

PP81/2019-1

217-219 Great Ocean Road APOLLO BAY

CP: 165106 V/F: 9757/664

**Subdivision of the land into Four (4) Lots and
creation of accesses onto RDZ1**

P Callister

Officer - Helen Evans

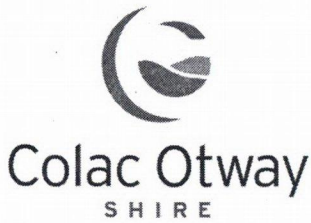
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Submissions to this planning application will be accepted until a decision is made on the application.

If you would like to make a submission relating to a planning permit application, you must do so in writing to the Planning Department

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Planning Enquiries
Phone: (03) 5232 9400
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Web: www.colacotway.vic.gov.au

Office Use Only

VicSmart?

Specify class of VicSmart application:

Application No.:

Date Lodged: 7

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the back of this form.

⚠ Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the Planning and Environment Act 1987. If you have any concerns, please contact Council's planning department.

⚠ Questions marked with an asterisk (*) must be completed.

⚠ If the space provided on the form is insufficient, attach a separate sheet.

📄 Click for further information.



Clear Form

Application Type

Is this a VicSmart application?*

No Yes

If yes, please specify which VicSmart class or classes:.....

⚠ If the application falls into one of the classes listed under Clause 92 or the schedule to Clause 94, it is a VicSmart application.

Pre-application Meeting

Has there been a pre-application meeting with a Council planning officer?

No Yes

If 'Yes', with whom?:

Date:

day / month / year

The Land **📄**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

Unit No.:

St. No.: 217-219

St. Name: GREAT OCEAN ROAD.

Suburb/Locality: APOLLO BAY.

Postcode: 3233

Formal Land Description *

Complete either A or B.

⚠ This information can be found on the certificate of title

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.:

Lodged Plan

Title Plan

Plan of Subdivision

No.: CP165106

OR

B Crown Allotment No.:

Section No.:

Parish/Township Name:

The Proposal

⚠ You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

i For what use, development or other matter do you require a permit? *

4 LOT SUBDIVISION.

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

i Estimated cost of any development for which the permit is required *

Cost \$ 200000

⚠ You may be required to verify this estimate. Insert '0' if no development is proposed.

If the application is for land within metropolitan Melbourne (as defined in section 3 of the Planning and Environment Act 1987) and the estimated cost of the development exceeds \$1 million (adjusted annually by CPI) the Metropolitan Planning Levy must be paid to the State Revenue Office and a current levy certificate must be submitted with the application. Visit www.sro.vic.gov.au for information.

Existing Conditions **i**

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

SINGLE DWELLING.

Provide a plan of the existing conditions. Photos are also helpful.

Title Information **i**

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

- Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)
- No
- Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

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Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name: Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Please provide at least one contact phone number *

Contact information for applicant OR contact person below

Business phone: Email:

Mobile phone: Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details* Same as applicant

Name: Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name: Same as applicant Title: First Name: Surname:

Organisation (if applicable):

Postal Address: If it is a P.O. Box, enter the details here:

Unit No.: St. No.: St. Name:

Suburb/Locality: State: Postcode:

Owner's Signature (Optional): Date:
day / month / year

Information requirements

Contact Council's planning department to discuss the specific requirements for his application and obtain a planning permit checklist.

Is the required information provided?

Yes No

Declaration i

This form must be signed by the applicant *

⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.

Signature: Date:
day / month / year



60 Noel Street Apollo Bay, Victoria, 3233.

Ph: 0352377427 Email: kris@ktbuildingdesign.com.au
Fax: 0352377272 Web: www.ktbuildingdesign.com.au

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'Information' to accompany the planning permit application for four lot subdivision.

PROPERTY: 217-219 Great Ocean Road, Apollo Bay 3233

1 ADDITIONAL INFORMATION CHECKLIST

Documents attached to support the application for planning permit include:

DOCUMENT NAME	DATE
Information (this document)	3/04/2019
Application for a Planning Permit form	3/04/2019
Planning Report prepared by Kris Thomas Building Design & Drafting Services	3/04/2019
3 copies of set of 3 design drawings, prepared by Kris Thomas Building Design & Drafting Services comprising: 1. Neighbourhood and Site Description Plan - @ 1:200 2. Design Response Site Plan - @ 1:200 3. Subdivision Plan - @ 1:200	3/04/2019
Planning Property Report	22/03/2019
Certificate of Title, Plan of Consolidation 165106P Vol. 09757 Fol. 664	Search current as at 3/04/2019
Cultural Heritage Management Plan – Notice of Approval	1/04/2008

PUBLIC OPEN SPACE REQUEST
PLUS 3 PHOTOS.

15-4-2019

15-14-2019

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Re: Public Open Space Contribution

Something that hasn't been considered in the past that has been brought to our attention is that for the 20 years that we have owned the property we have looked after the public open space (approximately 1400m²) shown in photos 217-219 Great Ocean Road, No 1-3.

It adds up to quite some cost to us when you consider running both ride-on mower and whipper snipper. At least 2 hours labour per cut. Also we have looked after the area along Milford Creek between our property and the Great Ocean road.

We ask that this be considered as our contribution to the public open space. The area is used by the public, both as a walkway (no foot path on G.O.R.) and safe play area for children (cricket and football).

Owners

Philip & Elska Callister



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217-219 GREAT OCEAN rd
APOLLO BAY

PUBLIC OPEN SPACE

①

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D19/46681

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217-219 GREAT OCEAN RD
APOLL BAY
PUBLIC OPEN SPACE (2)

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217-219 GREAT OCEAN RD
APOLLO BAY,
PUBLIC OPEN SPACE.

3

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60 Noel Street Apollo Bay, Victoria, 3233.

Ph: 0352377427 Email: kris@ktbuildingdesign.com.au
Fax: 0352377272 Web: www.ktbuildingdesign.com.au

3 April 2019

PLANNING REPORT

SUBJECT SITE: 217-219 GREAT OCEAN ROAD, APOLLO BAY
APPLICATION: PLANNING PERMIT FOR FOUR LOT SUBDIVISION

1. SITE DETAILS

Address:	217-219 Great Ocean Road, Apollo Bay
Lot & Plan No.	CP165106
Owners:	Philip & Elskoe Callister
Proposal:	Four lot subdivision
Zone:	Neighbourhood Residential Zone - Schedule 1
Overlays:	Design and Development Overlay - Schedule 7 Land Subject to Inundation Overlay
Aboriginal Cultural Heritage Sensitivity:	Applicable

2. PROJECT SUMMARY

The subject site is 4538 square meters and contains an existing single storey dwelling. The subject site is diagonally divided by Milford Creek. The site is to be subdivided into four lots, Lot 1 2830m², Lot 2 469.5m², Lot 3 465m² and Lot 4 773.3m². Lot 1 is to contain the existing dwelling and lots 2, 3 and 4 are to become vacant. Lot 1 is to have primary access from Casino Avenue, lots 2, 3 & 4 are to have street frontage to Great Ocean Road.

3. STATE PLANNING POLICY FRAMEWORK

Clause 15 – Built environment and Heritage

The proposed subdivision is consistent with the objectives of this policy as the subject site is zoned for residential development. The proposal provides a positive urban outcome with minimal detriment to adjoining properties.

Clause 16 – Housing

The proposed subdivision is located within the Apollo Bay township and provides a diversity of lot size for housing and affordability. The proposed development makes use of existing infrastructure.

4. LOCAL PLANNING POLICY FRAMEWORK

Clause 21.03 – The Settlement

Clause 21.03-3 Apollo Bay and Marengo

The proposed subdivision is consistent with the objectives of this policy as the subject site is located within the area of the Apollo Bay, Marengo, and Skenes Creek Framework Plan designated to encourage infill development at appropriate densities.

5. CLAUSE 56 RESIDENTIAL SUBDIVISION

LIVEABLE AND SUSTAINABLE COMMUNITIES

Clause 56.03-2 Activity centre objective

The site to be subdivided is located between Great Ocean Road and Casino Avenue. The proposed lots have street frontage to Casino Avenue and Great Ocean Road and are connected to the existing road network and public transport infrastructure. The site is connected directly to and within existing walking path networks.

Clause 56.03-3 Planning for community facilities objective

The site to be subdivided is located within the existing township zone serviced by existing community facilities infrastructure.

Clause 56.03-5 Neighbourhood character objective

The site to be subdivided is located between Great Ocean Road and Casino Avenue. The proposed lots have street frontage and vehicle access to Casino Avenue and Great Ocean Road. The lot containing the existing dwelling is to have primary vehicle access to Casino Avenue. The northern and southern boundaries abut existing residential lots.

The site is diagonally divided by Milford Creek running from the south western corner to the north eastern corner. The site contains an existing single storey brick veneer dwelling with pitched tiled roof. The dwelling is setback 58.2 metres approx. from the front boundary, 1.55 metres from the northern side boundary, 23.3 metres approx. from the existing southern side boundary and 8.5 metres from the rear.

The site has side and rear fences with no front fence.

Garden vegetation exist on site adjacent to the existing dwelling and in the vicinity of the creek and existing driveway, no vegetation is to be removed to accommodate the infrastructure requirements of the proposed subdivision.

The surrounding and nearby buildings range in age from approximately ten to forty years and are a mixture of single and double storey weatherboard, plywood, brick and fibro, roof shapes are predominantly hip, gable and skillion, clad with metal sheet and masonry tile.

The streetscape of the surrounding and nearby properties consists of prominent building facades set with native and garden vegetation, front fencing is low scale where it exists.

The existing dwelling is established in the surrounding urban environment and contributes to the neighbourhood character and the existing streetscape. The proposed subdivision is expected to have minimal impact to the existing streetscape of Great Ocean Road and Casino Avenue.

LOT DESIGN

Clause 56.04-1 Lot diversity and distribution objectives

The site is located within the existing township network and approximately 550m from the nearest existing bus stop. Lot 1 is designed to contain the existing dwelling, lots 2, 3 and 4 are designed to accommodate single dwellings.

Clause 56.04-2 Lot area and building envelopes objective

Lot 1 has an area of 2830m² and contains the existing dwelling with provision for solar access, private open space, vehicle access and parking, water management and the retention of existing site features.

Lot 2 has an area of 469.5m², Lot 3 has an area of 465m² and Lot 4 has an area of 773.3m². All lots can contain a rectangle of 10 metres by 15 metres. (Refer to Design Response Site Plan) with provision for solar access, private open space, vehicle access and parking, water management and the retention of existing site features.

Clause 56.04-3 Solar orientation of lots objective

Existing solar orientation conditions are to remain for lot 1. Lots 2, 3 and 4 have adequate lot size to protect solar access.

Clause 56.04-4 Street orientation objective

The proposed lots 1, 2 and 3 front Great Ocean Road with an outlook directly onto the public open space of the coastal foreshore, lot 1 also has rear abutment to Casino Avenue. Lot 4 has direct access to Great Ocean Road with the site outlook to the north and directly to the existing creek and vegetated landscape.

Clause 56.04-5 Common area objective

No common property proposed.

URBAN LANDSCAPE

Clause 56.05-1 Integrated urban landscape objectives

The proposed lots are located within an existing landscaped and manicured garden setting. The existing lot is diagonally divided by a creek with managed vegetation which is contained immediately to the bank on either side. No vegetation is to be removed as part of the proposed subdivision, the creek and associated vegetation are to remain unaltered. The proposed lots have direct access to the existing public open of the coastal foreshore and road reserve.

ACCESS AND MOBILITY MANAGEMENT

Clause 56.06-2 Walking and cycling network objectives

The proposed lots are located within the existing township network and have direct access to the existing walking and cycling network within the township and associated with the Great Ocean Road and coastal walking trail.

Clause 56.06-4 Neighbourhood street network objective

The subject site to be subdivided has street frontage to Great Ocean Road. The proposed lots are to have direct vehicular access to/from Casino Avenue and Great Ocean Road. No internal road network is required or proposed as part of this application to subdivide.

Clause 56.06-5 Walking and cycling network detail objectives

The subject site to be subdivided has street frontage to Casino Avenue and Great Ocean Road. The proposed lots are to have direct cycling and pedestrian access to/from Casino Avenue and Great Ocean Road and existing associated infrastructure. No internal cycling and pedestrian network is required or proposed as part of the application to subdivide.

Clause 56.06-7 Neighbourhood street network detail objectives

The subject site to be subdivided has street frontage to Casino Avenue and Great Ocean Road. The proposed lots are to have direct vehicular access to/from Casino Avenue and Great Ocean Road. No internal road network is required or proposed as part of this application to subdivide.

Clause 56.06-8 Lot access objective

Lot 1 is to have primary vehicle access via the existing driveway from Casino Avenue. Lots 2, 3 and 4 are to have individual driveway vehicle access from Great Ocean Road.

INTEGRATED WATER MANAGEMENT

Clause 56.07-1 Drinking water supply objective

Lots 1 is currently connected to the existing reticulated water supply. Lots 2, 3 and 4 are to be connected to the existing reticulated water supply. Consideration is to be given to the

installation of rain water tanks for the collection and supply of drinking water to both lots, to the satisfaction of the relevant water authority.

Clause 56.07-2 Reused and recycled water objective

No reused or recycled water supply is currently available to the proposed lots. Consideration is to be given to the installation of grey water systems to both lots for the reuse of water for the substitution of drinking water for non-drinking purposes, to the satisfaction of the relevant authorities.

Clause 56.07-3 Waste water management objective

Lots 1 is currently connected to the existing reticulated waste water system. Lots 2, 3 and 4 are to be connected to the existing reticulated waste water system.

Clause 56.07-4 Stormwater management objectives

Lot 1 is connected to the existing stormwater system. Lots 2, 3 and 4 are to have stormwater discharged to the legal point of discharge to the satisfaction of the local authority. Consideration is to be given to maximising the area of site permeability to all lots.

SITE MANAGEMENT

Clause 56.08-1 Site management objectives

Minimal disturbance of the subject site is expected during the establishment of the proposed subdivision as services infrastructure currently exists to the subject site, and the access infrastructure required by subdivision is minimal.

UTILITIES

Clause 56.09-1 Shared trenching objectives

Utilities where required are to be installed in shared trenching where practicable.

Clause 56.09-2 Electricity, telecommunications and gas objectives

Public utilities exist in Great Ocean Road with the exception of reticulated gas supply, connect to the relevant authority's requirements where required.

Clause 56.09-3 Fire hydrants objective

Public utilities exist in Casino Avenue and Great Ocean Road, existing fire plugs are to remain unaltered.

Clause 56.09-4 Public lighting objective

Public utilities exist in Casino Avenue and Great Ocean Road, existing public lighting is to remain unaltered.

6. OVERLAYS

DESIGN AND DEVELOPMENT OVERLAY SCHEDULE 7

The proposed subdivision is consistent with Schedule 7 to the Design Development Overlay in that the development is consistent with the town character, adequate permeable space is maintained to sustain vegetation, and space between buildings is maintained for shared views to the surrounding landscape.

LAND SUBJECT TO INUNDATION OVERLAY

The proposed lots 1, and 3 contain adequate development area outside of the overlay, lots 2 and 4 are within the overlay. It is considered that the flood risk hazards to lots 2 and 4 are

minimal and that a floor level can be established above the projected flood level to mitigate potential risk to buildings and occupants.

7. ABORIGINAL CULTURAL HERITAGE SENSITIVITY

A Cultural Heritage Management Plan (10173) was developed for the purpose of a proposed eight lot subdivision. The proposal for eight lots was abandoned in preference for the four lot subdivision proposed by this application. The Cultural Heritage Management Plan – Notice of Approval issued in April 2008 is considered to be relevant and current to this application, refer to the notice of approval enclosed.

8. CONCLUSION & RECOMMENDATION

In summary, the proposed subdivision is considered to have addressed the relevant Planning Scheme considerations and requirements. We therefore recommend favourable consideration of the proposed subdivision on the basis of the assessment provided within this report.

