



[Redacted]

Northern Grampians Shire Council

PO Box 580 Stawell

Victoria 3380

22 April 2024

[Redacted]

**Re: Cultural Heritage Management Plan Requirement for the proposed Activity Area for the Stawell Growth Area Masterplan, Stawell, Victoria 3380.**

As a fully qualified archaeologist and cultural heritage advisor (BA Hons, MA Prelim. Archaeology) of over 30 years industry experience I am well qualified under the *Aboriginal Heritage Act 2006* to advise on any potential requirement for a Cultural Heritage Management Plan (CHMP) at the proposed Activity Area for the Stawell Growth Area Masterplan, Stawell (Figures 1 and 2). In addition, information regarding whether the Activity Area is located within a Registered Aboriginal Party (RAP) boundary and a detailed review of existing Cultural Heritage Management Plans (CHMP), registered places and associated management requirements is provided.

In order to determine whether a CHMP is required for the proposed Activity Area I have undertaken a review of the *Aboriginal Heritage Act 2006*, and the *Aboriginal Heritage Regulations 2018*; and undertaken a review of the Victorian Aboriginal Heritage Register (VAHR), held at First Peoples – State Relations (FP-SR).

The *Aboriginal Heritage Act* 2006 (hereafter referred to as ‘the Act’) provides blanket protection for Aboriginal cultural heritage in Victoria. This means that all Aboriginal cultural heritage (recorded and as yet unrecorded) is protected from harm, and it is illegal to carry out an activity that can disturb Aboriginal places without the appropriate authorities under the Act (and its associated Aboriginal Heritage Regulations 2018). There are two principal mechanisms under the Act that remove the risk of illegal harm to Aboriginal cultural heritage:

- ❖ Cultural Heritage Management Plans (CHMP)
- ❖ Cultural Heritage Permits (CHP)

A CHP is relevant only where an Aboriginal Place is registered in the works area and a CHMP is not a mandatory requirement. This is not the case for the proposed Activity Area therefore the triggers for a CHMP are considered below.

There are two triggers required for a mandatory CHMP as required under Section 46 (a) of the *Aboriginal Heritage Act* 2006. These are defined in the Aboriginal Heritage Regulations 2018 and state that:

A CHMP is required if-

- a) All or part of the study area for the activity is in an area of cultural heritage sensitivity; and
- b) All or part of the activity is a high-impact activity.

## **The Proposed Activity**

The proposed activity area covers a residential subdivision, excavation of roads, and trenching associated with the installation of drainage assets and underground services (Figure 3). This activity qualifies as a high-impact activity under Reg 47 (1)(f) Reg 49 (1)(a)(b) which state:

### **Regulation 47 Constructing Specified Items of Infrastructure**

- (1) The construction of any one or more of the following is a high impact activity if the construction would result in significant ground disturbance –
  - (f) a roadway with at length exceeding 100 metres.

### **Regulation 49 Subdivision of Land**

- (1) The subdivision of land into 3 or more lots is a high impact activity if –
  - (a). The planning scheme that applies to the activity area in which the land to be subdivided is located provides that at least 3 of the lots may be used for a dwelling subject to the grant of a permit; and
  - (b). The area of each pf at least 3 of the lots is less than 8 hectares.

## Cultural Heritage Sensitivity

The proposed activity area is not located within an area of cultural sensitivity. The closest area of cultural sensitivity is Pleasant Creek which is located 682m west of the study area at the closest point. There are drainage channels that fan off from Pleasant Creek across the study area which could potentially contain Aboriginal cultural heritage, however, at the time of writing these drainage channels are not considered culturally sensitive under the *Aboriginal Heritage Regulations 2018*.

