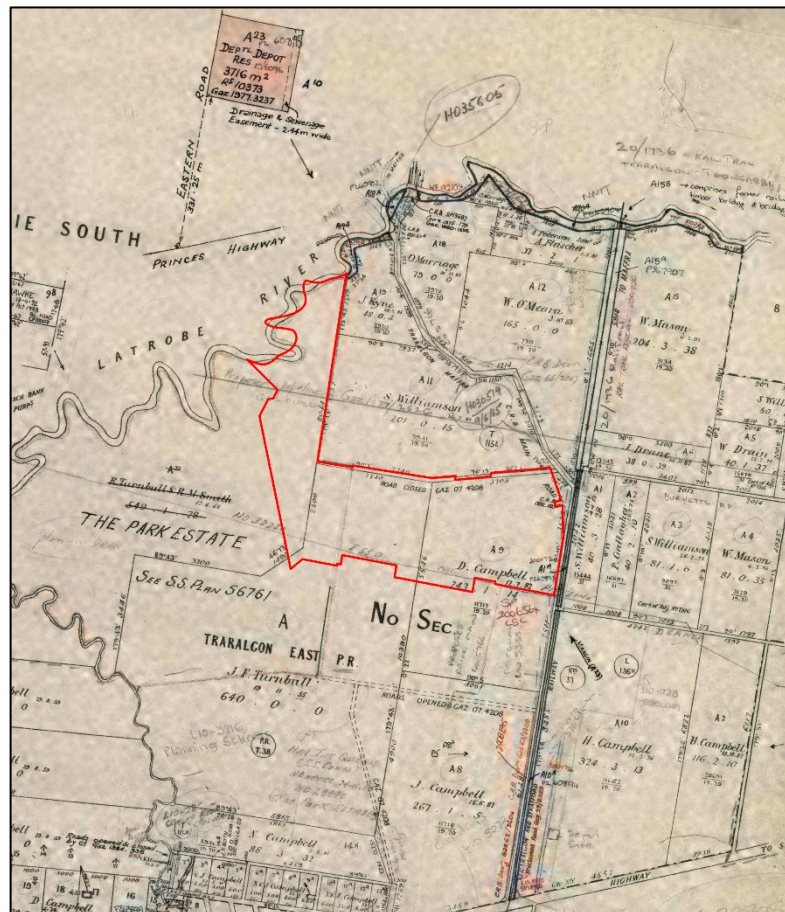


Figure 3-7: Detail from 'Traralgon, County of Buln Buln - Sheet 1' (Department of Lands and Survey 1951). The approximate location of the study area is shown in red.



The study area includes part of the Turnbull pre-emptive right homestead land and several allotments south of the Latrobe River that were taken up by selectors under Sections 19 and 20 of the *Land Act 1869*. Under the *Land Act*, individuals could claim up to 320ac as a selection that they could later purchase, or lease until purchase, if they lived on the land for 2 years, and enclosed and cultivated 10ac (Nelson and Alves 2009:213). The Campbell and Williamson families selected allotments A8, A9, A11 and 14A under this scheme and purchased their selections in the period 1881-1885.

Allotment A9, bought by Dugald Campbell in 1882 under the *Land Act 1869*, included part of the study area. To meet the requirements of the *Land Act*, Campbell would have had to cultivate part of this allotment. In 1880 a Gippsland newspaper noted that the Campbell family had the largest area under crop (200ac) in Traralgon at their property Traralgon Park (*Warragul Guardian and Buln Buln and Narracan Shire Advocate*, 5 February 1880:3). By the time Dugald Campbell died in 1891, Traralgon Park had expanded to include ~4007ac on either side of the Traralgon Creek, extending from the edge of the township of Traralgon north to the Latrobe River ('Grant of Administration: Dugald Campbell' 1891). The estate encompassed several large blocks of land, identified in the Grant of Administration as part of an assessment of Dugald Campbell's assets after he died. The block that included the study area, mapped as Block D (Figure 3-8), was described for valuation purposes as 'good fattening land and a large proportion of it is fit for Agricultural purposes' ('Grant of Administration: Dugald Campbell' 1891).