SITE PHOTOGRAPHS



Photograph 1 - View to subject site from Great Ocean Road



Photograph 2 - View to adjoining southern property from Great Ocean Road



Photograph 3 - View to adjoining northern property from Great Ocean Road

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Photograph 4 - View to rear of subject site from Casino Avenue



Photograph 5 - View to rear of subject site from Casino Avenue



Photograph 6 - View to adjoining northern property from Casino Avenue

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Photograph 7 - View to adjoining southern property from Casino Avenue

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From www.planning.vic.gov.au on 22 March 2019 09:11 PM

PROPERTY DETAILS

Address: **217-219 GREAT OCEAN ROAD APOLLO BAY 3233**
 Lot and Plan Number: **Plan CP165106**
 Standard Parcel Identifier (SPI): **CP165106**
 Local Government Area (Council): **COLAC OTWAY**
 Council Property Number: **18865**
 Planning Scheme: **Colac Otway**
 Directory Reference: **VicRoads 519 O3**

www.colacotway.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/colacotway

UTILITIES

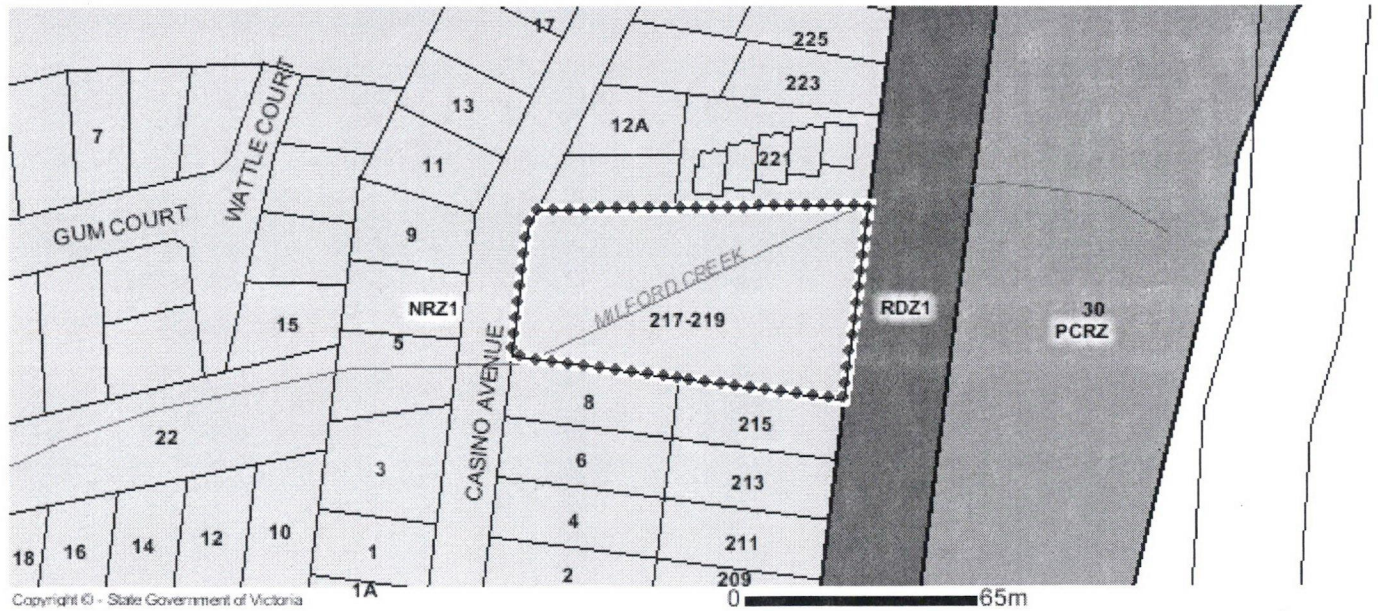
Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **Barwon Water**
 Melbourne Water: **outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

Legislative Council: **WESTERN VICTORIA**
 Legislative Assembly: **POLWARTH**

Planning Zones

NEIGHBOURHOOD RESIDENTIAL ZONE (NRZ)
NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1 (NRZ1)



NRZ - Neighbourhood Residential
 PCRZ - Public Conservation & Resource
 RDZ1 - Road - Category 1

Note: Labels for zones may appear outside the actual zone - please compare the labels with the legend.

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PLANNING PROPERTY REPORT



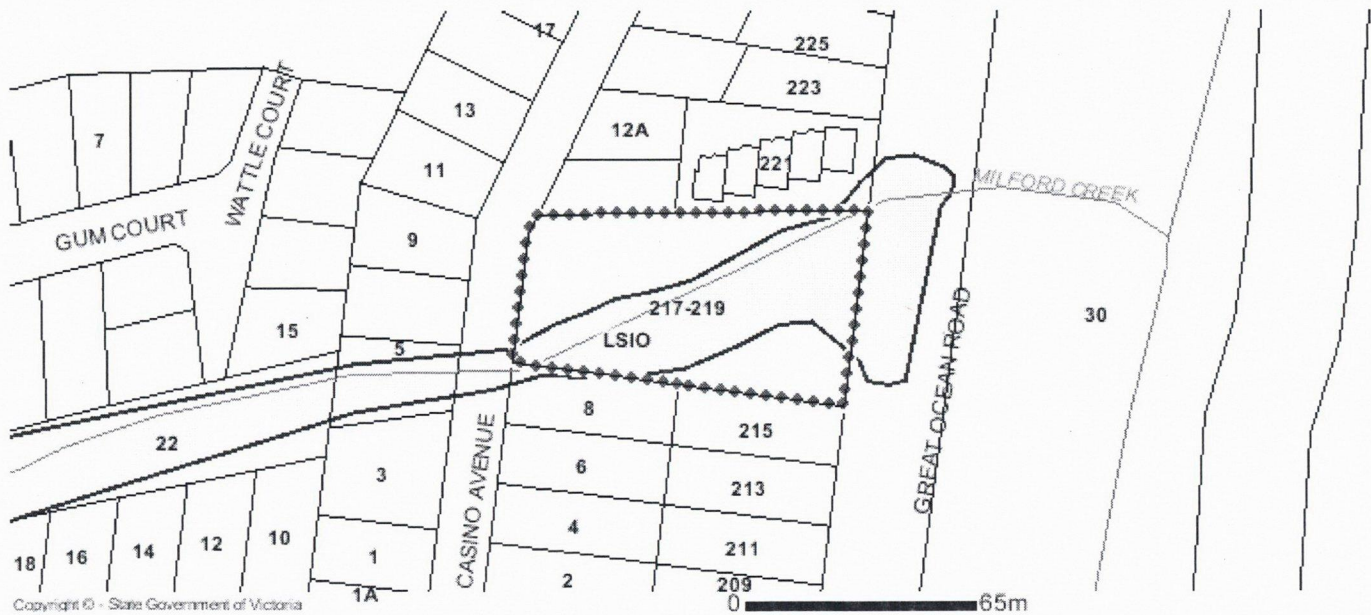
Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 7 (DDO7)



DDO - Design and Development
Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)
LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



LSIO - Land Subject to Inundation
Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

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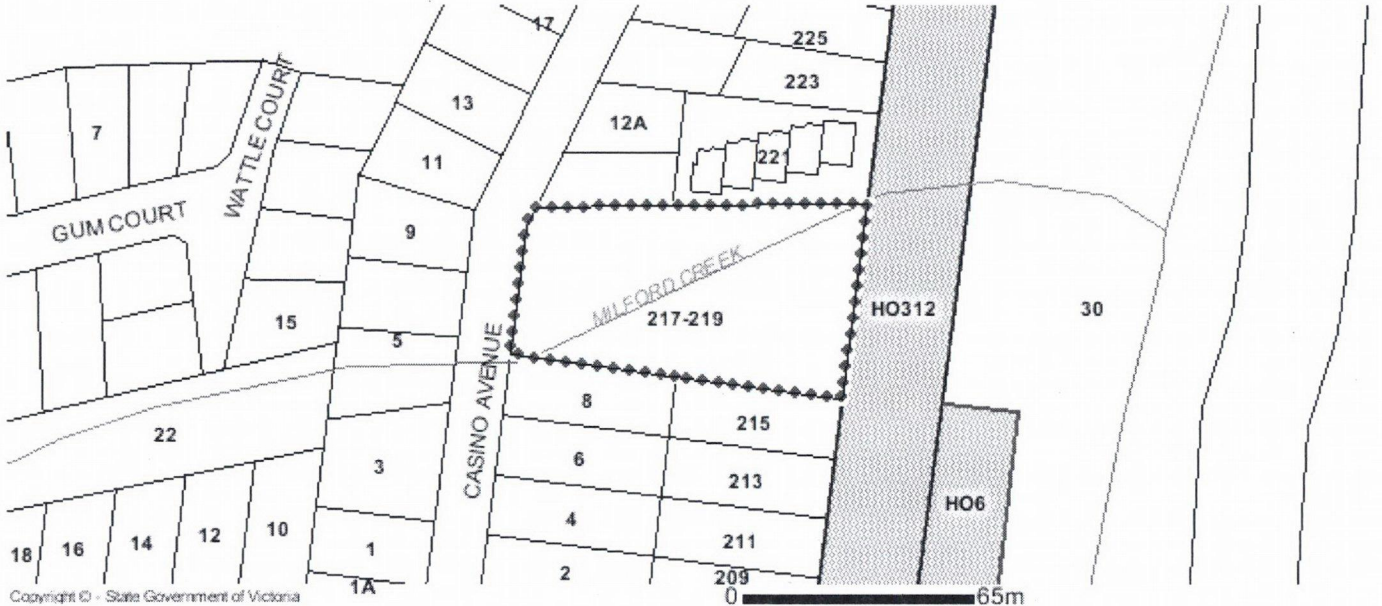


Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)



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HO - Heritage

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VICTORIA State Government Environment, Land, Water and Planning

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aav.nrms.net.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes.html>



Aboriginal Heritage

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Further Planning Information

Planning scheme data last updated on 21 March 2019.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987*.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958 Page 1 of 1

VOLUME 09757 FOLIO 664

Security no : 124076864453K
Produced 03/04/2019 04:02 PM

LAND DESCRIPTION

Land in Plan of Consolidation 165106P.
PARENT TITLES :
Volume 09371 Folio 312 Volume 09402 Folio 534
Created by instrument CP165106P 10/07/1987

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
PHILIP CALLISTER
ELSKOE CALLISTER both of 219 GREAT OCEAN RD APOLLO BAY 3233
W430092V 26/11/1999

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE CP165106P FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 217-219 GREAT OCEAN ROAD APOLLO BAY VIC 3233

DOCUMENT END



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Aboriginal Heritage Act 2006
Section 65

Cultural Heritage Management Plan - Notice of Approval

I, Ian Hamm, Deputy Director, Aboriginal Affairs Victoria, acting under authority delegated to me by the Secretary, Department of Planning and Community Development, hereby approve the cultural heritage management plan referred to below:

AN EIGHT LOT SUBDIVISION 217 – 219 GREAT OCEAN ROAD, APOLLO BAY
Cultural Heritage Management Plan number: 10173

Sponsor: Philip Callister

Cultural Heritage Advisor: Brendan Marshall [TerraCulture]

Author: Brendan Marshall

4 March 2008

(vii + 61 pages)

Pursuant to s.65(6) of the Act this cultural heritage management plan takes effect upon the granting of this approval.*

Signed:



IAN HAMM

Dated:

1 APR 2008

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



Department of Planning and Community Development

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Spring Street
Melbourne, Victoria 3000
GPO Box 2392
Melbourne, Victoria 3001
Australia
Telephone (03) 9208 3333
Facsimile (03) 9208 3680

IH/11/0161

02 APR 2008

Mr Philip Callister
219 Great Ocean Road
APOLLO BAY VIC 3233

Dear Mr Callister

EVALUATION OF CULTURAL HERITAGE MANAGEMENT PLAN 10173: 217-219 GREAT OCEAN ROAD, APOLLO BAY

I refer to your application, received on 11 March 2008, for approval of a cultural heritage management plan ('management plan') for 217-219 Great Ocean Road, Apollo Bay.

This management plan meets the standards prescribed for the purposes of s.53 and s.61 of the *Aboriginal Heritage Act 2006* (the Act), and is in the approved format. Therefore, acting under authority delegated to me by the Secretary, Department of Planning and Community Development and pursuant to section 65(2) of the *Aboriginal Heritage Act 2006*, I approve the 217-219 Great Ocean Road, Apollo Bay management plan and attach a notice of approval for that purpose.

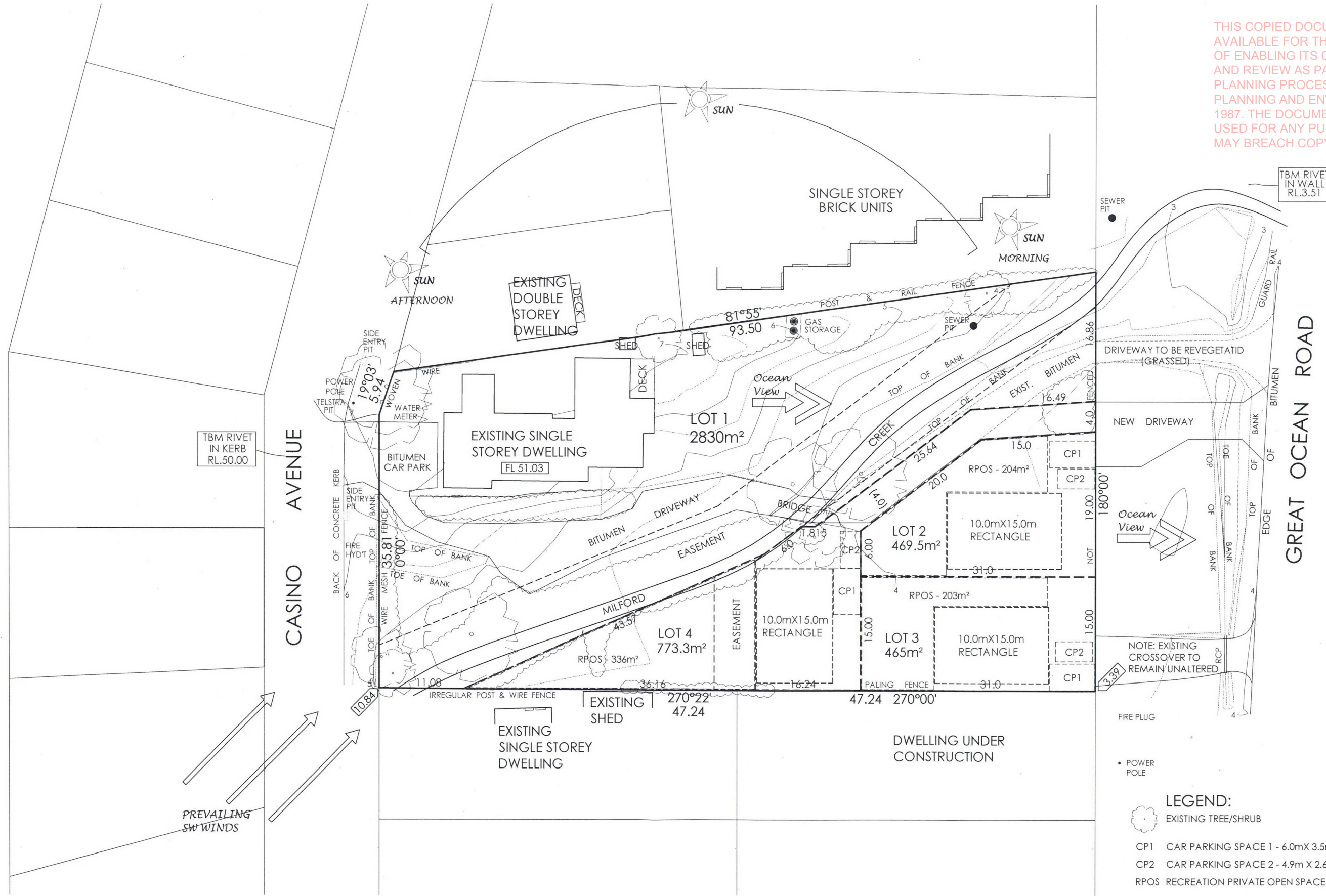
Please contact Mr Harry Webber, Coordinator - Heritage Assessments on (telephone) 9208 3266 if any further information is required.