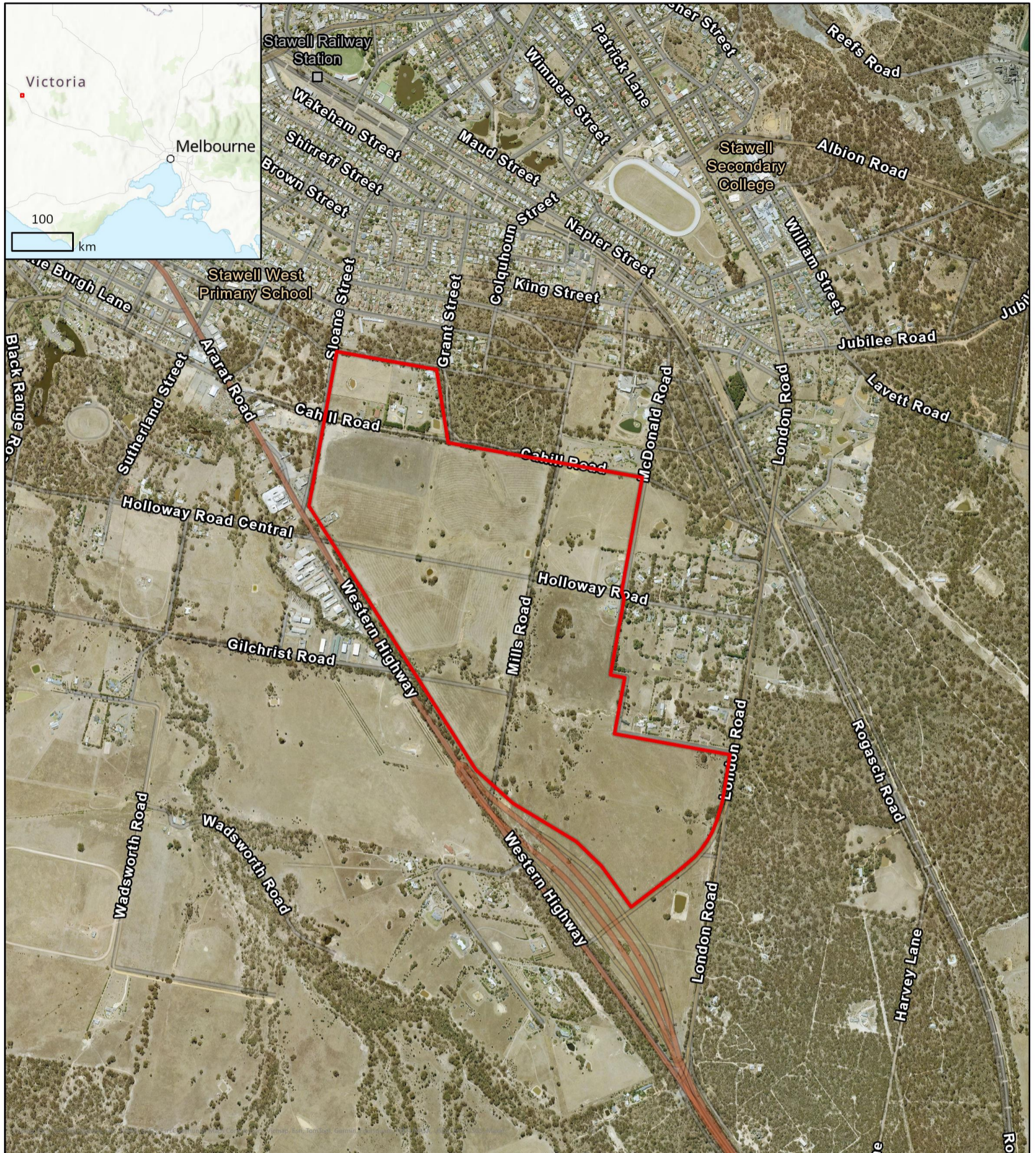
Significant ground disturbance is defined in the *Aboriginal Heritage Regulations 2018* (r. 5) as ‘...disturbance of – (a) the topsoil or surface rock layer of the ground; or (b) a waterway – by machinery in the course of grading, excavating, digging, dredging or deep ripping, but does not include ploughing other than deep ripping.’ Deep ripping is further defined as ‘the ploughing of soil using a ripper or subsoil cultivation tool to a depth of 60 centimetres or more’.

A review of the VAHR held at First Peoples – State Relations (FP-SR) has resulted in the conclusion that there are a total of nine registered Aboriginal Places, comprising of a total of 27 components, and 30 archaeological reports within a 5km radius of the proposed study area (Figure 8).

The review of CHMPs in the geographic region highlights clearing, ploughing, and urbanisation as contributors to ground disturbance in the region; however, a determination of the extent and significance of this disturbance is not possible without further investigation.



Figure 1: Activity Area



1:18,000  
 0 250 500  
 Metres

Spatial Reference  
 Name: GDA 1994 MGA Zone 54  
 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
 Projection: Transverse Mercator



 Activity area

Map production by TerraLab.  
 This map contains data from data from the State of Victoria. While all effort has been made to ensure the accuracy of the maps contents, TerraLab and Dugay and Co cannot guarantee its accuracy and accept no responsibility for damages resulting from its use.

Stawell Urban Growth Area

**Activity Area**



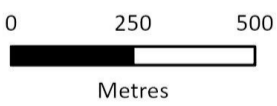
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Figure 2: Activity Area Topography



1:18,000



Spatial Reference  
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 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
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 Activity area

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Stawell Urban Growth Area

**Activity Area**



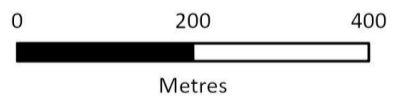
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Figure 3: Existing Conditions



1:9,600



Spatial Reference  
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PCS: GDA 1994 MGA Zone 54  
GCS: GCS GDA 1994  
Datum: GDA 1994  
Projection: Transverse Mercator