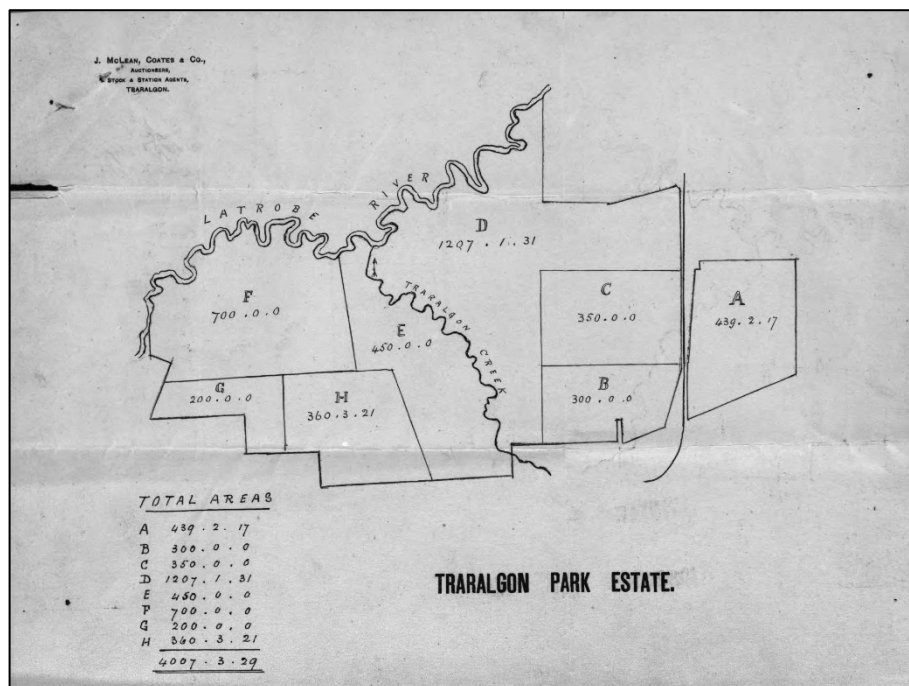


Figure 3-8: Diagram of extent of the Traralgon Park Estate at the time of Dugald Campbell's death ('Grant of Administration: Dugald Campbell' 1891).

Since their settlement in the district, the Campbell family progressively acquired all the land that comprises the study area to create Traralgon Park, including allotment A22 that had first been purchased by R Turnbull and RM Smith in 1868 and the former pre-emptive right homestead for Traralgon East pastoral run bought by Turnbull in 1855 (Department of Lands and Survey 1951). Dugald Campbell, described as a 'grazier', was using Traralgon Park to run 779 beef cattle, 16 heifers and calves, one shorthorn bull and 30 horses. Dugald Campbell's probate was not settled until 1906 but the executors had already offered Traralgon Park to the government Closer Settlement Board. The price asked for the land, however, was too high for the Board and the sale did not eventuate (*The Argus*, 12 June 1906:7).

Instead Traralgon Park was auctioned on 28 September 1906 and bought by John Campbell on behalf of a local syndicate who subdivided the estate into 253 blocks for resale (*The Age*, 6 October 1906:13). The second auction occurred in November 1906 when all the blocks were sold. The highest price was £40 10/ for 10ac (*The Age*, 30 November 1906:5). The blocks included a variety of land sizes from small sites close to town for residential housing to mid-sized farmlets for intensive agriculture and dairying to large farms of ~180ac (*Morwell Advertiser*, 12 October 1906:3).