Yours sincerely

IAN HAMM
Deputy Director
Aboriginal Affairs Victoria

Enc

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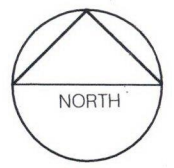
DESIGN RESPONSE
SITE PLAN

KRIS THOMAS BUILDING DESIGN & DRAFTING SERVICES
 60 Noel Street Apollo Bay, Victoria, 3233.
 Ph: 0352377427 Email: kris@ktbuildingdesign.com.au
 Fax: 0352377272 Web: www.ktbuildingdesign.com.au

No.	DATE	AMENDMENT

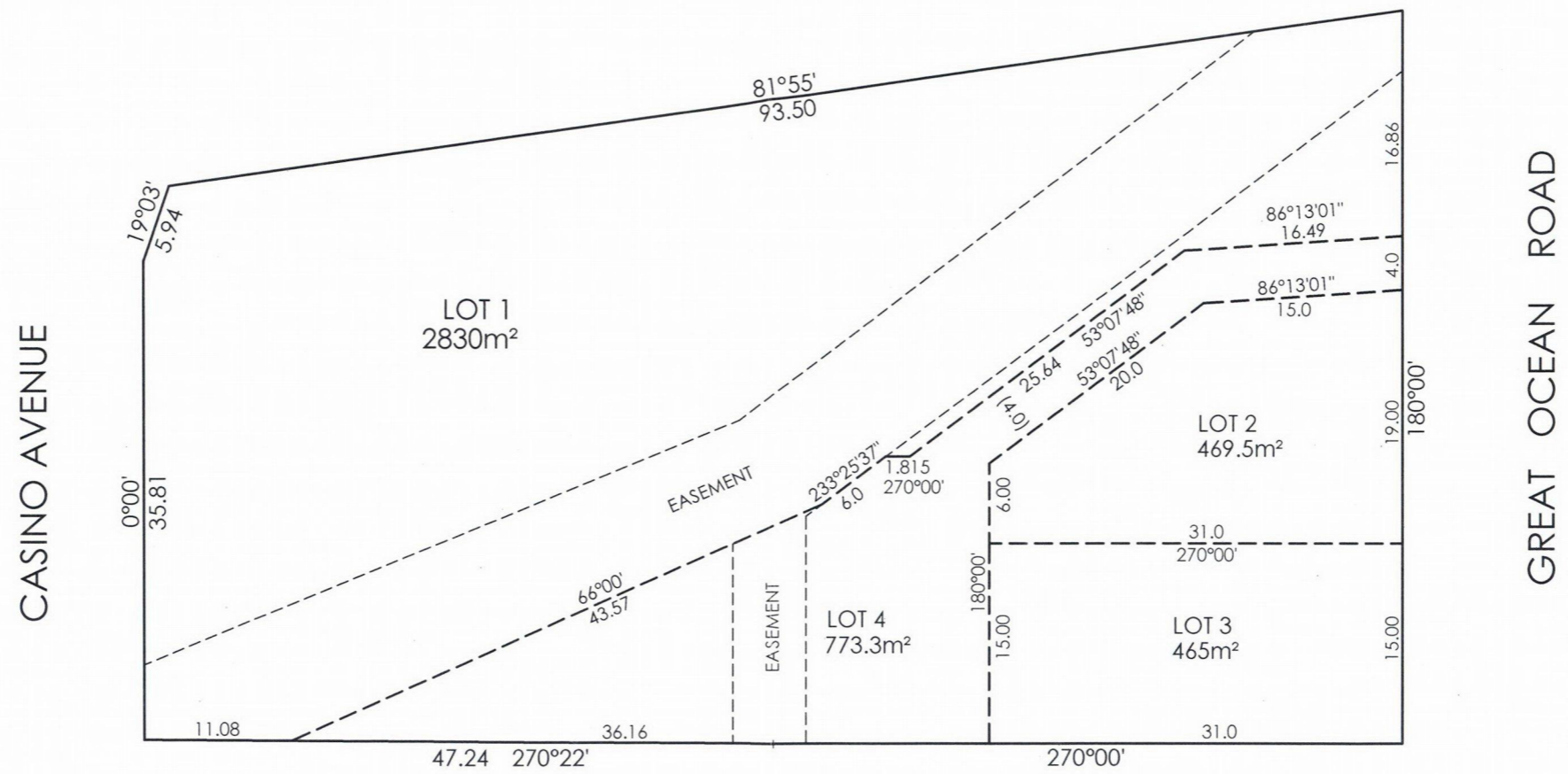
CLIENT: **P. & E. CALLISTER**
 PROJECT: **PROPOSED 4 LOT SUBDIVISION**
 SITE: **217-219 GREAT OCEAN ROAD APOLLO BAY 3233**

TITLE: **DESIGN RESPONSE SITE PLAN**
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PLANNING APPROVAL



DESIGN: **KT**
 DRAWN: **KT**
 CHECKED:
 RBP No.

DATE: **3/04/2019**
 SHEET No. **2 OF 3** REV. **0**
 SCALE: **1:500 @ A3**
 JOB No. **19-054**



LEGEND:
 - - - PROPOSED SUBDIVISION LINE

SUBJECT SITE DETAILS:
 CP 165106P
 AREA: 4538m²

NOTE:
 BOUNDARY DIMENSIONS AND BEARINGS TO BE VERIFIED BY A LICENSED SURVEYOR
 SERVICES TO BE PROVIDED BY THE PROPERTY OWNER TO THE RELEVANT SUPPLY AUTHORITY REQUIREMENTS

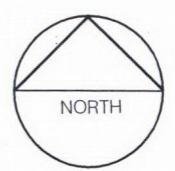
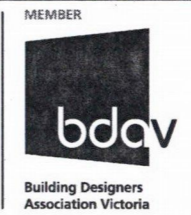
SUBDIVISION PLAN

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 60 Noel Street Apollo Bay, Victoria, 3233.
 Ph: 0352377427 Email: kris@ktbuildingdesign.com.au
 Fax: 0352377272 Web: www.ktbuildingdesign.com.au

No.	DATE	AMENDMENT

CLIENT: P. & E. CALLISTER
PROJECT: PROPOSED 4 LOT SUBDIVISION
SITE: 217-219 GREAT OCEAN ROAD APOLLO BAY 3233

TITLE: SUBDIVISION PLAN
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PLANNING APPROVAL



DESIGN: KT
DRAWN: KT
CHECKED:
 RBP No:

DATE: 3/04/2019
SHEET No. 3 OF 3 **REV.** 0
SCALE: 1:500 @ A3
JOB No. 19-054

Subject: PP81/2019-217 Great Ocean Road APOLLO BAY

20th May 2019


Further information required

To: Helen Evans

Statutory Planner inq@colacotway.vic.gov.au

Dear Helen

Following is the information requested.

1. Unregistered easement shown on plan. Going back through our records it appears that St. Quentins surveyors, when working on our original survey plan (April 2007) identified the shown unregistered easement on Barwon Water Plans and decided to include it in the survey plan. I note that in that first planning application approval by Barwon Water required a registered easement of two metres over their sewer assets and this would then be shown on the new titles.
2. I, as the applicant for town planning permit application PP81/2019-217 Great Ocean Road, Apollo Bay, give my consent to alter the application to include the creation of new access onto RDZ1 into proposal description
Philip Callister 
3. Also included full E copy of Terraculture Pty Ltd's Cultural Heritage Managment Plan in colour as requested.

Yours faithfully

Philip Callister

An Eight Lot Subdivision 217-219 Great Ocean Road Apollo Bay

Cultural Heritage Management Plan

AAV Management Plan No: 10173

Sponsor: Philip Callister

Cultural Heritage Advisor: Brendan Marshall

A Report Prepared by: Brendan Marshall

Date submitted: 21st January 2008

Revised: 15th February 2008

Revised: 4th March 2008



TERRACULTURE PTY LTD

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inquiries@terraculture.com.au

An Eight Lot Subdivision 217-219 Great Ocean Road Apollo Bay

Cultural Heritage Management Plan

AAV Management Plan No: 10173

Sponsor: Philip Callister

Cultural Heritage Advisor: Brendan Marshall

A Report Prepared by: Brendan Marshall

Date submitted: 21st January 2008

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inquiries@terraculture.com.au

Aboriginal Heritage Act 2006
Section 65

Cultural Heritage Management Plan - Notice of Approval

I, Ian Hamm, Deputy Director, Aboriginal Affairs Victoria, acting under authority delegated to me by the Secretary, Department of Planning and Community Development, hereby approve the cultural heritage management plan referred to below:

AN EIGHT LOT SUBDIVISION 217 – 219 GREAT OCEAN ROAD, APOLLO BAY
Cultural Heritage Management Plan number: 10173

Sponsor: Philip Callister

Cultural Heritage Advisor: Brendan Marshall [TerraCulture]

Author: Brendan Marshall

4 March 2008

(vii + 61 pages)

Pursuant to s.65(6) of the Act this cultural heritage management plan takes effect upon the granting of this approval.*

Signed:



IAN HAMM

Dated:

1 APR 2008

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

EXECUTIVE SUMMARY

TerraCulture Pty Ltd has been commissioned by Philip Callister of Apollo Bay to conduct a Cultural Heritage Management Plan (CHMP) for the construction of eight dwellings, seven holiday units 'Bayside Gardens' and a residence, at 217-219 Great Ocean Road (GOR) (Maps 1 and 2). This Cultural Heritage Management Plan is mandatory under Section 46(a) of the *Aboriginal Heritage Act 2006*, as the regulations require the preparation of the plan. The activity is a high impact activity under Division 5, Regulation 46 of the *Aboriginal Heritage Regulations 2007* (subdivision of land into three or more lots) within an area defined as an Area of cultural heritage sensitivity under Division 3 Regulation 23, Sub regulation 1 of the *Regulations*, being within 200 metres of a named waterway.

The Sponsor is Philip Callister of 217-219 Great Ocean Road Apollo Bay, Telephone/Fax No 52376248 and the cultural heritage advisor for this assessment is Brendan Marshall BA (Hons) Archaeology. Brendan has 15 years experience in cultural heritage management.

The activity area consists of an area of urban land measuring 55 metres by 100 metres situated on Great Ocean Road on the northern side of Apollo Bay. Milford Creek runs diagonally through the property. Apollo Bay is located some 195 kilometres southwest of Melbourne on the coast at the foot of the Otway Ranges. The proposed activity is the subdivision of the 55m x 100m ca 0.5 hectare area into 8 lots and the construction of 8 separate dwellings. The activity area falls within the title boundaries of the activity area. A separate residential dwelling will be constructed on each lot and the proposed dwellings will be constructed of timber and on stumps and the associated garages on small concrete slabs. Each dwelling will have the standard underground services and be separated by open space and landscaping. The ground adjacent to Milford Creek will also be landscaped. The construction of the dwellings will see significant ground disturbance across the entire activity area including areas which are potentially archaeologically sensitive but where the ground has already been significantly disturbed.

The assessment was conducted in three stages as required under the *Aboriginal Heritage Regulations 2007* being a desktop assessment, a standard assessment and a complex assessment. The desktop and standard assessment indicated that the area had been subject a significant amount of ground disturbance in the past through previous building activities within the activity area.

A single stone artefact was discovered during the complex assessment, ca 5cm below the surface in Shovel Test Pit 1, which was located at the top of the slope of the low hill near the front entrance to the brick residence. This site has been registered as Milford Creek 1 (AAV Site No 7620-0206). The artefact was a small, flaked piece made on a brown quartzite. This artefact was 'loose' in the surrounding sediments, clean of surface sediment when found, and was clearly not *in situ*. If this site were denser or more extensive in its distribution, additional archaeological material would have been found in surrounding test pits.

In order to minimise harm to Aboriginal cultural heritage within the activity area the following recommendations are made:

- The Sponsor will provide information sessions for civil contractors in regards to the management requirements relating to Aboriginal cultural heritage values within the activity area.
- The artefact recovered during the complex assessment and any further artefacts found during the activity must be returned to the *Wathaurong* Aboriginal Co-operative along with details of their provenance and a copy of the analysis for inclusion in a keeping place.

As well contingency plans are included to deal with the discovery of previously unknown Aboriginal cultural heritage within the activity and procedures are given to be followed in the event of finding Aboriginal skeletal remains.

ACKNOWLEDGMENTS

TerraCulture Pty Ltd would like to thank the following people for their assistance with this project.

Reg Abrahams	Wathaurong Aboriginal Cooperative
Frank Abrahams	Wathaurong Aboriginal Cooperative
Neil Martin	Framlingham
Lisa McQuire and David Johnson	Fractal Design Architects

This report was produced by the following TerraCulture staff:

Brendan Marshall	Cultural Heritage Advisor, Fieldwork, Report Writing
Paul Bazalicki	Mapping
Catherine Webb	Editing
Monica Toscano	Report Production
Monica Marshall	Report Production

ABBREVIATIONS USED IN TEXT

AAV	Aboriginal Affairs Victoria
CHA	Cultural Heritage Advisor
CHMP	Cultural Heritage Management Plan
RAP	Registered Aboriginal Party
TC	TerraCulture Pty Ltd

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An Eight-Lot Subdivision 217- 219 Great Ocean Road Apollo Bay: CHMP

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An Eight-Lot Subdivision 217- 219 Great Ocean Road Apollo Bay: CHMP

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1.0 INTRODUCTION

1.1 Preamble

TerraCulture Pty Ltd has been commissioned by Philip Callister of Apollo Bay to conduct a Cultural Heritage Management Plan (CHMP) for the construction of eight dwellings, seven holiday units 'Bayside Gardens' and a residence, at 217-219 Great Ocean Road (GOR) (Maps 1 and 2). This Cultural Heritage Management Plan is mandatory under Section 46(a) of the *Aboriginal Heritage Act 2006*, as the regulations require the preparation of the plan. The activity is a high impact activity under Division 5, Regulation 46 of the *Aboriginal Heritage Regulations 2007* (subdivision of land into three or more lots) within an area defined as an Area of cultural heritage sensitivity under Division 3 Regulation 23, Sub regulation 1 of the *Regulations*, being within 200 metres of a named waterway.

Before the preparation of a Management Plan commences, the Sponsor must provide a 'Notice of Intention to prepare a Management Plan' to each relevant RAP (if one exists), the Secretary of the Department and the owner or occupier of any land within the area covered by the Management Plan (Sections 54[1] and [2]). A copy of this is presented in Appendix 1.

The Sponsor is Philip Callister of 217-219 Great Ocean Road Apollo Bay, Telephone/Fax No 52376248.

The cultural heritage advisor for this assessment is Brendan Marshall BA (Hons) Archaeology. Brendan has 15 years experience in cultural heritage management.

1.2 Activity Area in Regional Context

The activity area consists of an area of urban land measuring 55 metres by 100 metres situated on Great Ocean Road on the northern side of Apollo Bay. Milford Creek runs diagonally through the property. Apollo Bay is located some 195 kilometres southwest of Melbourne on the coast at the foot of the Otway Ranges (Visit Victoria website).

1.3 Land Owner and Occupier Details Volume and Folio Numbers

The land is owned and occupied by the sponsor as recorded above. The volume and folio numbers are 9371 312 and 9402 534.

1.4 Registered Aboriginal Parties

There are no RAPs for the activity area. At the time of the assessment, the Maar Land Council (MLC) and the *Wathaurong* Aboriginal Co-operative (WAC) had lodged applications which include Apollo Bay and the current activity area. Discussions were held with representatives of both organisations prior to the fieldwork and it was agreed that the WAC would supply a field representative. The Aboriginal Heritage Council declined the MLC application on the 21st November and no further correspondence was had with this organisation.

As there is no RAP for the area, the CHMP will be evaluated by the Secretary, Aboriginal Affairs Victoria, under Section 65(1) (b) (i) of the Act.

1.5 Description of Activity (Maps 1&2)

The proposed activity is the subdivision of the 55m x 100m ca 0.5 hectare area into 8 lots and the construction of 8 separate dwellings. The activity area falls within the title boundaries of the activity area. A separate residential dwelling will be constructed on each lot and the proposed dwellings will be constructed of timber and on stumps and the associated garages on small concrete slabs. Each dwelling will have the standard underground services and be

An Eight-Lot Subdivision 217- 219 Great Ocean Road Apollo Bay: CHMP

separated by open space and landscaping. The ground adjacent to Milford Creek will also be landscaped.