 Activity area

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Stawell Urban Growth Area

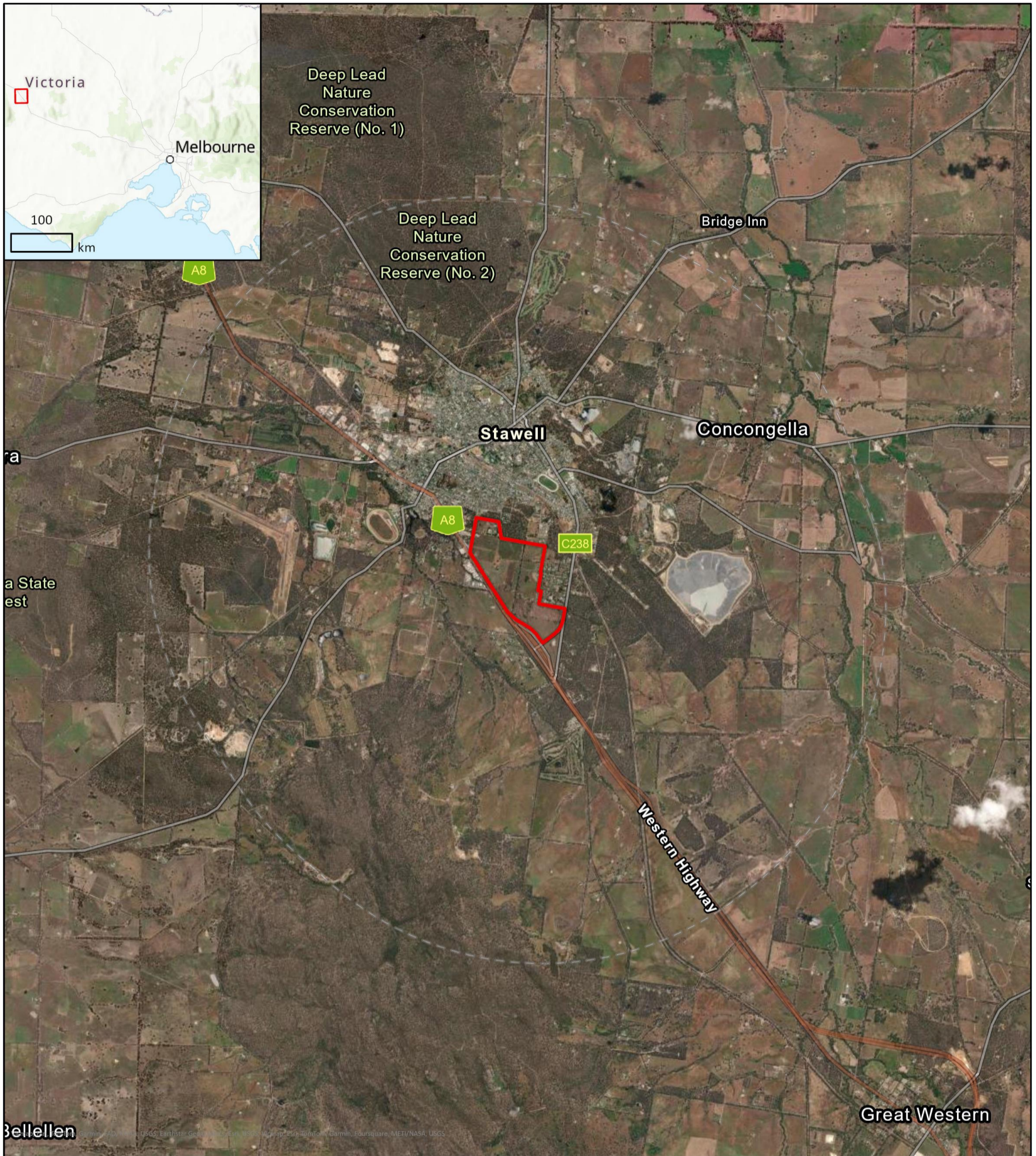
**Existing Conditions**



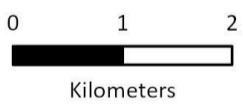
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Figure 4: Location





1:80,000



Spatial Reference  
 Name: GDA 1994 MGA Zone 54  
 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
 Projection: Transverse Mercator