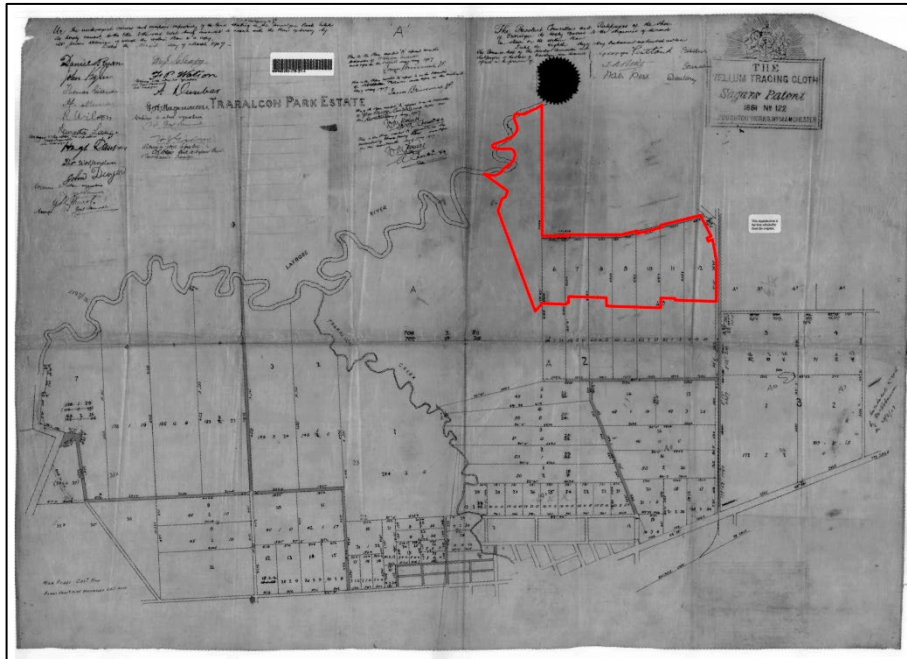


Figure 3-9: 'Traralgon Park Estate' (Robinson 1907). The approximate location of the study area is shown in red.

The Traralgon Park Estate subdivision left one large block of land of ~704ac including all of allotment A22, which had first been purchased by R Turnbull and RM Smith in 1868. In the late 1950s the government acquired this land from the Whittakers family under the *Soldier Settlement Act 1958* for soldier settlement farms. The settlement land, named 'The Park Estate', comprised the subdivision of allotment A22 into six properties of ~101-146ac, all of which included frontage to the Latrobe River. The study area includes most of allotment 26F from this subdivision. The Soldier Settlement Board promoted 'The Park Estate' as suitable for dairying (*Morwell Advertiser*, 7 June 1951:3; *The Age*, 21 June 1951:3).

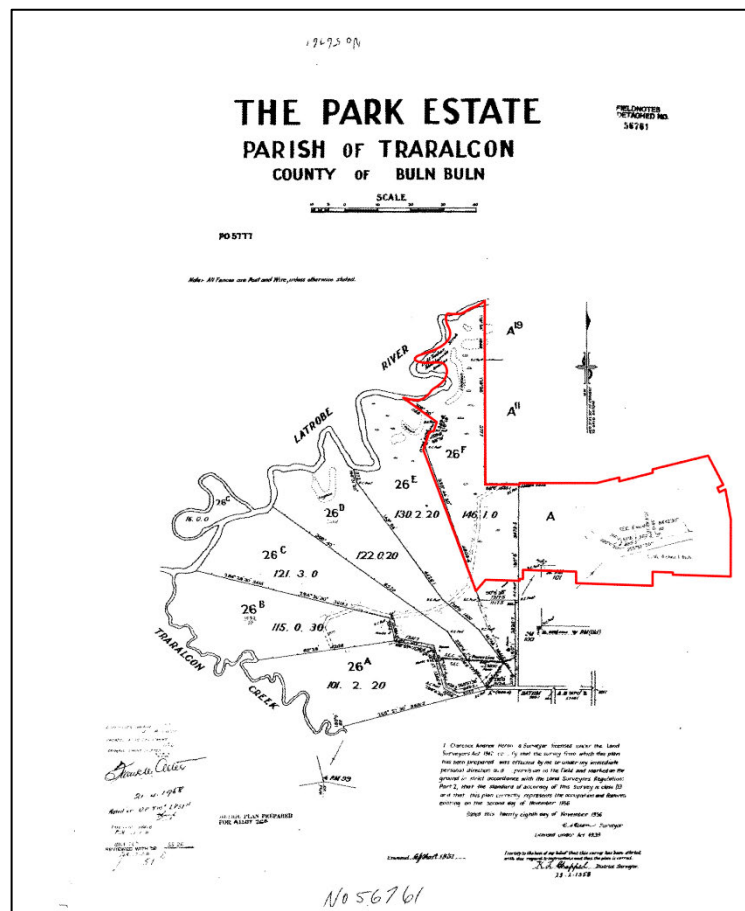


Figure 3-10: 'The Park Estate, Parish of Traralgon, County of Buln Buln' (Heron 1956). The approximate location of the study area is shown in red.