The construction of the dwellings will see significant ground disturbance across the entire activity area including areas which are potentially archaeologically sensitive but where the ground has already been significantly disturbed.

1.6 Extent of the Activity Area Covered by this CHMP

The CHMP covers the whole of the activity area described above and shown in Map 2 and Appendix 2. The activity area is within the municipal district of the Shire of Colac-Otway.

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2.0 Documentation of Consultation

The Notice of Intention to Prepare a Cultural Heritage Management Plan is included as Appendix 1 in this report.

As noted above, in the absence of a RAP for the activity area, RAP applicant groups were consulted and the WAC participated in the fieldwork. Consultation documentation is presented in Table 1 below.

Date	Contact	Discussion
	MAAR-- Neil Martin (by phone)	The proposed field assessment was discussed with Neil Martin representing the MAAR Land Council. These discussions were about the proposed activity and field representation. Neil advised that Frank Abrahams for the WAC could represent MAAR in this instance. Neil also was keen to be kept informed about the results particularly if large amounts of archaeological material were found.
20/11/2007	WAC Reg Abrahams (by phone and fax)	Discussion followed by faxed letter to inform on the dates of field assessment.
23/12/2007	WAC- Reg Abrahams	The results of the fieldwork were discussed with the WAC specifically Reg Abrahams who like Brendan Marshall was surprised that an isolated stone artefact was found during the assessment given the existing conditions. Reg was unconcerned that the find location would be destroyed during the proposed activity but suggested that the removal of the topsoil be monitored in case any further archaeology is uncovered. It was explained to Reg that from a scientific perspective the known archaeology was insignificant. Reg agreed to some extent but politely reminded Brendan that WAC's views were different and that stone artefacts provide direct evidence for past use of an area by Aboriginal people and that this particular piece showed that the local archaeology can survive the impact of previous development and that it was the only archaeological site to date associated with Milford Creek. Reg thought that the contingencies which will see this artefact and any others uncovered during the activity reburied near Milford Creek were OK.
15/02/2008	Neil Martin – Framlingham Aboriginal Trust	AAV forwarded a letter from Neil Martin regarding the assessment. This letter has been included in Appendix 5.
15/02/228	WAC- Reg Abrahams	Spoke to Reg Abrahams about contingencies. He thinks that they are ok.

Table 1: Consultation

3.0 DESKTOP ASSESSMENT

3.1 Methods

AAV maintains a register of all recorded Aboriginal archaeological sites and a library of all published and unpublished reports describing investigations of Aboriginal archaeological sites in Victoria. The background research for known (registered) Aboriginal heritage places at Aboriginal AAV) Heritage Registry was conducted by Monique Jacobs on 17th October 2007. The DQS system was accessed electronically and a map generated showing the location and type of registered Aboriginal heritage places within the Apollo Bay area. Where relevant, site cards were copied and checked against the appropriate report and maps contained therein.

The balance of the desktop assessment was completed by Brendan Marshall who undertook searches for relevant texts; and published and unpublished reports held by TerraCulture Pty Ltd. This involved research on the geomorphology and geology following the Geological Survey of Victoria's Otway map sheet and accompanying notes; historical landuse for the Apollo Bay area (Loney and Morris 2000 and Bellair 2001) and; historical maps and plans of the Apollo Bay area collected previously from the Geelong Heritage Centre.

In comparison with other parts of Apollo Bay, e.g. the airport and Barham River Valley, there have been relatively few archaeological assessments to the north of the township (Section Table 1). This is probably due to a lack of investigations for existing built development and otherwise the area's predominantly rural setting. There are few detailed descriptions of local archaeological sites, most of which are shell middens or low density stone artefact scatters, and there has been limited subsurface testing. Consequently the desktop methodology was brief and to the point.

3.2 Physical and Natural Background

Climate

Like the Otway Coast generally, Apollo Bay's climate is characterised by warm summers and cool winters. While the prevailing winds are south-westerly, this varies seasonally and summers can bring northerlies and easterlies. Rainfall is determined by the Otway Ranges, which cause the moisture in the prevailing south-westerly winds to fall as rain. Average annual rainfall decreases from west to east along the coastline. The average rainfall at Lorne is 840mm, therefore Apollo Bay is presumed to experience higher levels than this. Most rain falls during the winter, but light rainfall may occur during half the days of the year (Vose *et al.* 1987: 9).

Regional Geology and Geomorphology

Apollo Bay lies on a narrow coastal fringe at the foot of the Otway Ranges, which is one of Victoria's largest outcrops of Mesozoic sediments. The ranges '*consist of early Cretaceous sediments up to 3000 metres thick, derived from uplifted Palaeozoic rocks*' (Vose *et al.* 1987: 13). Sediments were deposited in the Otway Sedimentary Basin,

'...in an environment of braided streams, swamps, marshes and small lakes as well as deltaic and sandy areas. They consist of mainly non-marine felspathic sandstones, mudstones and shales. Uplift began during the mid-Cretaceous period, and the Otways remained as an uplifted structure throughout the Tertiary period.'

The beds exposed along the coast typically consist of alternating dark mudstones and felspathic sandstones with some minor coal seams (Vose *et al.* 1987: 13).

In geomorphological terms

'The Otway Ranges consist of rugged high hill country deeply cut by streams and with steep slopes or cliffs along the coastline interspersed by small inlets at the river mouths (Vose et al. 1987: 15).

Tending southwest to southeast, the coast between Skenes Creek and Apollo Bay is part of a long arch that ends at Point Bunbury, to the south and west of the Apollo Bay township. Point Bunbury is a large promontory that projects eastward and forms the southern end of Apollo Bay Harbour, providing shelter from the prevailing south-westerly winds.

The coastline is being actively eroded by the sea and fringes a narrow coastal strip that is backed by a steep scarp. The rugged terrain and thick forest restricted early European settlement of the Otway Ranges to the coastal fringe and to locations like Apollo Bay, which for many years were only accessible by sea.

Coastal Dunes

Bird (1993) describes the dunes between Apollo Bay and Wild Dog Creek:

The wide gently sloping sandy spit at Apollo Bay curves to Wild Dog Creek, and is backed by grassy and scrubby Holocene dunes and low bluffs marking a former cliffed coastline. Round the bay the dunes diminish, and are eroding beyond the Life Saving Club. Erosion is severe during episodes of strong easterly wind, when storm waves break heavily over the shore (Bird 1993:104).

Marriners Lookout is on the top of the scarp north of Apollo Bay Township. Bird (1993) describes the view from Marriners Lookout:

The scarp is fronted by a broad terrace, and both are breached by the Wild Dog Creek valley, which winds through a deep gorge and opens on to the sandy beach. This stream is usually diverted well to the east by a sand spit, towards low cliffs where the shore platform resumes, but Eugene von Guerard's 'Linesman's Hut' painting of this area in 1859 shows it swinging towards Apollo Bay in an area where low grassy dunes have formed. Segments of shore platform continue eastward to the sandy cove at the mouth of Skenes Creek. The seaward dip in the shore platform is marked by in facing cuestas on sandstone outcrops and corridors of plantation on the mudstones, while the narrow beach to the rear runs out in miniature cusps and tombolos in the lee of upstanding mesas of sandstone (Bird 1993:105-106).

He continues noting that between Apollo Bay and Eastern View:

...the Great Ocean Road, built between 1919 and 1932, follows the steep coastline...The scarp that runs eastward from Apollo Bay descends to a dissected coastal terrace 5 to 8 metres above sea level similar to that seen at Marengo, and interrupted by the valleys of Wild Dog Creek, Skenes Creek, and other minor streams (Bird 1993:106).

Local Geology and Geomorphology at 217-219 GOR

Following the 1:250,000 Colac geological map sheet (Edition 1 November 1996) the activity area samples non-marine sedimentary deposits of *'colluvium and gully alluvium; clay, silt, sand, gravel poorly sorted and unconsolidated'* which are late Quaternary in age (Holocene to Pleistocene). It is possible that more recent sediments are associated with Milford Creek.

As noted above (Section 2.2), as well as Milford Creek the activity area samples two landforms; flat land on the southern side of the creek and the side of a small hill or bluff on the northern side of the creek. Following the local contours this high ground is probably less than 10m ASL (1: 25,000 Topographic Map 7620-4-2).

Milford Creek is one of the several minor waterways south of Wild Dog Creek which drain the hills and bluffs that back the foreshore, including, in this case, Marriners Lookout. The creek has several minor tributaries which flow through gullies that drop steeply towards the coast. The middle reaches of these tributaries appear to have been straightened and channelled, perhaps as flood control or to accommodate roads and other local development. Within the activity area the Milford Creek flows across the activity area diagonally south west to north east.

Flora and Fauna

The pre 1750s EVC map shows that the activity area falls within swamp scrub backed by wet forest. This mapping of the previous vegetation community accords with the inundation of the southern half of the activity area as suggested by ground levels in relation to Milford Creek.

3.3 Historical Background

Aboriginal History

According to Clark (1990: Fig 11), Apollo Bay falls within the known traditional boundaries of the Gadubanud language group, whose territory included land south of the Gellibrand and Barwon Rivers to the Bass Strait coastline, which includes the Cape Otway Ranges. The western boundary was at Princetown and the eastern Boundary along Painkalac Creek at Aireys Inlet.

Clark (1990:185) notes that '...the ethnohistoric record of the people who spoke this language or dialect is very thin, and linguistic data is practically non-existent. Several early commentators on Aboriginal ethnohistory went as far as to suggest the Otway Ranges were uninhabited'. Clark (1990:185) records how G. A. Robinson met people from Cape Otway in 1842 at the mouth of the Hopkins River and other than these notes, which refer to the names and locations of four clan groups '...nothing is known about the social organizations or leadership of these local groups. He also records Addis' claim that '...the *Gadubanud* were considered to be 'wild blacks' by the *Wada wurrung* (Geelong language group). There are three accounts of Aboriginal people in the Otway Ranges; La Trobe (1845 and 1846) George Douglas Smythe (1846) and Henry Allans (1846) who reports on an unoccupied 'black camp'...which contained a 'large number of implements' (Clark 1990:187).

Clark (1990:188) states that '*...other than this ethnohistoric evidence, which demonstrates that the Otway Ranges were indeed inhabited, the same conclusion can be drawn from archaeological sites of recent dates to have been discovered on the east side of the mouth of the Gellibrand River and at Apollo Bay*'.

Following Clarks Table 10, the five known clans in the Gadubanud Language Group are listed below:

Clan Name	Approximate Location
Bangura gundidj	Cape Otway
Guringid gundidj	Cape Otway
Ngalla gundidj	Cape Otway
Ngarowurd gundidj	North of Moonlight Head
Yan Yan Gurt clan	Yan Yan Gurt' station, east head of the Barwon River

Table 2: Aboriginal clans in broader Apollo Bay area.

Following Clark, the identity of the *Gadubanud* clan that once occupied the Apollo Bay area is unknown.

If nothing else Clark appears to have been thorough in his research on Western Victoria generally and therefore it can be assumed that little more than what he cites was written down about the former Aboriginal inhabitants of the Otway Ranges, including Apollo Bay, at the time of or within a couple of decades after European settlement. Indeed, his mention of the

archaeology on the Gellibrand River gives primacy to such as a source of data over what can best be described as an uninformative and largely irrelevant ethnohistory. Besides, the ethnohistorical record is just that and its relevance beyond the context of the record itself especially to an understanding of the local pre-contact Aboriginal archaeology, which is abundant along the Otway coastline (pers observation), is debatable. In this case knowing some of the clan names of the Aboriginal peoples who once occupied the Otway Ranges adds nothing substantive or demonstrable to an interpretation of the archaeology discovered during the current assessment.

Apollo Bay's History

Morris and Loney (2000) and Bellair (2001) discuss Apollo Bay's European history through the development of its major industries; whaling, timber and farming, commercial and recreational fishing and through the growth of the township and residential population.

Bellair's chronology mentions Milford Creek in relation to John Cawood, one of Apollo Bay's earliest land owners. In 1869 Cawood purchased 51 acres on Milford Creek (formerly known as Clynes Creek) and developed an orchard and cultivation paddocks. In 1873 the Cawood's commenced building Milford House, a large residence and later a guest house which was destroyed by fire in 1934 (2001: 8, 50). Milford Creek is mentioned again in relation to The Buttery Factory's (1904) water supply, which '...was a private scheme from Milford Creek via a 1.5 inch pipe direct out of Milford's top boundary...' (Bellair 2001: 29).

The Great Ocean Road

The problem of road access to Apollo Bay began to be solved in March 1918 when the Great Ocean Road Trust was formed. The road had been conceived as a scenic road around the southern coastline as a memorial to those who had died in the Great War, and work was to employ returned servicemen where possible. Work commenced on the road in September 1919 and the 75-kilometre stretch from Anglesea to Apollo Bay was completed by 1932 (see Alsop 1982).

The GOR brought increasing numbers of tourists to Apollo Bay and allowed the expansion of the previously small local fishing fleet. Although other industries have played a role in Apollo Bay, such as the telephone cable station and the servicing of helicopters for Bass Strait oilrigs, the major focus of the last 40 years has been on tourism and Apollo Bay has become one of the major coastal resorts along the Great Ocean Road (see Bellair 2001 pgs 43-74 and Loney and Morris 2000 32-40).

As noted above (Section 2.2), the activity area fronts the GOR and is separated from the road by a wide reserve. Existing use of the current activity area and its built form are a result of the growth in local tourism.

Landuse History for 217-219 GOR

No specific history of occupancy or landuse has been compiled for the activity area but from the texts cited above, it appears that it was once part of larger land holdings cleared of any native vegetation and farmed. The holiday cottages were constructed about 18 years ago and the brick residence preceded these by some time (Philip Callister pers comm.).

In this instance, specific historical data on land ownership would be no more informative about the likelihood of Aboriginal archaeology within the activity area than its location, attendant landforms and the existing conditions which have been described above. The current and recent past use of the activity area have obliterated any remnants of the historical landscape.

3.4 Existing Conditions

The existing built and landscaped conditions of the activity area placed practical limitations on the field methodologies, but not in a way that any Aboriginal heritage would be underestimated. Simply, there were few places to inspect the ground and excavate because most of the area is covered in artificial surfaces; buildings, garden beds and much of the balance of open space retains underground services such as gas, water and sewerage and

most significantly, a major sewer alignment. For this reason and if the field methodology is to be understood, these existing conditions require a description before an explanation of what was done during the standard and complex assessments. Otherwise, these explanations won't make sense.

Bayside Gardens 217-219 Great Ocean Road (Plates 1-13)

The activity area lies between the GOR ROW and Casino Street. A wide reserve separates the western boundary of the activity area from the edge of the bitumen (Plate 4). This reserve was well grassed at the time of the assessment but more importantly sits below the road level which has been artificially raised and is subject to inundation (Philip Callister per com.). The Apollo Bay foreshore with its low dunes and wide beach is on the other side of the GOR. Casino Street runs north-south to the rear of the activity area and is a bituminised road with concrete curbing storm water drainage and a narrow grassed reserve (footpath) (see Plate 5).

Existing Buildings

Existing conditions maps supplied by the sponsor show that the existing buildings cover more than half of the activity area. These buildings are a large brick residence on the northern side of the creek and the holiday cottages on the southern side of the creek (Plate 1, Appendix 2) The brick residence takes up almost all of the north western quarter of the activity area and, originally built as a holiday house, is over twenty years old (Philip Callister pers com). The house has been benched into the side of the hill and the southern wall and adjoining lower rooms occupy space where there was once hill side. The house is either on a concrete slab or brick and concrete footings. The open space around the brick residence is heavily landscaped.

Diagonally opposite the house, the holiday cottages occupy the south eastern quarter of the activity area (Plate 3). These are 'L' shaped (Appendix 2) and have been built either on concrete slabs or stumps. The area between the creek and the cottages supports a driveway and car parking. As with the house, the holiday cottages are close to the property boundary and all open space between and around the buildings is heavily landscaped.

Milford Creek

The creek channel and its banks have been heavily modified and have foot bridges, a pond with a low stone wall, waterwheel sculpture and plantings (Plate 7). The adjacent barbeque and setting areas are grassed. Stormwater pipes are visible along the banks. In profile, the channel varies but takes on a basic 'u' shape with steep banks that are typically bare of any vegetation. The low dam and other works have served to change the form of the creek, the amount of water it retains and the likelihood that the banks are sensitive for *in situ* Aboriginal archaeological material.