-  5km Geographic region
-  Activity area

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Stawell Urban Growth Area

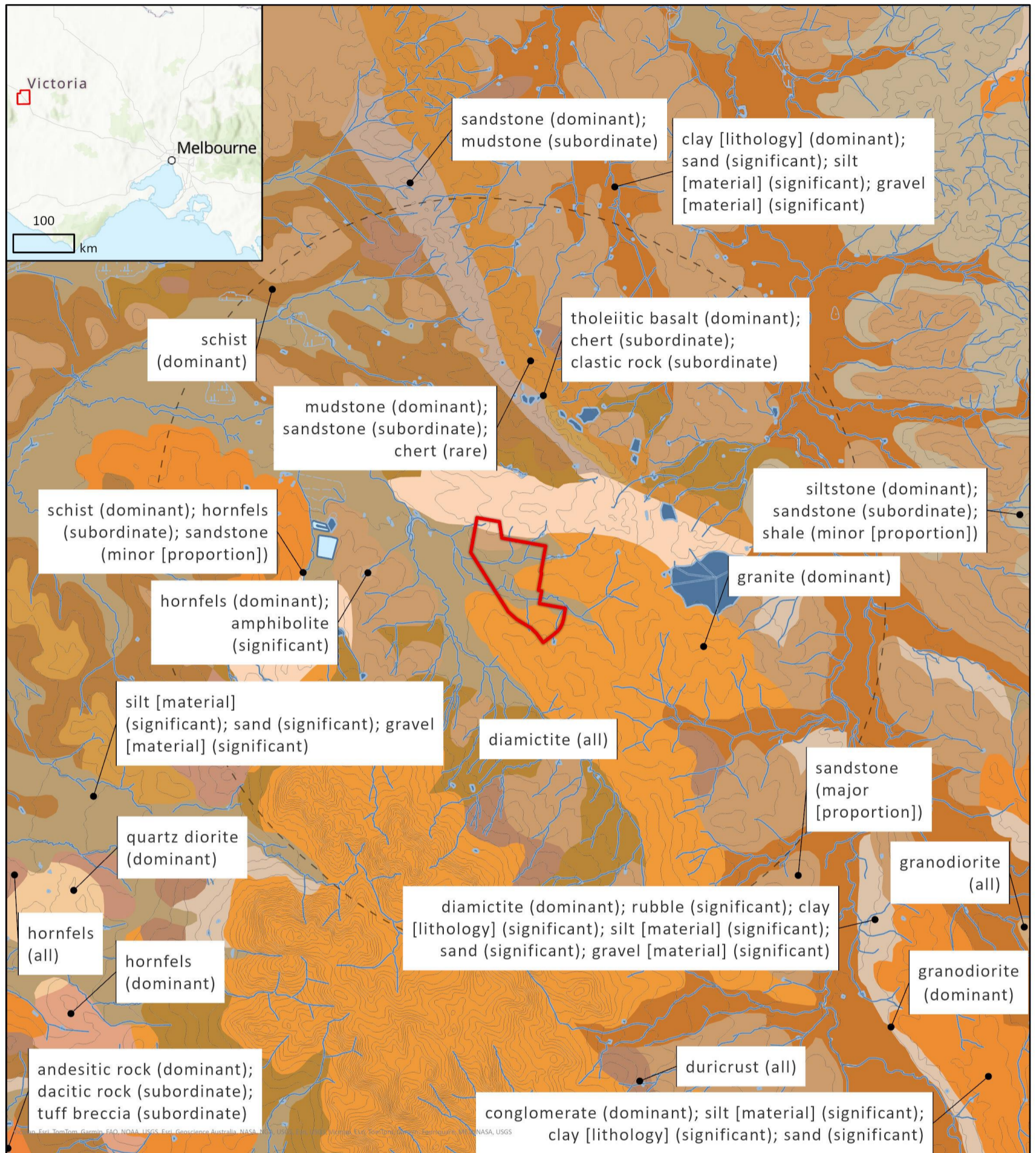
**Location**



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Figure 5: Geology



1:80,000  
 0 1 2  
 Kilometers

Spatial Reference  
 Name: GDA 1994 MGA Zone 54  
 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
 Projection: Transverse Mercator



Waterway		Watercourse area
Connector or drain		Lake
Stream		Wetland
Water area		5km Geographic region
Subject to inundation		Activity area
Pondage		

Map production by TerraLab.  
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Stawell Urban Growth Area

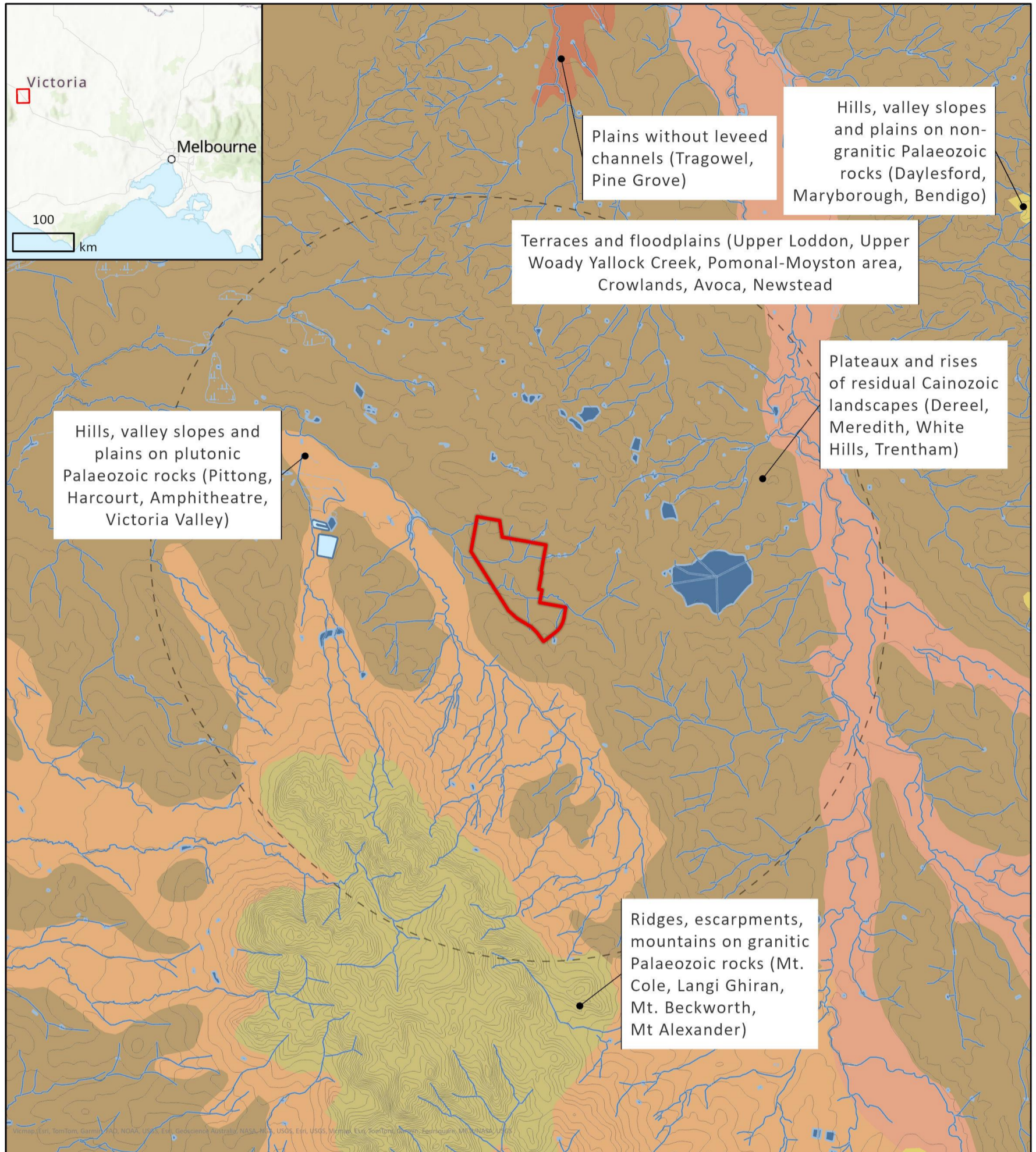
## Geology



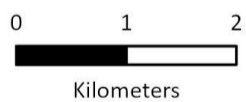
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Figure 6: Geomorphology



1:80,000



<b>Waterway</b>		<b>Watercourse area</b>
	Connector or drain	
	Stream	
<b>Water area</b>		<b>Wetland</b>
	Subject to inundation	
	Pondage	
		<b>Activity area</b>

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Spatial Reference  
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 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
 Projection: Transverse Mercator