Aerial photographs of the study area indicate that the site has remained largely agricultural and grazing land since European settlement. An aerial photograph from 1935 shows part of the study area comprised cleared, open paddocks with a dam. The subdivided blocks of the Traralgon Park Estate are faintly visible and there is some indication that the land was used for cropping (Figure 3-11). An aerial photograph of the study area from 1967, after 'The Park Estate' subdivision, shows very little change in the land use and only a few scattered trees on the site (Figure 3-12). As with the 1935 image, faint lines indicating land subdivision are visible. A road extends through allotment 26F toward the Latrobe River extending from some outbuildings to the south of this allotment, which are connected to a residence adjacent the study area. By 1987 a few more tracks are visible in the southern section of the study area and there is more evidence of cropping across the site (Figure 3-13).

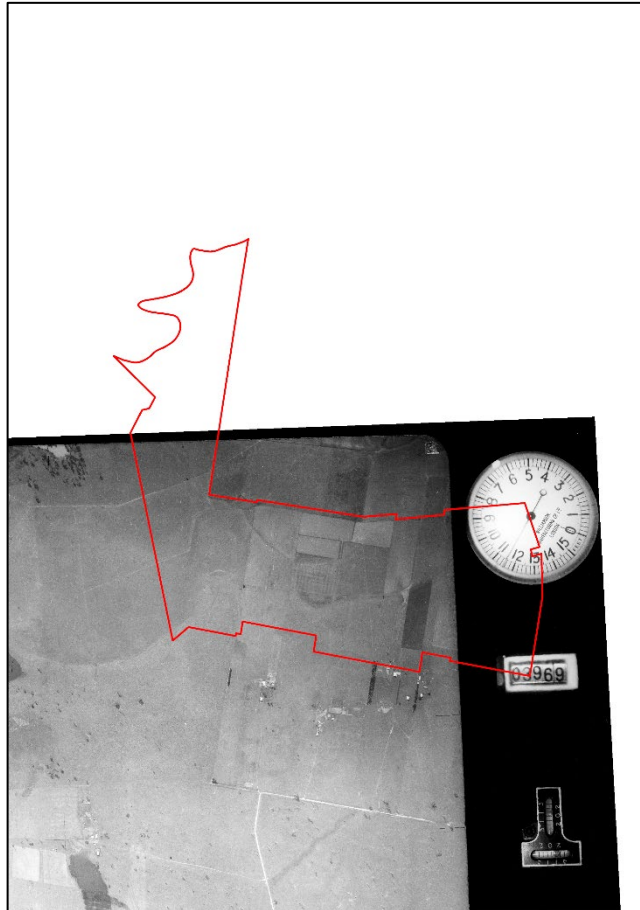


Figure 3–11: Detail of aerial photograph of the study area taken in 1935 (Geoscience Australia 1935). The approximate location of the study area is shown in red.

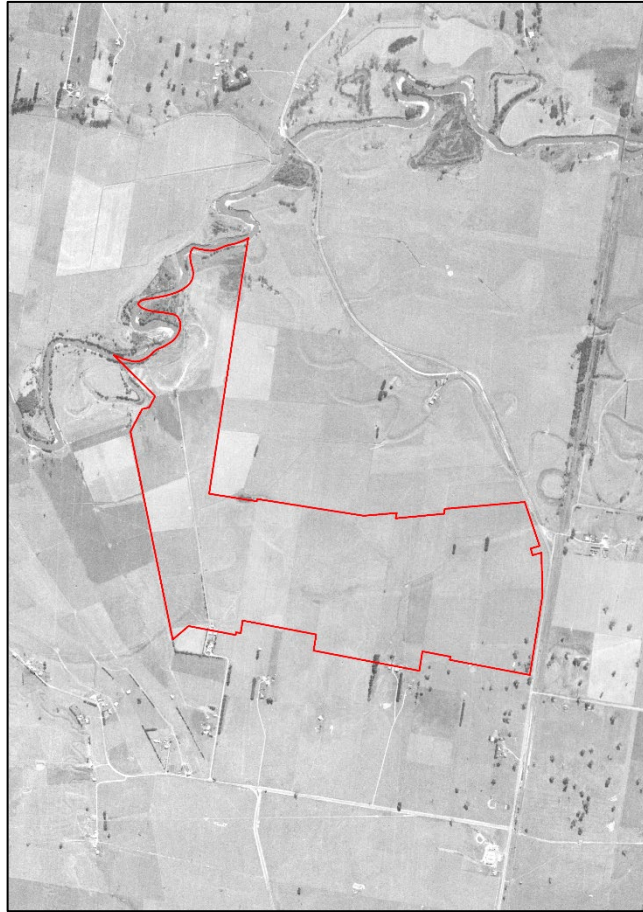


Figure 3–12: Detail of aerial photograph of the study area taken in 1967 (Geoscience Australia 1967). The approximate location of the study area is shown in red.