Sewer Alignment

The alignment of the local sewer runs north south through the activity area. The sewer is visible on Casino Avenue (Plates 2 and 5) and has access points along the northern side of Milford Creek.

3.5 Implications for ground disturbance

The impact of the existing buildings and current land use on the form and integrity of the underlying ground has been substantial. It has included:

- the bulk removal and levelling of the small hill on the northern side of Milford Creek to accommodate the brick residence (Plate 9) where there are rooms beneath the natural level of the hill;
- the levelling of ground adjacent to this residence for concrete paving and garden beds;
- construction of an access road from Casino Drive and car parking to the rear and side of this residence;

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- construction of an access road from the Great Ocean Road to the holiday cottages;
- levelling of ground on the southern side of the creek to accommodate the holiday cottages (Plate 1);
- the construction of verandas, carports, outdoor seating and other garden landscaping;
- the construction of the local sewer (Plate 2) which would have cut a wide and deep trench across the property;
- the installation of stormwater drainage that exists along the creek banks (Plate 8) and other underground services;
- landscaping around and construction within the Milford Creek channel including foot bridges.

As previous noted, as a consequence of the above, no part of the activity area has escaped some degree of ground disturbance.

3.6 Previous Aboriginal Archaeological Assessments

Apollo Bay has been the subject of previous Aboriginal archaeological investigations (Table 3 below). Typically, these investigations have been directed at assessing the impact of specific developments on the local archaeology and have varied in their scope accordingly but most have involved foot surveys only. There have been few Aboriginal archaeological surveys in the Apollo Bay area north of Point Bunbury, but the Otway Ranges have been the subject of two regional studies, Witter (1984) and Richards (1998).

Table 3 below presents a summary of previous local archaeological reports according to author, assessment type, development location and findings. This is not a comprehensive list for the Apollo Bay area but a selection based on the landform, proximity to the activity area and relevance. Of these surveys it appears that Marshall's 2003 assessment of a proposed sewer pipe between Skenes Creek and Apollo Bay is the closest to the current activity area.

Author and date	Assessment Type and Area	Location Development	Relevant Finding
D. Witter 1984	Regional survey for the Shire of Otway	Otway Coastline including Apollo Bay and Marengo	Recorded 28 sites during sample surveys within Apollo Bay and Marengo; six shell middens along the Marengo foreshore between Hayley Point and Storm Point (AAV Site No's 7620/7, 17-20, 36-37); a shell midden at Point Bunbury near the outlet of the Barham River (AAV Site No. 7620/20); five stone artefact scatters around the airstrip, associated with higher ground along ridgelines and with minor water courses (AAV Site No's 7620/25-29). An additional stone artefact scatter was located on the cliffs above the shoreline, near the Great Ocean Road, west of Hayley Point (AAV Site No. 7620/22).
T. Richards 1998	Regional survey for AAV	Cape Otway	Conducted surveys over a wide area and provides a site distribution map which shows that most of the recorded sites are located on the coastal fringe and the immediate hinterland within 1 km of the coastline. Richards divided the Otway's into three archaeological sensitivity zones with Apollo Bay in Sensitivity Zone 1, which 'is considered to have the highest archaeological sensitivity of the three zones'. This zone extends along the entire coastline and for up to 5 km into the hinterland. Expected sites are predominantly shell middens and artefact scatters, with shell middens generally expected 'from just above the high-water mark to about 500 m inland' and artefact scatters 'expected to occur in high densities from about 100 m from the shoreline to over 4 km inland' (see Richards 1998:65).
F. Weaver 1995	Archaeological survey for the Colac Region Water Authority.	Barham River Valley	Surveyed three land parcels close to and surrounding the Barham Valley for a wastewater treatment plant. No Aboriginal archaeological sites were recorded.

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Lane, Rymer & du Cros 1996	Archaeological survey for Telstra	Mounts Bay Coastline	Two shell midden sites were located in the exposed eastern face of the dune ridge along the Mounts Bay coastline; registered as AAV site No's 7620/164 and 165. Dune ridge has high archaeological potential for Aboriginal sites, including burials.
Marshall, B 2003	Archaeological survey for Barwon Water	Skenes Creek to Apollo Bay	In January 2003 Marshall conducted an archaeological survey of a proposed sewer alignment between Skenes Creek and the Apollo Bay sewage treatment plant, a distance of about 5 kilometres. The proposed pipeline was to be constructed on the eastern side of the Great Ocean Road, in the road reserve including that adjacent to the current activity area. A single Aboriginal archaeological site was found during the survey; a small remnant of a shell midden on the bluff near the present outlet of Wild Dog Creek, more-or-less on the alignment, registered as Wild Dog Creek 1, (7620/194). The site consists of a single stone artefact: a core made on quartz, and a thin scatter of midden shell. Located close to the registered shell lens (7620/16) the new site may have been a lateral expression of the same site. It was recommended that the archaeological investigation be extended to subsurface testing for buried deposits, and it is unknown if this recommendation was followed up.
Marshall, Chamberlain and Webb 2002, Hyett and Marshall 2007	Archaeological survey and subsurface testing	Barham River Valley	<p>Large parcel of land (250 ha) between Apollo Bay and Marengo including the banks of the Barham River and a large lagoon that has formed on a wide floodplain near the river mouth. At the time of the survey there was no ground visibility, with extremely thick grass cover over all of the paddocks and little natural or artificial ground exposure. While no sites were found during the survey several landforms were identified as likely to contain buried archaeological deposits.</p> <p>Subsurface testing of this area was later conducted in December 2002. Sixteen transects were excavated near the river and higher ground on the edges of the valley. As a result of the subsurface testing, three Aboriginal archaeological sites were identified and registered with AAV as Barrum Barrum 1-3, AAV Sites 7602-0203-0205. At Site 7620-0203, which is located at the southern edge of the Barham Valley, on high ground overlooking The Backwater, more than ten artefacts, mostly silcrete and quartzite, were recovered within two trenches. This site is believed to contain <i>in situ</i> elements and further more detailed excavations are proposed.</p>

Table 3: Previous Aboriginal archaeological assessments in the Apollo Bay area.

3.7 Registered Aboriginal Archaeological Sites

As a result of the above studies and other surveys or site inspections not accompanied by a report, a number of Aboriginal archaeological sites have been recorded north of Apollo Bay, between the residential outskirts and Skenes Creek, where there is a concentration of shell middens (7620-067, 068, 070, 071, 072). To the south of the township, other local landforms where site densities are high are Point Bunbury (7620- 020, 0192, 0193) and the Barrum River valley (7620-0204, 0205). Table 4 below lists the details on a selection of these local sites.

AAV Site Number	Location	Site Name	Site Type
7620/015	In bank of dunes near the mouth of creek	AB-1	Shell Midden
7620/016	mouth of ?Wild Dog Creek	AB-2	Shell Midden
7620/020	South of Point Bunbury	AB-7	Shell Midden
7620/033	The Falls Property	AB-20	Stone Artefact Scatter
7620/0187	Apollo Bay and District Historical Society museum	Apollo Bay & district	Artefact collection
7620/0188	Parks Vic Apollo Bay Office	Parks Vic Apollo Bay collection	Artefact collection
7620/0192	Point Bunbury	Point Bunbury Midden 1 ANL	Shell Midden
7620/0193	Point Bunbury	Point Bunbury Midden 2	Shell Midden
7620/0204	Barrum River Valley	Barrum Barrum 2	Stone Artefact Scatter
7620/0205	Barrum River Valley	Barrum Barrum 3	Stone Artefact Scatter

Table 4: Registered Aboriginal archaeological sites in the Apollo Bay area.

Registered Sites

AAV's site registry (as accessed on 17th October) shows the following:

1. the activity area at 217-219 GOR does not contain any previously registered Aboriginal archaeological sites or other types of Aboriginal cultural heritage;
2. at the same time there have been no previous assessments of the activity area where an archaeological ground survey or archaeological subsurface testing has taken place;
3. the foreshore to the east of the Great Ocean Road including that section in front of the activity area has been previously (surveyed);
4. the closest registered Aboriginal archaeological sites are located to the north of the activity area on Wild Dog Creek and to the south of the activity area at Point Bunbury.

3.8 Implications for the Aboriginal Archaeology

Coastal sand dunes along the Otway coastline have been shown to contain Aboriginal shell middens that relate to the exploitation of shellfish on adjacent rock platforms. Sand dunes along the eastern side of the Great Ocean Road should be regarded as potentially sensitive for shell midden sites particularly near river and creek outlets where there is flat land and a convergence of inland and coastal habitats.

At Apollo Bay, Aboriginal shell middens are associated with bluffs, both minor and prominent. The beach and grassy dunes south of Wild Dog Creek appear to consist of recent sands some of which have accumulated since the construction of the harbour facilities. These recent sands are unlikely to contain Aboriginal archaeological material but underlying deposits that pre-date European settlement may. Elsewhere in Apollo Bay, the narrow strip of land between the foreshore and the escarpment has been shown to be sensitive for Aboriginal archaeological sites in the form of stone artefact scatters. These stone artefact scatters have also been found in surface and subsurface contexts along creek and river courses, particularly on adjacent high ground.

Archaeological Site Types

Apollo Bay's Aboriginal archaeological record indicates that stone artefacts in low densities and shell middens are the two most likely site types in the activity area. Given the current land use and existing conditions and despite the influence of Milford Creek, any Aboriginal archaeological material will occur as scattered remnants in disturbed surface or subsurface contexts. The local geology (Section 3.2) suggests that buried archaeological material will be shallow.

4.0 STANDARD AND COMPLEX ASSESSMENT

4.1 Standard Assessment Methodology

Timing

The standard assessment was conducted on the on November 20th by Brendan Marshall, Richard Marshall as the technical assistant (TerraCulture Pty Ltd) and Frankie Abrahams (WAC).

Field Maps

The sponsor supplied TerraCulture Pty Ltd with detailed plans of the existing conditions and of the planned subdivision.

Field Strategy

Because of its small size and built character, it was difficult to meaningfully apply standard archaeological survey methods (Burke & Smith 2004). All open space was inspected for any ground visibility and exposure. The dominant landforms were confirmed as these are indicated on the appropriate topographic and geological map sheets as were the few areas where an excavation could be undertaken. Due to OHS requirements the crawl space beneath these buildings was not accessed but the underlying rooms of the residence were checked to establish that the house was benched into the side of the hill

4.2 Standard Assessment Results

Visibility and Exposure

Ground visibility was very poor and estimated to be less than 1% and there was no exposure. However, for all parts of the activity area the extent to which the original surface of the ground was visible during the assessment was difficult to ascertain. The margins and steep banks of Milford Creek provided the best opportunities due to variable vegetation cover but were of little consequence to the survey strategy or the overall results, which suggested that there was little integrity to the ground.

Archaeological Sites Identified

No archaeological sites were found during the pedestrian survey.

4.3 Complex Assessment Methods

Given the existing conditions and evidence of prior ground disturbance, the need for a complex assessment was uncertain. According to these conditions and the underlying sediments (Sections 2.2 and 3.2) any Aboriginal archaeological material if present would be low in density and in shallow disturbed contexts. Of the open space locations there were few which do not support underground services; gas, electricity and water where excavation could be conducted without interfering with these services. For this reason, the complex assessment was limited to three small test pits, the excavation of which was conducted on the same day by the same personnel as the standard assessment.

Excavation Methodology and Recording

Three 40cm square shovel test pits were excavated by trowel or shovel with horizontal control usually in 2cm spits or according to the stratigraphy. Spit depths were increased where the stratigraphy was unchanging. Two of these pits were located at the front of the existing residence on the northern side of the creek and a single test pit was positioned at the rear of the holiday cottages, near Casino Avenue and the sewer alignment.

Burke & Smith (2004:125) discuss subsurface testing and the use of shovel test pits. They state:

'Shovel-test pits are usually slightly larger than the width of a shovel blade (i.e., between 25 and 50 square centimetres) and have the distinct advantage of allowing you to examine the stratigraphy in the sides of the pit, something which is not possible for auger holes or cores. Comparison between different methods of subsurface sampling suggests that shovel-test pits are the most effective means for 'seeing' beneath the ground surface, although they are quite labour-intensive.'

The 400 mm x 400 mm shovel-test pits allowed for more stratigraphic control than the standard post hole shovel width and depth.

The size, number and spacing of the pits were due to the small amount of open space that sampled the lawned areas at the top of the hill (to the front of the brick residence) and adjacent to Milford Creek. These two areas were mostly devoid of underground services and sampled the two dominant landscapes. It was expected however that neither area had escaped previous ground disturbance due to construction of the existing residences and associated landscaping.

Table 5 below records the location of these pits in relation to the current uses of the activity area and landform.

Test Pit	Location	Landform	GPS Co-ordinates	Pit size
1	Front lawn of the brick residence	Top of the hill slope (near level ground)	5707724/732001	400mm x 400mm
2	Front lawn of the brick residence	Top of the hill slope (near level ground).	5707725/731998	400mm x 400mm
3	Rear lawn near creek channel and Casino Avenue	Creek bank	5707701/731954	400mm x 400mm

Table 5: The location of test pits.

The location of each test pit was recorded by an autonomous GPS (MGA Zone 54 Coordinates) and photographs were taken regularly in the field. Transect depth and soil profile were measured and recorded.

All material was hand sieved through a 6mm sieve with artefactual material and other inclusions recorded.

Sampling

As noted above, the aim of the complex assessment fieldwork was to gain a sample sufficient for a characterization of the underlying sediments; and to confirm what was obvious according to the existing development, that the ground had been significantly disturbed. In no way did the subsurface testing replicate the extent of ground disturbance likely during the construction of the proposed development. Nor did the testing sample all areas where ground disturbance would occur. At the same time and notwithstanding the small size of the test pits, the testing was *appropriately scaled for the amount and form of the available open space and its probable integrity or degree of disturbance*. Simply, across the activity area there wasn't the open space or open space without services where excavation could take place.

4.4 Complex Assessment Results

Table 6 below presents a summary of the test pit data.

Test Pit	Spit Number	End Depth Below Surface (cm)	Sediments	Layer	Archaeological Material
1	1	2.0	Grey clayey silty clay with grass roots	1	None
	2	4.0-5.0	Grey clayey silty clay	2	Single stone artefact
	3	10.0	Grey clayey silty clay with yellow clay- mottled	3	None
	4	12.0	Yellow blocky clay	4	None
base	5 (western half of square only)	14.0	Yellow blocky clay	4	None
2	1	2.0	Grey clayey silty clay with grass roots	1	None
	2	4.0-5.0	Grey clayey silty clay with yellow clay mottled	3	None
	3	6.0-7.0	Grey clayey silty clay with yellow clay mottled	3	None
	4	12.0	Yellow blocky clay	3	None
3	1	2.0	Brown clay with grass roots	1	None
	2	4.0-5.0	Brown Clay	2	None
	3	7.0	Brown Clay	2	None
	4	10.0	Brown Clay over Yellow Clay	2	None

Table 6: Summary of the test pit data.

Stratigraphy and Excavation Interpretation (Figure 1)

The subsurface testing of the low hill on the northern side of Milford Creek revealed a silty clay sediment (shallow topsoil?) overlaying clay. With regards to lithology, the silt and the clay have different origins but in this case were mixed, indicating previous ground disturbance to at least the depth of the yellow blocky clay, which appears to underlie the entire activity area. None of these mixed layers appeared to be transitional, which might see for example increasing clay content with depth. The respective clay particles or lumps varied in size in a random fashion and the contact between these layers and the underlying blocky yellow clay appeared to be unnaturally sharp tending towards a disconformity that was probably artificially formed.

The second pit was located 2m to the northwest of Pit 1, just a little further from the top of the slope, but on the same landform. This pit was dug to establish whether or not the single artefact found in Pit 1 belonged to a more extensive distribution which may have had an expression at this location and also to further investigate the local stratigraphy. Despite its proximity to Pit 1, the stratigraphy proved to be different with no additional archaeological material. In this pit the grey silty clay had been mixed with the yellow clay for the entire depth of the excavation save for the top 2cm or so.