Stawell Urban Growth Area

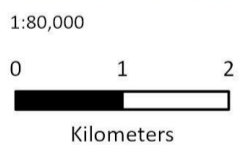
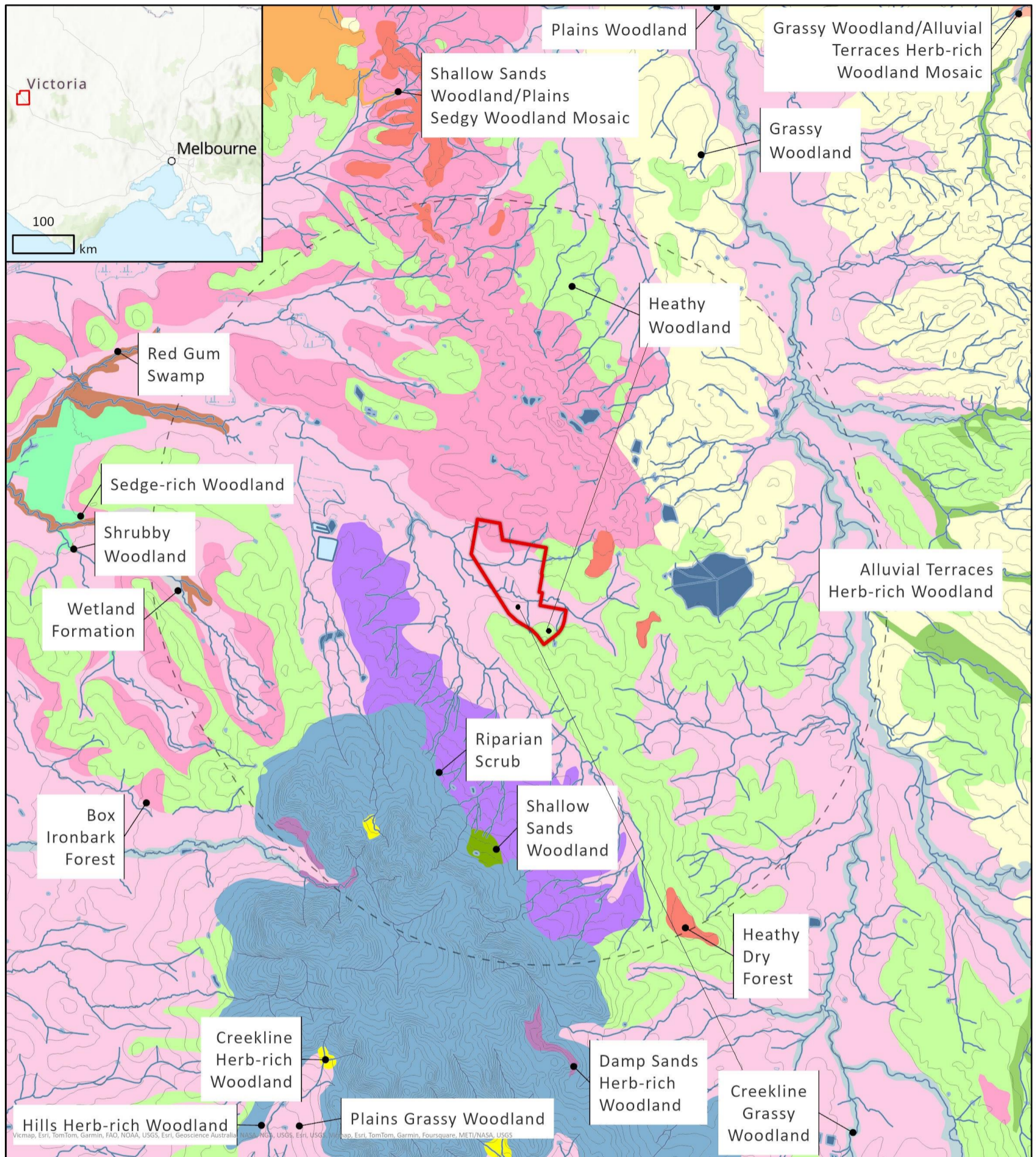
## Geomorphology



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Figure 7: Pre 1750 EVC



Spatial Reference  
 Name: GDA 1994 MGA Zone 54  
 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
 Projection: Transverse Mercator



Waterway	Watercourse area
Connector or drain	Lake
Stream	Wetland
Water area	5km Geographic region
Subject to inundation	Activity area
Pondage	

Map production by TerraLab.  
 This map contains data from data from the State of Victoria. While all effort has been made to ensure the accuracy of the maps contents, TerraLab and Dugay and Co cannot guarantee its accuracy and accept no responsibility for damages resulting from its use.