Figure 3–13: Detail of aerial photograph of the study area taken in 1987 (Commonwealth Aerial Photography, Australia Government 1987). The approximate location of the study area is shown in red.

Aerial photographs of the study area from 2012 and 2023 show increasing residential development spreading north towards the site (Figure 3-14; Figure 3-15). Extensive cropping of the study area is also visible and an additional, more substantial road extends from another residence adjacent the site in the south. A few more trees are scattered across the study area by 2012 and some additional outbuildings. Smaller paddock divisions are clear and another dam has been excavated in the west of the site. The 2023 aerial photograph shows two areas of recent ground disturbance, additional dams in the north and more tracks across the site but otherwise the study area mainly comprises open paddocks.



Figure 3–14: Detail of aerial photograph of the study area taken in 2012 (Nearmap 2012). The approximate location of the study area is shown in red.





Figure 3–15: Detail of aerial photograph of the study area taken in 2023 (Nearmap 2023). The approximate location of the study area is shown in red.

### 3.2 Conclusions of the Land Use History

- The study area is south of the Latrobe River on the flats, which have rich soils for agriculture and grazing
- Following European settlement, the study area was used as a pastoral station for sheep and cattle grazing
- After the government surveyed the parish, allotments were taken up by selectors under the *Land Act 1869*
- The study area was part of Traralgon Park, owned by the Campbell family who used it for grazing cattle and horses
- The study area was subdivided into smaller allotments in 1907 for dairying and other intensive agriculture
- The Soldier Settlement Board acquired a large allotment that remained following the 1907 subdivision, which it further subdivided into six allotments for dairy farms
- The study has mainly been used for grazing and cropping
- There is no evidence of significant ground disturbance within the study area, although there is some recent disturbance visible on the 2023 aerial photograph.

## 4 Recommendations

### 4.1 Aboriginal Heritage Act 2006

This due diligence assessment included a review of existing Aboriginal Places located within a 5km radius of the study area, as well as an assessment of the potential for previously unrecorded places to be located within the study area.

In summary, under the Aboriginal Heritage Regulations 2018:

- The study area is within an area of cultural heritage sensitivity:
  - r.26 (1) – land within 200m of a waterway is an area of cultural heritage sensitivity (La Trobe River and Loy Yang Creek)

- r.25 (2) – land within 50m of a registered cultural heritage place is an area of cultural heritage sensitivity
- The proposed works comprise a high impact activity:
  - r.49 – the subdivision of land into 3 or more lots

As the proposed activity is within an area of Aboriginal cultural heritage sensitivity and is a high impact activity, both triggers are in place for a mandatory CHMP.

Therefore, **a CHMP for this activity is required** under the Aboriginal Heritage Regulations 2018.

## 4.2 Heritage Act 2017

The *Heritage Act 2017* protects all non-Aboriginal cultural heritage sites older than fifty years. If a site is of state significance, it is listed on the Victorian Heritage Register and a permit from Heritage Victoria is required to disturb it. If an archaeological site is not of state significance it is usually listed on the Victorian Heritage Inventory and consent from Heritage Victoria is required to disturb it.

If an historical archaeological site is uncovered during the activity, under s.127 of the *Heritage Act 2017*, it is an offence to knowingly damage, disturb or excavate without obtaining the appropriate consent from the Executive Director of Heritage Victoria.

There are currently no known historic sites within the study area, therefore, no further approvals are required.

## 4.3 Summary of Recommendations

- There is a **mandatory requirement for a CHMP**.

However,

- Millar Merrigan has initiated this assessment to provide high-level guidance in relation to the cultural heritage values of the study area, which has been nominated for possible subdivision. Future individual developers of lots within this area may or may not be required to undertake a CHMP. The study area as a whole triggers a CHMP, however, if individual lots within the study area are to be developed separately, each lot proposed for subdivision should be assessed individually to determine the presence of areas of Aboriginal cultural heritage sensitivity.