The origins of the silty clay are not clear and could have been introduced during landscaping works, which have been extensive. The silty component is comparable to sediments in other parts of the Otway Ranges, which retain some degree of forest (pers observation) and may be a remnant of the sediments prior to land clearance, farming and residential development.

The third pit was close to the banks of Milord Creek and also proved to be unproductive. Here the excavation revealed a uniform brown clay overlying yellow clay. The clay was wet, dark brown in colour and full of large worms. This pit samples the flat area to the south of the brick residence and the sediments may be due in part to previous flooding of the creek.

Archaeological Sites

A single stone artefact was discovered during the excavations at ca 5cm below the surface in Shovel Test Pit 1, which was located at the top the slope of the low hill near the front entrance to the brick residence. This site has been registered as Milford Creek 1 (AAV 7620-0206). The artefact was a small flaked piece made on brown quartzite. The flaked piece is probably a by-product of the manufacture of stone artefacts (free hand flaking?) within the vicinity, but not necessarily within the activity area. This artefact was 'loose' in the surrounding sediments, clean of surface sediment when found and clearly not *in situ*. If this site was denser, additional artefactual stone material would have been expected in Shovel Test Pit 1 and in the nearby Shovel Test Pit 2. The sieved sediments proved to be sterile.

Regardless, the subsurface testing demonstrates that which is apparent on the surface, that the find location of the stone artefact (and like the entire activity area) has been significantly disturbed. Therefore, any additional archaeological material would occur in similar contexts and be of a similar magnitude.

As stated, no other archaeological material was discovered.

4.5 Summary of Field Assessment and Conclusion

A standard and complex assessment was conducted at 217-219 GOR 'Bayside Gardens' where there is a large brick residence and holiday cottages. No archaeological material was discovered during the standard assessment. A single stone artefact (AAV Site No 7620-0206) was recovered from one of three shovel test pits.

In conclusion and on face value, the activity area samples a landform where Aboriginal archaeological material would be expected. With its close proximity to the foreshore and Milford Creek, and with the occurrence of high ground adjacent to the latter, the location would have been ideal as a camping location for Aboriginal people during pre-settlement times. From here Aboriginal people would have had easy access to the resources of the foreshore as well as those in the hilly hinterland to the west. Milford Creek may have been used as a source of potable water. For this reason, the stone artefact discovered during the complex assessment and registered as Milford Creek 1 (AAV Site No 7620-0206), is not unexpected. Further, the newly discovered site fits the general pattern of site locations at Apollo Bay, which sees archaeological deposits often in association with local waterways, particularly near or on their outlet to the ocean.

At the same time, that this stone artefact survived the impact of the existing development (which represents intense usage for at least the last two decades) and the rural landuse prior to this is noteworthy. The artefact was found in a lawned area meters from the front entrance of the brick residence. Given its condition and context it is possible that this artefact was dispersed and reburied during construction of the brick residence, the impact of which would have easily extended to the find location. It also suggests the previous occurrence of a larger archaeological site within the vicinity and not necessarily within the activity area which could have extended as far west as Casino Street. This possibility does not warrant any further assessment because it is unlikely that the distribution extends beyond that documented during the current investigation due to the impact of the existing development and shown on Map 2.

4.6 Limitations to the Cultural Heritage Assessment

There were no limitations to the cultural heritage assessment.

4.7 RAP's Involvement

In the absence of a RAP for the activity area, WAC were consulted and participated in the fieldwork as noted above.

4.8 The Scientific Significance of the Archaeological Sites Recorded During this Investigation

The Aboriginal archaeological site discovered during the complex assessment was a single stone artefact. The stone artefact was not *in situ* and nor was it associated with any other cultural material or deposits potentially sensitive for significant archaeological material. Table 5 below presents a significance assessment for the registered sites.

Following the Heritage Collections Council, five issues should be considered to assess the degree of significance. (Heritage Collections Council 2001: 11):

- Provenance
- Representativeness
- Rarity
- Condition
- Interpretive potential

The stone artefact found that is AAV 7620-0206 is not a formal tool type nor does it represent a distinctive artefact technology. Isolated artefacts and low density stone artefact scatters as sites or associated with shell middens are common in the Apollo Bay area and in this sense the site is typical of the local record. For these reasons this artefact cannot be regarded as significant from an archaeological perspective.

The site is assessed as having no archaeological significance. Table 7 below presents a significance assessment for the registered sites.

AAV Site Number	Site Name	Archaeological Site Type	Preservation and Contents			
			Subsurface (buried) deposits	In situ Deposits	Integrity	Contents
7620-0206	Milford Creek 1	Stone Artefact Scatter	Yes	No	Poor	Single stone artefact

B

Site No Cont...	Site Representativeness		Other Data	Research Potential	Educational and Interpretative Potential	Scientific Significance
	Locally (Apollo Bay)	Regionally (Otway Coastline)				
7620-0206	Common	Common	None	Low	Low	Low-density artefact scatter in a disturbed context. Locally common.

Table 7: Significance assessment for the Aboriginal archaeological site discovered during the assessment.

4.9 Significance to the Aboriginal Community

As documented during the consultation the WAC do not believe that the artefact that constitutes AAV site no 7620-0206 was significant from a cultural perspective. However WAC (in particular, Reg Abrahams) believe that the location will remain important because it demonstrates prior Aboriginal use of this particular part of Apollo Bay.

An Eight-Lot Subdivision 217- 219 Great Ocean Road Apollo Bay: CHMP

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The WAC request that the following statement be included in survey reports such as this one:

- The WAC is the guardian of and responsible for Aboriginal archaeological sites within their community boundary;
- All Aboriginal sites are important to the Aboriginal Community because they provide an important link to the past;
- The WAC regard the focus on 'artefacts' and 'sites' to be a European approach to Aboriginal heritage. A locality or place has more importance than the artefacts on or in it, because Aboriginal people have a spiritual connection with the land itself. The natural context of a place is an integral part of its heritage and this context can often extend beyond the boundaries of an archaeological site;
- Archaeologists should use subsurface testing methods when surveying areas with poor ground visibility, or in any cultural heritage management situation where it is suspected that buried occupation deposits are present.

In addition to the above, the WAC has its own views on the significance of Aboriginal archaeological sites. These views are based on firmly held beliefs and are maintained regardless of any particular outcome of any independent archaeological field investigation. The Co-operative reserves the right to reject the methods and outcomes of any field investigation where these are deemed to be technically inadequate or where they appear to underestimate the distribution or form of any Aboriginal archaeological material.

5.0 CULTURAL HERITAGE MANAGEMENT RECOMMENDATIONS

5.1 Effects of the Activity on Cultural Heritage Material

The proposed activity will harm a low-density stone artefact scatter site (AAV Site No 7620-0206). The activity cannot avoid harm to the site location but can minimise harm to the stone artefact through its removal and reburial (if appropriate) in open space adjacent to Milford Creek.

5.2 Recommendations for Management of Cultural Heritage

The proposed activity does not require any additional archaeological assessment prior to the commencement of works. The Aboriginal community have expressed the wish that the stone artefact AAV7620-0206 recovered during the complex assessment should be returned to the activity area and reburied in open space adjacent to Milford creek.

5.3 Management Prior to Activity

- All works are restricted to the Activity Area described (see Appendix 2).
- The Sponsor will provide information sessions for civil contractors in regards to the management requirements relating to Aboriginal cultural heritage values within the activity area.

5.4 Management Needed During the Activity

- No further archaeological work is required.
- However, if any previously unknown Aboriginal cultural material is discovered during the construction, the provisions outlined in the Contingency Plans presented in Sections 5.6 must be followed.
- If any human skeletal remains are discovered then the provisions outlined in the Contingency Plans presented in Sections 5.6 must be followed.

5.5 Management Needed After the Activity

5.5.1 Recommendations for the Curation of Aboriginal Cultural Heritage Recovered During the Complex Assessment

The artefact recovered during the complex assessment and any further artefacts found during the activity must be returned to the *Wathaurong* Aboriginal Co-operative along with details of their provenance and a copy of the analysis for inclusion in a keeping place.

5.6 Contingency Planning

This section discusses the procedures in relation to Aboriginal cultural heritage not previously identified and other matters that may affect the conduct of the activity such as disputes, delays and other obstacles.

Any archaeological material uncovered during the activity should be:

- assessed in relation to the existing site registration (with particular emphasis on the distribution and content of the registered site) and may require the completion of a new site card(s) and collection component forms;
- catalogued, labelled and packaged with reference to provenance; and,

- in consultation with the appropriate Aboriginal community, stored in a secure location together with copies of the catalogue and assessment documentation awaiting reburial, if appropriate.

If appropriate the reburial of the salvaged or recovered stone artefacts should:

- occur in consultation with the appropriate Aboriginal community;
- occur at the completion of the activity (to limit the possibility of any future ground disturbance) see 5.5 above;
- be placed in a durable container with reference to provenance and with the catalogue and assessment documentation;
- occur within the open space planned for Milford Creek or other suitable open space which will not be subject to ground disturbance in the future.

The cost of these procedures is the responsibility of the Sponsor. Also, ongoing consultation is recommended between the Sponsor and the Cultural Heritage Advisor in regards to Aboriginal Places and Cultural Heritage throughout all stages of the Activity (prior, during and after the activity).

5.6.1 Contingency for the Discovery of Previously Unknown Aboriginal Cultural Heritage during the activity

- A person making such a discovery will immediately suspend any relevant works at the location;
- If not already in attendance, that person shall immediately notify the Cultural Heritage Advisor who can then advise the Sponsor or the Project Delegates (see section regarding Dispute Resolution for contact details);
- The cultural heritage advisor will facilitate the involvement of any RAP (if one exists for the area at the time) in the on-site investigation and assessment of the significance of the Aboriginal cultural heritage
- In consultation with the RAP representative and the Sponsor, and if necessary to prevent any further disturbance, the location will be isolated by a fence, safety webbing, or other suitable barrier and works may recommence outside this 5m area of exclusion;
- The RAP and Cultural Heritage Advisor will evaluate the Aboriginal cultural heritage to determine if it is part of an already known site or should be registered as a new site;
- An archaeologist must be engaged to update and/or complete site records and advise on possible management strategies;
- Within a period not exceeding three (3) working days a decision/recommendation will be made by the RAP 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;
- Failure of parties to reach an agreed course of action in this manner will be classed as a Dispute under this agreement;
- Work may recommence within a 5m buffer:
 - When the appropriate protective measures have been taken;
 - Where the relevant Aboriginal cultural heritage records have been updated and/or completed;
 - Where all parties agree there is no prudent or feasible course of action, or;
 - Once any relevant dispute has been resolved.

Where relevant, the sponsor and RAP representative will ensure that the above steps are followed and that legal obligations and requirements are complied with at all times.

In the case of the discovery of human remains, the procedures stated in the **Contingency Plan for the Discovery of Skeletal Remains** included in this plan must be followed.

5.6.2 Contingency Plan for the Discovery of Human Remains

If any suspected human remains are found during any activity, works must cease. The Victoria Police and the State Coroner's Office should be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the Department of Sustainability and Environment's Emergency Coordination 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.

1. 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.

2. Notification

- Once suspected human skeletal remains have been found, the Coroner's Office and the Victoria Police must be notified immediately;
- If there are reasonable grounds to believe that the remains could be Aboriginal, the DSE Emergency Co-ordination 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, DVC in accordance with s.17 of the Act.

3. 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.

4. Curation and further analysis

- The Secretary must be consulted for curation and analysis of salvaged Aboriginal human remains.

5. Reburial ¹

- Any reburial site(s) must be fully documented by an experienced and qualified archaeologist, clearly marked and all details passed on to AAV;
- An appropriate management plan must be put in place to ensure that the remains are not disturbed in the future.

5.6.3 Contingency Plan for Dispute Resolution

As a Registered Aboriginal Party (RAP) is not evaluating this CHMP, there can be no dispute between the RAP and the Sponsor in relation to what is agreed to in the implementation of

¹ A likely outcome would be that the RAP will request that the disturbed remains be reburied in a location close to the discovery.

the CHMP or the conduct of the activity. This CHMP is being evaluated by the Secretary, Department of Planning and Community Development. The Secretary has significant other powers to deal with any dispute between the Sponsor and the Secretary.

5.6.4 Contingency for the Custody and Management of Aboriginal cultural heritage recovered at the Activity Area.

In the absence of a RAP, the treatment of salvaged Aboriginal human remains must be in accordance with the direction of the Secretary.

If any Aboriginal cultural heritage is recovered or salvaged from the activity area it will be the responsibility of an experienced Cultural Heritage Advisor to:

- o Catalogue the Aboriginal cultural heritage;
- o Label and package the Aboriginal cultural heritage will reference to provenance; and,
- o Arrange storage of the Aboriginal cultural heritage in a secure location together with copies of the catalogue and assessment documentation.

The Sponsor will be responsible for the costs associated with the assessment, cataloguing, labelling and packaging of this cultural heritage material.

The custody of Aboriginal heritage (other than human remains) discovered or salvaged during or after the activity will be assigned according to the following order of priority:

5. any relevant RAP that is registered for the land from which the Aboriginal heritage is discovered or salvaged;
6. any relevant registered native title holder for the land from which the Aboriginal heritage is discovered or salvaged;
7. any relevant native title party (as defined in the *Aboriginal Heritage Act 2006*) for the land from which the Aboriginal heritage is discovered or salvaged;
8. any relevant Aboriginal person or persons with traditional or familial links with the land from which the Aboriginal heritage is discovered or salvaged;
9. any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal heritage relating to the land from which the Aboriginal heritage is discovered or salvaged;
10. the owner of the land from which the Aboriginal heritage is discovered or salvaged;
11. the Museum of Victoria.

Provision for Review

Review of this plan can be undertaken at any time by project delegates representing the sponsor or an agreed independent reviewer to ensure that all parties are complying with the terms of the plan.

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Maps

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- 1:25,000 Topographic Map 7620-4-2
- County of Polwarth, Part of Parish of Wongarra, Geological Survey of Victoria 1901

Other

Visit Victoria Website <http://www.visitvictoria.com/displayobject.cfm/objectid.000ACFA0-E40C-1A5C-BC6180C476A90000/> current 3/3/2008

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MAPS



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Terra Culture

Heritage Consultants
Suite 3,
83 Station St,
Fairfield, 3078
VICTORIA
Ph. 03 9486 4524
Fax. 03 9481 2078

COLAC OTWAY SHIRE

Scale in kilometres

Drawing No.: Regional Apollo Bay.dwg

REGIONAL MAP APOLLO BAY	
Drawn: P.B.	Date: 15/2/2008
Datum: GDA94	Format: A4

MAP 1: Regional map showing the location of Apollo Bay, Victoria.