Stawell Urban Growth Area

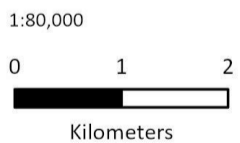
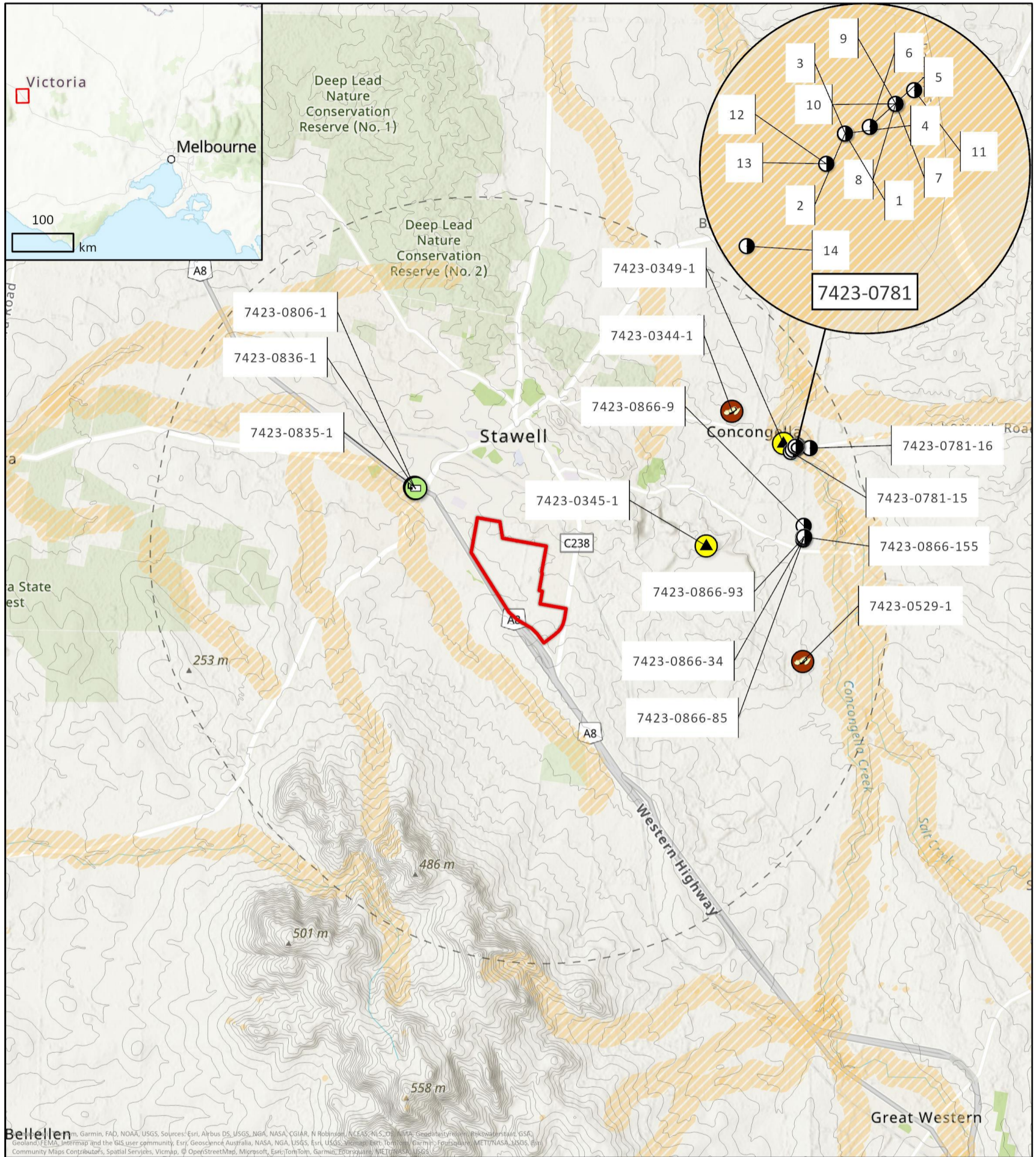
**Pre 1750 EVC**



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Figure 8: VAHR Places



Spatial Reference  
 Name: GDA 1994 MGA Zone 54  
 PCS: GDA 1994 MGA Zone 54  
 GCS: GCS GDA 1994  
 Datum: GDA 1994  
 Projection: Transverse Mercator



Component Type

- Artefact Scatter
- Earth Feature
- Low Density Artefact Distribution
- Object Collection
- 5km Geographic region
- Activity area
- Cultural heritage sensitivity area

Map production by TerraLab.

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Stawell Urban Growth Area

VAHR Places



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## Registered Aboriginal Party (RAP)

The Activity Area for the Stawell Growth Area Master Plan is within the RAP area of the Barengi Gadjin Land Council Aboriginal Corporation (BGLC). A decision extending the RAP area for the BGLC to include the land within which this activity area is located came into effect on 1<sup>st</sup> July 2021. As the designated RAP for this area any CHMP undertaken must be undertaken in full consultation with the RAP, the RAP is also likely to evaluate the CHMP under Section 62 of the *Aboriginal Heritage Act 2006*.

## Desktop Review

The proposed Activity Area (AA) is located in the town of Stawell and has been separated into six precincts. Each precinct has been detailed in the table below,

**Table 1 Precinct Area and Boundaries**

Precinct	Area (approx.)	Precinct Boundaries
1	8.93 Ha	North: Longfield Street East: Grant Street South: Cahill Road West: Sloane Street, Ararat Road
2	15.75 Ha	North: Cahill Road East: Boundary Road with Land Parcel 1\TP898109 and Lance Parcel 3\TP898109 South: Holloway road West: Sloane Street, Ararat Road, Western Highway
3	25.77 Ha	North: Hollow Road East: High Street (Proposed) South: Ararat Road / Western Highway West: Ararat Road / Western Highway
4	16.47 Ha	North: Holloway Road E East: Boundary Road with 28 Holloway Road E, 15 Mossman Road South: Mossman Road (Proposed) West: High Street (Proposed)
5	31.49 Ha	North: Mossman Road (Proposed) East: London Road South: Ararat Road / Western Highway West: High Street (Proposed), Ararat Road / Western Highway
6	28.93 Ha	North: Cahill Road East: Boundary with 29 Holloway Road E and 33 Holloway Road E South: Holloway Road / Holloway Road E West: Boundary with Land Parcel 1~B\PP3499 and Land Parcel 5\TP898109



Stawell is a regional town located in the Wimmera region of western Victoria (Figures 4 and 5). It is located approximately 237km west-north-west of Melbourne and is within the Shire of Northern Grampians.

The Victorian Aboriginal Heritage Register (VAHR) is a record of all previously recorded Aboriginal Places in Victoria. The VAHR was accessed on 27 March 2024 by Tess Nolan (HA Dugay & Co) under the Application Access No. 13350. The VAHR was searched for areas of mapped sensitivity, previous Aboriginal cultural heritage investigations and records of Aboriginal Places within the local geographic region.