Based on current mapping, the area of sensitivity impacts Lot H PS 826075 and Lot 26F PP3647 and as such, should there be no evidence of significant ground disturbance in these areas mandatory CHMPs are likely required for these properties. At the current time there appears to be no mandatory requirement for Lots 2 PS835779, Lot D PS826073 and Lot 1 PS329021 to prepare CHMPs prior to subdivision, should they be developed independently.

It is noted that the discovery of cultural heritage as a result of assessments undertaken during the completion of future CHMPs may extend the area of cultural heritage sensitivity beyond current locations.

- The Unexpected Finds Procedure included in Appendix 6.2 must be followed during construction of the works.

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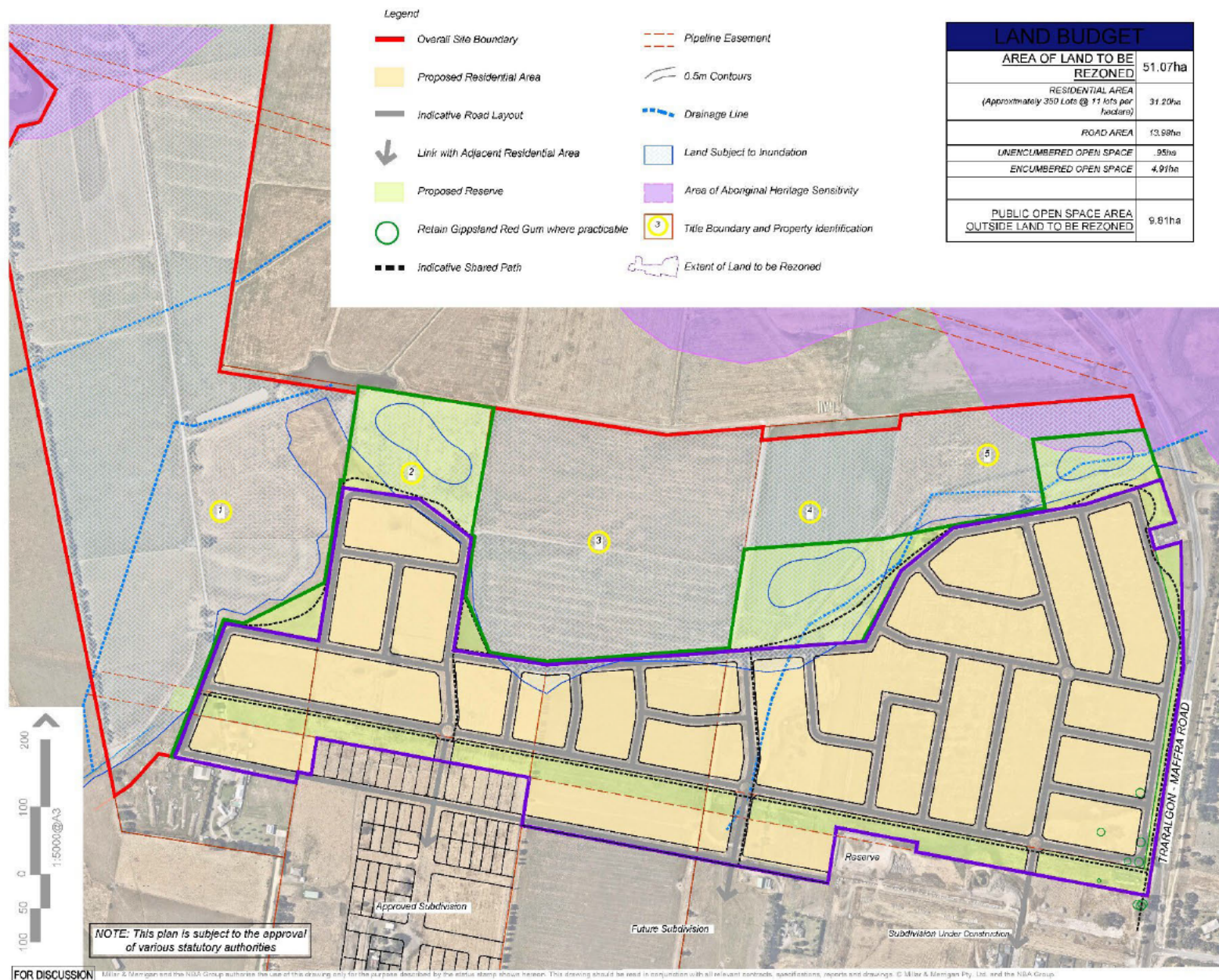
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## 6 Appendices