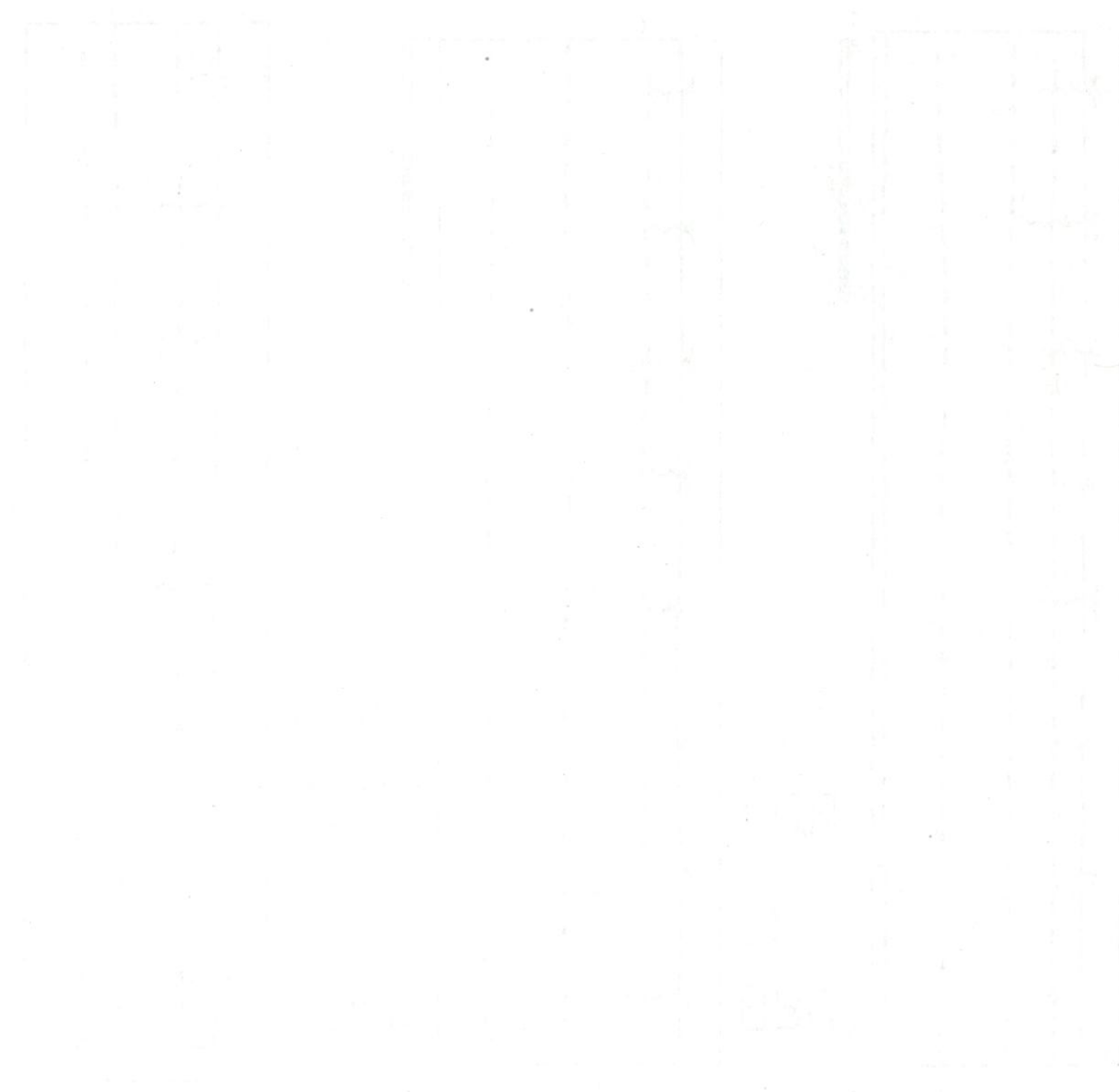
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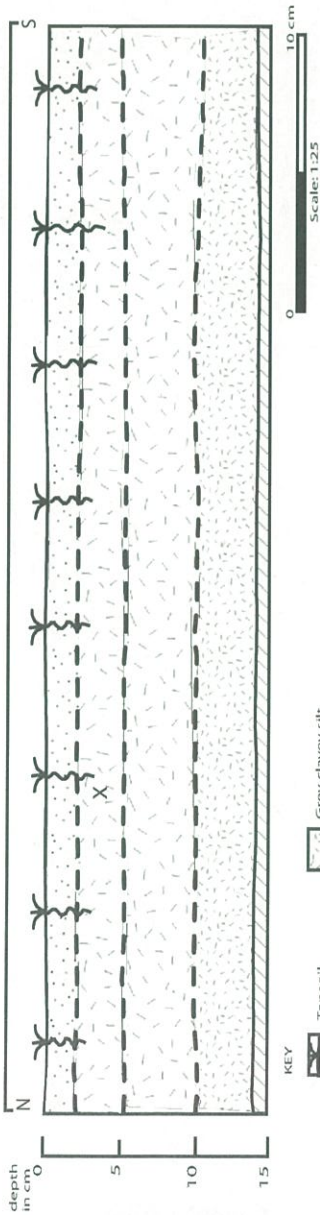
MAP 2: 217-219 Great Ocean Road Apollo Bay showing Surveyed Ground, Subsurface Testing and AAV Site No. 7620-0206.

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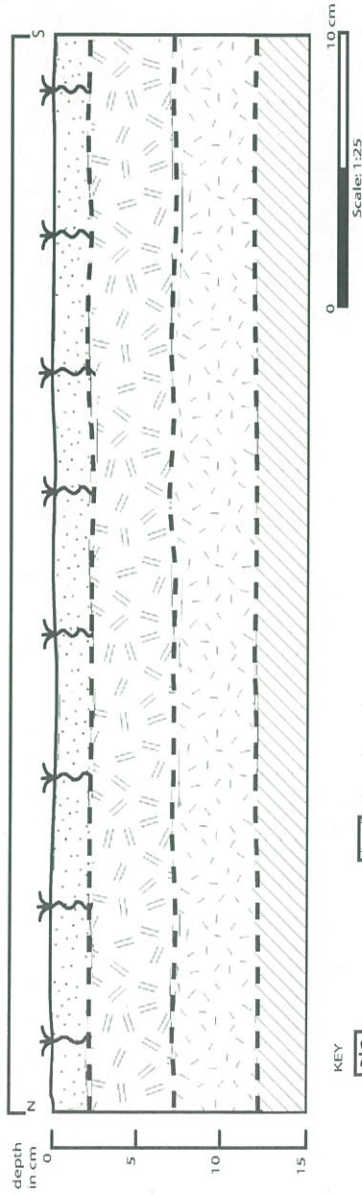
FIGURES



SHOVEL TEST PIT 1
EAST FACE



SHOVEL TEST PIT 2
EAST FACE



SHOVEL TEST PIT 3
MILFORD CREEK
EAST FACE

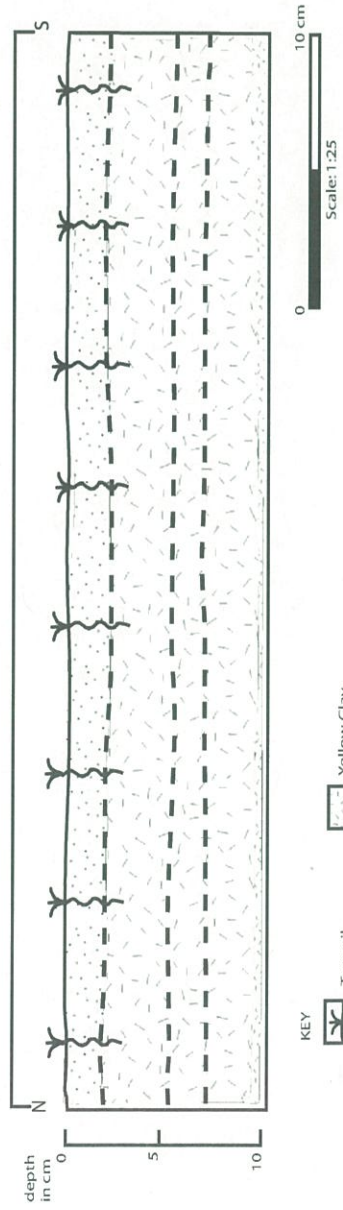


Figure 1: Stratigraphic profiles for Shovel Test Pits 1 to 3

PLATES

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Plate 1: The activity area 217- 219 GOR looking west at the front of the property. The holiday cottages 'Bayside Gardens' are on the LHS. The brick residence can be seen in the middle ground on the RHS. Note the heavy landscaping.



Plate 2: The activity area looking east towards the Great Ocean Road. Milford Creek is on the left. An inlet to the sewer is located in the middle of the lawn (between Milford Creek and the boundary fence) which is at the front of the brick residence.



Plate 3: The Bayside Gardens holiday cottages showing gravel drive way and landscaping. These cottages occupy low lying land on the southern side of Milford Creek.



Plate 4: The Great Ocean Road road reserve near the outlet of Milford Creek. Note how the road has been raised above natural ground level.



Plate 5: This is Casino Street showing the concrete kerbing and bitumenised road surface. A bridge over Milford Creek can be seen in the distance.



Plate 6: This is a view of the brick residence which as discussed in the text has been benched into the hillside. Shovel Test Pits 1 and 2 were excavated at the top of the slope where there is near level ground. Services are buried beneath this area.



Plate 7: Milford Creek has been heavily landscaped. A lawned area and brick residence on higher ground can be seen on the RHS.



Plate 8: This shows the relationship between existing services, landscaping and Shovel Test Pit 1 and 2. Note the change of the level of the ground and even cover of lawn.



Plate 9: Entrance to the rooms on the southern side of the brick residence which have been dug into the hillside. ie these rooms are below the natural ground levels.



Plate 10: Finish of Shovel Test Pit 1. Yellow blocky clay can be seen in the north-western corner.



Plate 11: The isolated stone artefact from Shovel Test Pit 1. Milford Creek 1 7620-0206. This is a very small artefact made on brown quartzite.



Plate 12: Finish level of Shovel Test Pit 2.



Plate 13: Finish level of Shovel Test Pit 3 which was located adjacent to Milford Creek.

GAZETEER

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Site Gazetteer

The following records Aboriginal Archaeological Sites discovered during the preparation of this CHMP

AAV Site Number	Site Name	Archaeological Site Type	Location	Contents
7620-0206	Milford Creek	Stone Artefact Scatter	Subsurface- Test Pit 1 GPS: 5707724/732001	One small flake Brown quartzite

APPENDICIES

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**APPENDIX 1- Notice of Intent to carry out Cultural Heritage
Management Plan**

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

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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").

SECTION 1 – Sponsor Information

Name of Sponsor: PHILIP CALLISTER
Business Name: _____
Postal Address: 219 GREAT OCEAN ROAD, APOLLO BAY
Telephone Number: 52376248 Fax number: 52376248
Mob: _____
Email Address: _____

SECTION 2 – Description of proposed activity and location

- Clearly identify the project name (if applicable),
- Clearly identify the proposed activity and its extent in respect to the area for which the plan is to be prepared (attach a copy of a title search and indicate street address where applicable).
- Attach a map (to scale, with a north arrow and indicating the municipal district - if any) that clearly identifies the area and boundaries in respect of which the cultural heritage management plan is to be prepared.

PROPOSAL FOR AN EIGHT LOT SUBDIVISION
OF BAYSIDE GARDENS 217 - 219 GREAT
OCEAN ROAD APOLLO BAY.

PLEASE FIND ATTACHED

- ① COPY OF TITLE
- ② AREA PLAN
- ③ EXISTING SITE CONDITIONS @ SCALE 1:1000
- ④ PROPOSED DEVELOPMENT SITE PLAN @ SCALE 1:200

SECTION 3 – Expected start and finish date for the cultural heritage management plan

Start date: 4/10/2007 Finish date: 4/10/2008

Copy... sent to
ATA-V 15 m.

SECTION 4 – Contact details for land owner/manager (where different to sponsor)

[Redacted area for contact details]

SECTION 5 – List the relevant registered Aboriginal parties (if any)

This section should only be completed where there is a registered Aboriginal party in relation to the Plan

[Redacted area for registered Aboriginal parties]

SECTION 6 – Signature of Sponsor

I certify that to the best of my knowledge and belief that the information supplied is correct and complete.

Signed:

[Handwritten Signature]

[Sponsor]

Date: 10/10/2007

SECTION 7 – Checklist



Ensure appropriate attachment/s are completed and attached to this notification (see section 2 of this form).

Please ensure this notice and all attached items are sent to the:

Deputy Director

Aboriginal Affairs Victoria

Department for Victorian Communities

GPO Box 2392

MELBOURNE VIC 3001

Notes:

- Ensure that any relevant registered Aboriginal party/s are also notified. 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.

Legalco Online Information System

Information provided through Legalco Management Pty Ltd an approved LPI/NSW Information Broker

VIC LTO ALTS Title Search

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REGISTER SEARCH STATEMENT Land Victoria

Security no : 124021396557C

Volume 09757 Folio 664
 Produced 12/04/2007 04:53 pm

LAND DESCRIPTION

Land in Plan of Consolidation 165106P.

PARENT TITLES :

Volume 09371 Folio 312 Volume 09402 Folio 534
 Created by instrument CPI165106P 10/07/1987

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

PHILIP CALLISTER

ELSKOE CALLISTER both of 219 GREAT OCEAN RD APOLLO BAY 3233
 W430092V 26/11/1999

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE W430092S 26/11/1999
 COMMONWEALTH BANK OF AUSTRALIA

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE CPI165106P FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

STATEMENT END

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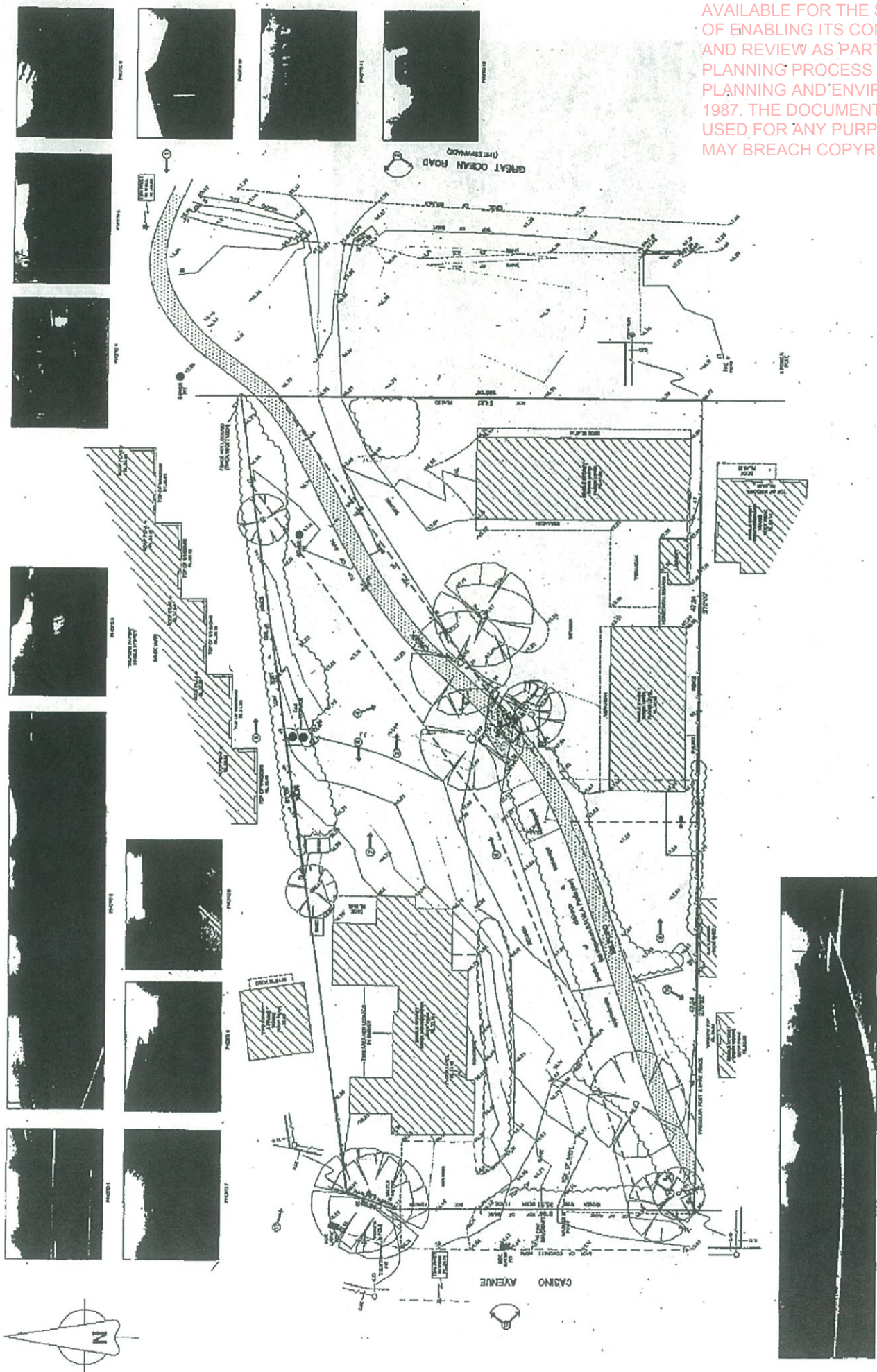
SITE & CONTEXT PLAN & RE-ESTABLISHMENT BAYSIDE GARDENS 219 GREAT OCEAN ROAD APOLLO BAY

ST. QUENTIN
 A CONSULTING ARCHITECTURAL & CIVIL ENGINEERING FIRM
 TECHNICAL OFFICE 207/1007

CONTRACTOR	DATE	SCALE	PROJECT NO.
ARBITRARY	7/10/09	AS SHOWN	AS
ISSUE DATE	20/11/07		
DESIGNED BY	DATE	SCALE	PROJECT NO.
ST. QUENTIN	18/04/07	AS SHOWN	AS

NOTES

The plan is prepared for the purpose of showing the location of the proposed building and the proposed site. It is not intended to be used for any other purpose. The site boundaries shown herein are for information only and do not constitute a guarantee of any kind. The site boundaries shown herein are for information only and do not constitute a guarantee of any kind. The site boundaries shown herein are for information only and do not constitute a guarantee of any kind.