For the purposes of this Due Diligence (DD) the geographic region has been narrowed to focus on a 5km radius surrounding the Activity Area. This geographic region contains landforms and environmental resources similar to those found in or near to the Activity Area. The Activity Area is across three bioregions: Central Victorian Uplands (CVU), Goldfields (Gold), and Wimmera (Wim) and geomorphologically on Plateaux and rises of residual Cainozoic landscapes (Dereel, Meredith, White Hills, Trentham) (2.1.5) (Figure 6).

Based on local geographical features, the vast majority of Aboriginal sites will have been formed during the past 10,000 years, and more probably the last 6,500 years when the current landform stabilised. Prior to European contact, the vegetation of the region would have consisted of (Figures 5 and 7):

- Heathy Woodland (EVC 48): Spans a variety of geologies but is generally associated with nutrient-poor soils including deep uniform sands (aeolian or outwash) and Tertiary sand/clay which has been altered to form quartzite gravel. Eucalypt-dominated low woodland to 10 m tall usually lacking a secondary tree layer and generally supporting a diverse array of narrow or ericoid-leaved shrubs except where frequent fire has reduced this to a dense cover of bracken. Geophytes and annuals can be quite common, but the ground cover is normally fairly sparse. (DSE, 2004).
- Plains Grassy Woodland (EVC 55): An open, eucalypt woodland to 15 m tall occurring on a number of geologies and soil types. Occupies poorly drained, fertile soils on flat or gently undulating plains at low elevations. The understorey consists of a few sparse shrubs over a species-rich grassy and herbaceous ground layer. (DSE, 2004).

There are a total of nine previously registered Aboriginal Places and two Historical Places within a 5km radius of the proposed AA. The two Historical Places are detailed below:

**12.3-18 Sisters Rocks: (Spiritual Places)** The Sisters Rocks are a large cluster of granite boulders that sits on the border between the Jardwadjali and Djabwuring people and is linked to their creation stories. It is believed to be connected with Bunjil's wives. Ceremonies would have taken place at the site and people would have marked the area as a sort of way of marking their relationship with the creation stories. Post-contact saw the place named after the Levi sisters who were among the area's first colonial settlers who arrived during the goldrush. For 120 years people have been carving and graffitiing the rocks, the area now is a popular tourist destination. The Historical Place is located 960m south-east of the proposed activity area at the closest point.



**13.8-1 1883 Stawell Gift (Places related to significant individual achievement):** The 1883 Stawell Gift was won by Bobby Kinnear of the Yurra Yurra tribe. He was the first Indigenous person to win the Stawell Gift and is one of three Indigenous athletes to win the race. The Historical Place is located 1.27km north-west of the proposed activity area at the closest point.

**Table 2 Previously Registered Aboriginal Places in the Geographic Region**

Aboriginal Place Number	Aboriginal Place Name	Place Type	Notes
7423-0344	Concongella 1	Earth Feature	Earth Feature – mound, destroyed by ploughing
7423-0345	Fox Cave	Artefact Scatter	Quartz artefact – worked stone, possible Ground Stone
7423-0349	Blackburn Park	Artefact Scatter	1 Greenstone Stone Axe
7423-0529	Concongella 2	Earth Feature	Earth Feature – Mound. Located in agricultural land
7423-0781	Concongella Creek LDAD 1	Low Density Artefact Distribution	6 Silcrete, 9 Quartz, and 1 Basalt artefacts
7423-0806	Robson Family Artefact Collection	Object Collection	Boomerang, Shield, Leangle and Club
7423-0835	Brumby Object Collection	Object Collection	Digging Stick
7423-0836	Cunningham Object Collection	Object Collection	Boomerang, Anvil, and Hammerstone
7423-0866	Salt Creek LDAD 3	Low Density Artefact Distribution	1 Basalt, 1 Mudstone, and 162 Quartz artefacts

The consideration of the local studies presented assists in understanding the regional landscape from an archaeological perspective and in developing a site prediction model for the Activity Area.

**Dugay-Grist *et al* (2014)** carried out a CHMP (12064) for the Landsborough Valley pipeline project. The activity area is located east of Stawell in western Victoria. The study area covers a proposed 25.5km trunk main pipeline route between Caroline Street, just outside the eastern side of Stawell, along Landsborough Road and Joel South Road to the east side of the Wimmera River where it turns south, extending down to Moore Lane. At this point the trunk main joins the existing Glenkara Pipeline. The activity area is 2.7km north-east of the current study area at its closest point. Two new Aboriginal Places (VAHR 7423-0773 and VAHR 7423-0778) were located during the complex assessment. These places were located in an area of lower predicted sensitivity, demonstrating that predictive models cannot always be relied upon for a focus



of archaeological excavation and reinforces the need to test outside of those areas of sensitivity to ensure coverage across landforms.

**Webb et al (2014)** conducted a CHMP (12677) for the Big Hill enhanced development project, located approximately 1.5kms north-east of the current study area at the closest point. The proposed project aims to utilise a gold resource that lies within and beneath Big Hill, which is immediately adjacent to the current SGM operation. The standard assessment confirmed that widespread mining activities within most of the activity area have completely destroyed the integrity of any Aboriginal archaeological deposits that may have occurred and as a result there is nil to low potential for Aboriginal sites. Although the GWM Water managed land exhibits only minor obvious disturbance, it was established during the Desktop Assessment that the activity area was not sensitive for Aboriginal archaeology, and it was considered unlikely that any Aboriginal heritage will occur in this area. As a result, the Complex Assessment was not required.