## 6.1 Indicative Concept Plan Provided by Millar Merrigan



### CONCEPT LAYOUT

Proposed Rezoning  
Traralgon-Maffra Road, Traralgon  
Latrobe City Council  
25950SK1  
Version 5 (November 2021)

NBAgroup  
M | M

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## 6.2 Unexpected Finds Procedure

Action	Details	Who?	What?	When?
Stop Work	In the event of the discovery of an unexpected cultural heritage place, all works in the vicinity of the discovery must cease.	All	Stop work	As soon as a suspected discovery is made
Notify Supervisor	The person finding items must contact the site supervisor.	Person finding item	Contact supervisor	As soon as a suspected discovery is made
Protect the Find(s)	Tape or Fence off the area to prevent any further disturbance to the find(s).	Supervisor	Ensure find(s) are secured and no work is undertaken within 20m of the find(s)	ASAP
Notify Heritage Advisor	The site supervisor is to contact the Heritage Advisor who will assess the new find(s).	Supervisor	Contact the appointed Heritage Advisor for the project	ASAP
Assess Find(s)	The Heritage Advisor will attend site to assess the item(s) in question.	Heritage Advisor	Conduct on site assessment	Within 24 hours
If the items are Aboriginal cultural heritage and there is an approved CHMP?	If there is an approved CHMP, follow the procedures outlined in the contingencies. Works can only resume after the Heritage Advisor/Traditional Owners have assessed the item(s) and the relevant contingencies in the CHMP have been enacted.	Supervisor/Heritage Advisor	Enact CHMP contingencies	ASAP
If the items are Aboriginal cultural heritage and there is no approved CHMP?	If there is no CHMP, all works must immediately stop and the Heritage Advisor must be contacted to confirm the find and facilitate notification and consultation with relevant statutory authorities under the <i>Aboriginal Heritage Act 2006</i> . Works cannot recommence until requirements under the <i>Aboriginal Heritage Act 2006</i> have been met.	Heritage Advisor	Facilitate notification and consultation	ASAP
If the items are historical (non-Aboriginal) cultural heritage?	The Heritage Advisor will assess the nature of the finds and record them in situ. The Heritage Advisor will consult with the Project team and Heritage Victoria to determine the most appropriate means of managing the heritage places/item(s). This may mean the items are left in situ or salvaged. Works can only resume after the Heritage Advisor has assessed the heritage places and a suitable mitigation strategy has been agreed with the Project team and Heritage Victoria.	Heritage Advisor	Notify the Project team and Heritage Victoria	ASAP
If Human Skeletal Remains are discovered?	The discovery of human remains is relatively uncommon but is a serious issue.  If there is an approved CHMP then follow the procedures outlined in the contingencies.  If there is no approved CHMP and suspected human remains are discovered:  - Victoria Police (000) and the State Coroner's Office (1300 309 519) must be contacted immediately - All work within a minimum of 50m of the place(s) or item(s) must cease immediately - Fence off the site and ensure no works are undertaken within 20m of the find - Ensure no unauthorised personnel interact with the remains and the surrounding area - Notify the Site Supervisor - Notify the Heritage Advisor - Keep all non-essential personnel away from the area - Do not post on social media  DO NOT CONTACT THE MEDIA UNDER ANY CIRCUMSTANCES.  DO NOT TOUCH OR INTERFERE WITH THE REMAINS IN ANY MANNER AS YOU MAY COMPROMISE A CRIME SCENE.	Site Supervisor to contact authorities and all personnel to follow instructions of supervisor regarding securing the site and then leave the area	Contact Police on 000  Contact State Coroner's Office on 1300 309 519  Contact the appointed Heritage Advisor for the project	Immediately

Action	Details	Who?	What?	When?
	<p>If the site becomes a 'crime scene' access to recommence works will only be given by the Police and/or the Coroner's office at the conclusion of their investigations.</p> <p>Work(s) may be permitted to resume near the site ONLY IF approval is granted by the relevant authorities.</p>			