CREEK RUNS BEHIND



EXISTING VIEW FROM GREAT OCEAN ROAD

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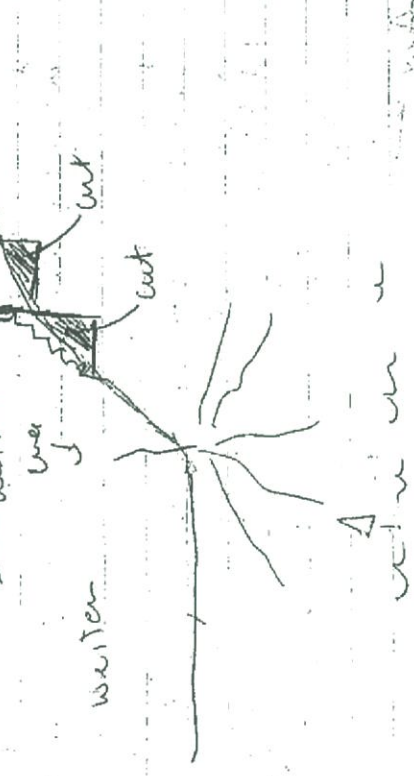
APPENDIX 3 – Field Notes

2

W. 1

Topography / geomorphology

The activity area samples the south western end of a low hill. The hill heads eastward + towards roads etc. ie buildings (residences) roads etc. are urbanised. Milford Creek runs along the base of this slope - it is original course probably followed closely by the line of the hill. The western side of the property is on level that ^{was the} ~~was~~ is ostensibly flat, with ^{was} ~~was~~ a cut.



Milford creek, though the activity remains with natural values and has been significantly disturbed.

- The activity over samples 3 bases land forms

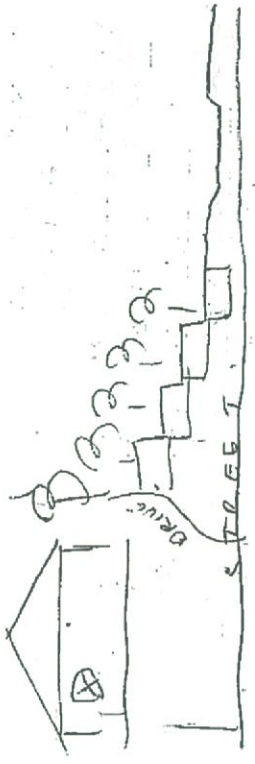
Testimony from John the caretaker

3

John the caretaker

cuts about 18 years and the new house is 5 ft higher - built by a GP for him + family. Original price low that present there was a double slab + posts all.

Note the western property boundary is the street. Also the fence in between is between drive. The drive appears to be on fall as the adjacent ground is at level and is much lower from the rear.



Existing conditions indicate significant ground disturbance. The hillside which supports the house. The house has been raised into the hill side. Very, all surface + subsurface deposits

- a sewer easement
- creek (channel modification)
- brick wall on the western side
- enter a a step or brick strip ^{cover} o. stumps

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John tells me that 1/3 are on cement +
 the other half
 • brick + with ornate garden
 lawn copy along the creek,
 two vehicle access tracks, one from
 back and the other from the rear street
 → grass lines and other landscaping with
 screens such as water.

Desktop assessment results
 → no previous survey
 → no known (registered) Ab and infra
 → nearest site in some dirt away

Standard assessment
 → poor ground suitability due to

- ① grass cover
- ② bitumen + other artificial surfaces
- ③ built structures particularly the
 holiday unit + verandah

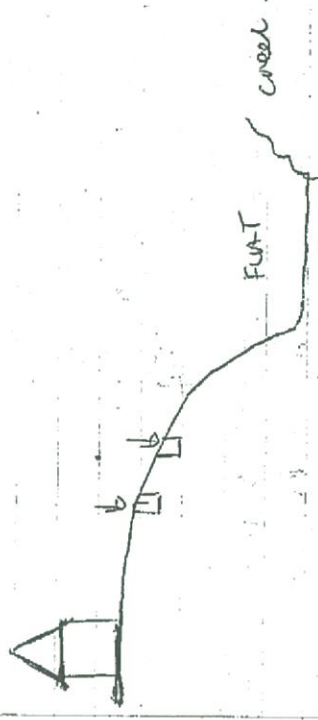
Some limited exposure along creek bank + cut away
 Complex terrain

Due to lack of suitability + exposure
 decided to flag sample area where
 there was ① open space, ② some potential
 integrity to the ground.

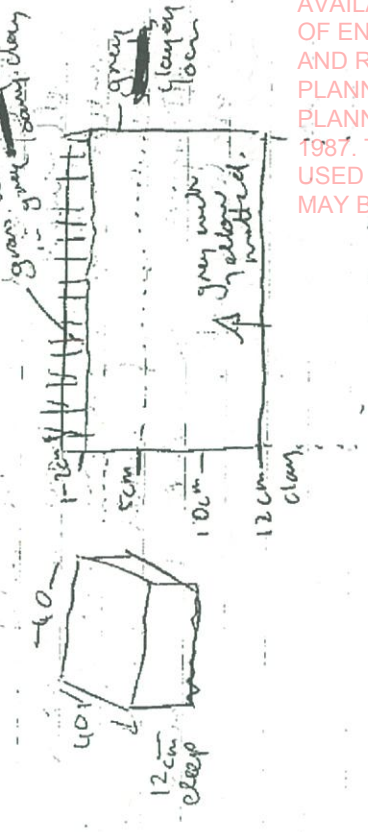
At the front southern end of the shore
 towards the house there is open space
 (well wide). There limited extent of
 excavation due to small size of
 open space + the gradient of the

⑤

slope. Decided to put 2 small test
 pits 40cm square where we wanted
 pit them.



Test Pit I a 40cm sq pit dug manually
 by shovel + trowel @ 5707724
 54732001



Pit I stratigraphy
 Layer I - grass roof - grey clayey loam
 Layer 2 - grey clayey loam

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CUMPS

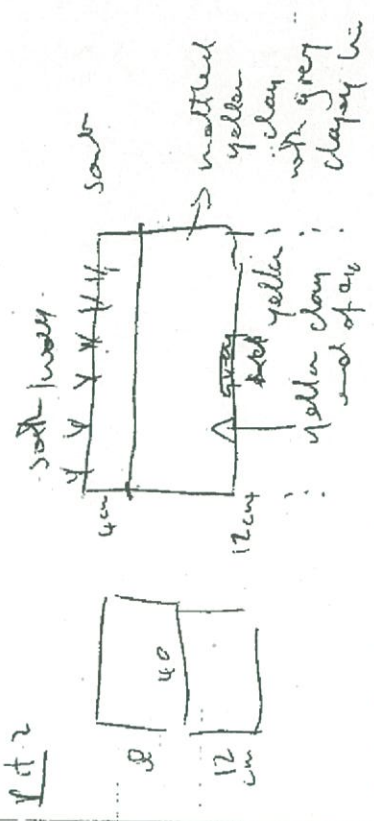
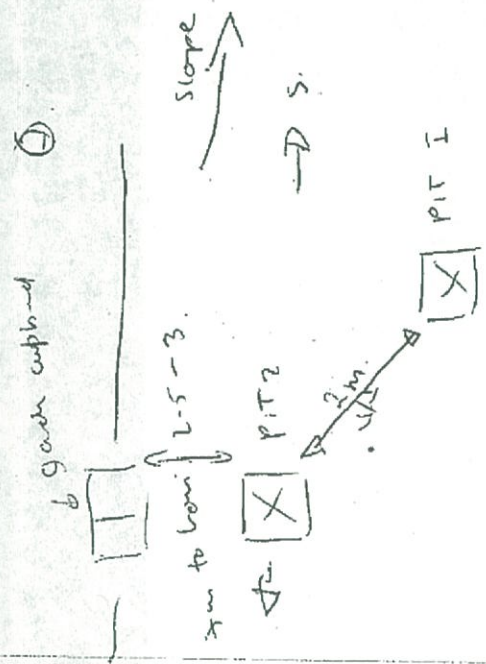
Way 3 - grey clayey loam with yellow clay mottled

Way 4 - yellow blocky clay

- G.P.S For pit 2 5707725
- 54 31998
- G.P.S for pit 3 5707701
- 54 73195

Came down into yellow clay @ 12cm - 13cm dug into this clay - the western half of square for 2-5cm excavated by Scipipi shovel + trowel

A single stone artefact came from this hole @ about 5cm. The artefact is a small flaked piece made a brown quartzite. This piece was isolated and not associated with anything else. The piece is transverse in shape

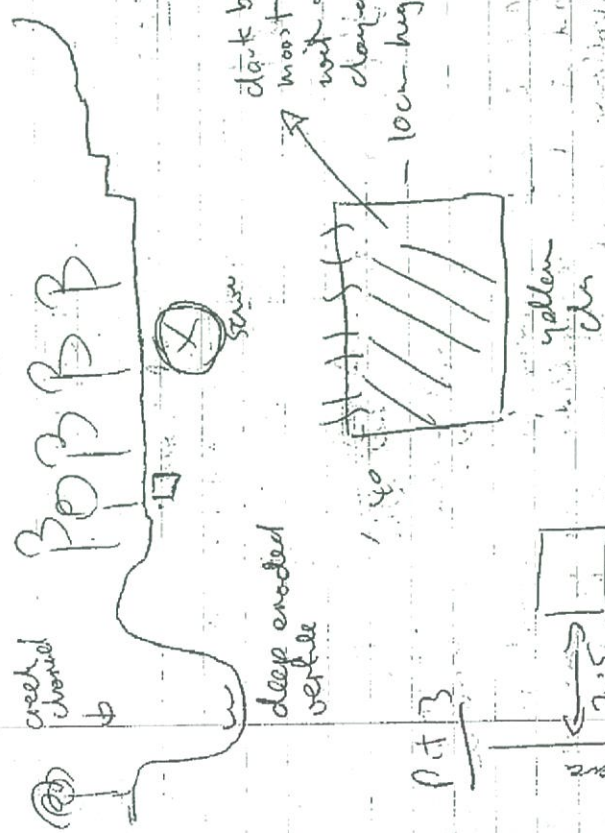


Pit 2 had a very similar strat to Pit 1 but the yellow clay appears at shallower levels. The mix of yellow + grey clayey loam indicates or suggests that the ground has been previously disturbed

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(8)

Test Pit 3 on the banks of the creek at the south western corner of the activity area. On the western side of the flat.



Pit 3 is located in open space near the creek channel about 6m from the edge of the bank. It is 40 cm square by about 10 cm deep to a yellow clay.

(9)

The strat. is a homogeneous matrix of dark brown clay full of big fat worms. No evidence of any cultural material. Looks like flood deposit? No other hole dug. end of assessment.



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APPENDIX 4 – Glossary of Terms

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Glossary of Terms

The following glossary presents definitions for words and terms that 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.

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.

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.

Basalt: Igneous volcanic rock that can be used to make *stone artefacts*. Basalt is common in western Victoria where there has been recent volcanic activity.

Before Present (BP): referring to years before present, which for radiocarbon dating is arbitrarily fixed at 1950.

Bi-polar Flaking: The process of manufacturing stone artefacts through the use of a hammer and anvil. A

core is struck with a hammerstone while resting on an anvil, detaching angular *flakes* that display bruising or crushing at either end.

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

Bulbar Scar: A small scar or removal of stone on the *bulb of percussion*.

Contact Site: General term used to describe an *Aboriginal archaeological site* that shows the use of European (non-indigenous) materials such as artefacts made with glass, metal or ceramic. Contact sites are usually considered to be the result of activities performed at or before the time of permanent European settlement.

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.

Cultural Heritage: The consequences of humanity including its relationship with the natural environment that are ascribed significance and considered to be worth preserving.

Deposit: A term used to describe buried archaeological material.

Desktop Study: Investigation of the known or potential cultural heritage values according to the landform type, historical records and other archival material and the results of previous archaeological investigations.

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

Fabric: A synonym for original material.

Feature: A notable formation or structure (conventionally immovable) discovered during *excavation*.

Fish trap: A structure made from stone, wood or reeds intended to guide fish or eels into a confined space to be collected or speared. Often constructed perpendicular to the main channel of a creek or river, or in the intertidal zone of estuaries, bays and oceans.

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.

Flake Tool: A flake that has been shaped through the removal of other smaller flakes (*retouched*) or shows evidence of use (*use wear*).

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.

Holocene: The geological period covering the last 10,000 years BP.

Hornfels: A dark grey, fine grained rock formed from mudstones and shales.

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

Industrial Archaeology: *Archaeology* concerned with the material consequences of industrial activity.

In situ: In its original place.

Layer: A recognisable band of material of varying thickness.

Monitoring (see watching brief)

Mound: Aboriginal mounds consist of ground that is artificially elevated above the natural levels. Thought to be a consequence of repeated occupation at the same location particularly through the use of earth ovens, mounds can contain a wide range of artefactual material including burials. Mounds that have all but been destroyed are recognisable through changes in the colour and composition of the ground, especially the presence of charcoal.

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*.

Post-contact Period: The time after contact between Aboriginal peoples and Europeans. Also referred to as the historic period. In Victoria the post-contact period begins in early 1800s.

Pre-contact Period: The time period before contact between Aboriginal peoples and Europeans. In Victoria this ends with permanent European settlement.

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

Radiocarbon Dating: Radiometric dating technique for establishing the age of organic (carbon) remains based on the rate of decay of the radioactive isotope carbon 14 (C14).

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)

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.

Sondage: Small deep pit to test stratigraphy, usually used within a larger test pit.

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.

Subject Land: The area that is under investigation. Also referred to as the study area.

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.

Usewear: The wear displayed on the surface of an artefact as a result of its use.

Waste Flake: An unmodified and unused *flake*.

Watching Brief: The monitoring of earthworks or other forms of disturbance at the location of a known archaeological site or of a landform considered sensitive for artefacts or other archaeological material. A watching brief is often a condition of a grant of Consent to disturb or destroy an archaeological site. Also known as monitoring.

Windscreen Survey: Field survey based on observations made from a vehicle. Also known as a drive-through survey (cf pedestrian survey).

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APPENDIX 5 – Aboriginal Community Communication

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FRAMLINGHAM



ABORIGINAL
TRUST

ABN: 13 654 946 401

Date: 31st January 2008

Mr Aaron McGifford
Barwon Grampians Region
AAV
GPO 2392
Melbourne Vic 3001

Dear Aaron

Re: **Cultural Heritage Management Plan for an Eight Lot Subdivision 217-219 Great Ocean Rd Apollo Bay.**

Thank you for forwarding a copy of this report and for seeking comment. Framlingham Aboriginal Trust seeks clarification on some of the Management Recommendations (Section 5) of the CHMP prepared by Terra culture P/L. These are:

Page 18

5.3, dot point 2

This requirement while being appropriate needs clarification, is this advice to be provided by the consultant, the Aboriginal people with interests in this area, or by AAV? Is it to be provided at the Sponsors cost? What is to be to be nature of this advice? How is the Sponsor to provide advice in relation to Aboriginal cultural values to civil contractors?

5.4, dot point 2

How will *in situ* Aboriginal cultural materials be identified during construction if the Cultural Heritage Advisor is not on site to monitor ground breaking activities? It is our experience that even following the requirements as described in 5.3 that civil contractors will work to their timetable and quite often will be unable or unwilling to identify potential cultural materials that if reported may slow down or stop their work at that location.

As advised in your letter I await your AAV staff member to contact me in regard to this matter.

Yours sincerely

Neil Martin