**Murphy and Thomson (2016)** undertook a CHMP (14186) for an agricultural development at the corner of Leviathan Road and Landsborough Road, located approximately 2.6km north-east of the current study area. The complex assessment comprised a total of 25 controlled hand excavated test pits and eight mechanical transects. No Aboriginal cultural heritage was located during the complex assessment, and no area within the activity area was considered likely to contain Aboriginal cultural heritage as the activity area has been subjected to disturbance including the removal of all native vegetation, ploughing, previous farming activities, animal grazing and water erosion.

**Scarff et al (2023)** conducted a CHMP (17175) for stage 3 of the East Grampians rural pipeline project, located approximately 2.1 south-east of the current study area at its closest point. The Complex Assessment involved the excavation of 27 1x1m test pits and extent testing was carried out for 14 of these, resulting in a total of 27 test pits and 194 shovel test pits excavated. The results of subsurface testing revealed that the stratigraphy across the activity area generally consisted of silt or silty sand transitioning diffusely into a sterile clay base. Depths were between 110mm and 1000mm across the activity area. Seven new subsurface Aboriginal places were identified during the Complex Assessment, and the two surface LDADs identified during the Standard Assessment were found to contain subsurface components as a result of the Complex Assessment. A total of ten registered Aboriginal places are located within the activity area. These consist of one culturally modified tree (VAHR 7423-0863), two LDADs (VAHR 7523-0401 and 7423-0866) and seven artefact scatters (VAHR 7423-0862, 7423-0859, 7523-0400, 7423-0857, 7423-0864, 7523-0398 and 7523-0399).

Other archaeological reports that cover the study area and surrounds include:

A study titled **Petrology and prehistory: lithic evidence for exploitation of stone resources and exchange systems in Australia** (McBryde, 1979) included the greenstone quarries of south-east Victoria. The Mount William greenstone quarry is located roughly 30mins north of Clarkefield, with the stone from this quarry greatly prized and traded across Victoria and into New South Wales. The study maps the distribution of the greenstone axes from Mt Camel and Mt William quarries and indicates the close the areas to these quarries the likelihood of artefacts, in particular those made from greenstone, are to



occur. The study concludes that there is an increase in the likely hood of finding archaeological sites, particularly those containing greenstone, the closer you get to the quarries. (Report 294).

**Bird (1990)** conducted a desktop study of Aboriginal sites in the Horsham Region. The area under study broadly correlated with the Wimmera, bounded by the Glenelg River and the Grampians in the south and extending north to the Warracknabeal area, Lake Hindmarsh and the Big Desert, and covering an area from the South Australian border to the Stawell region. At that time, 962 sites had been recorded in the region, although Bird noted that archaeological studies of the area were rare, and that many more sites probably existed. Almost half (45%) were scarred tree sites; 23% of the sites were located in rock shelters, and 20% were mounds. Three hundred of these sites were located in the north-western portion of the study area, which encompasses the current activity area. In this section of Bird's study area there were 265 scarred tree sites, 1 mound site, 23 surface scatter sites, 6 isolated artefact sites, and 7 burials.

Bird developed a predictive model for sites based on the availability of resources and the suitability of landforms for habitation. According to this model, the Wimmera Plains to the north of the Little Desert and west of the Wimmera River is particularly likely to contain Aboriginal heritage places. The landscape of sandy ridges with small watercourses or wetlands in between provides a variety of resources in a relatively confined area, along with sheltered, well-drained places for campsites. This type of landscape allows hunter-gatherers to supply their needs without extensive travel, while sandy rises provide well-drained camping locations; stone artefact scatters and mounds are therefore most likely to be found on lunettes or sandy ridges. Since dune building occurred during drier glacial periods, Bird also noted that many of the dune landforms may be of Pleistocene age, and therefore have potential for containing Pleistocene sites, as do the alluvial deposits along the Wimmera River. (Report 284)

**Edmonds, Long & Schell (1997)** prepared the Wimmera River Cultural Heritage Study of the Upper Wimmera Basin for the Goolum Goolum Aboriginal Co-operative at Horsham. The study area comprised the area from the source of the river on Mt Buangor to Horsham. A total of 208 Aboriginal sites were identified including 144 scarred trees (69.2%), 35 surface stone artefact scatters (16.8%), 11 mounds (5.3%), 12 isolated artefacts (5.8%), four isolated hearths (1.9%) and two stone procurement sources (0.9%), including a quarry / reduction site and an ochre source. There was a noted absence of shell middens in the survey area (except as an occasional component of surface scatters) even though freshwater mussels were present in the waterways and are recorded in historical references as having a role in the traditional Aboriginal economy. The preliminary site distribution model indicated that the greatest degree of intra-site complexity was associated with swamp resource zones situated away from the river. Tentative comparative site distribution models included the middle stretches of the Goulburn River in the Shepparton area and the Murray River between Yarrawonga and Swan Hill. Three areas were considered suitable for nomination onto the Australian Heritage Commission's National Estate Register including: Greens Creek Swamp, Campbells Bridge Flora Reserve and Marma / Barrabool State Forest. The National Estate Register was closed in 2007 and is no longer a statutory list.



The study supported the place distribution models of previous investigations which emphasise the importance of wetland areas to Aboriginal people in the southwest Victoria because they were the most productive of all ecosystems. The pattern reflected that observed for the middle reaches of the Murray River to the north. Of particular relevance to the present Activity Area is the comparative diffuse nature of occupation in the Uplands and the concentration of occupation along the Wimmera River and swamps in the Tertiary Plains. None of the places were subject to subsurface testing and none were assessed for scientific significance. High priority areas recommended for future systematic survey comprised prior stream formations and ancestral channels of the Upper Wimmera Basin, major swamps and wetlands, particularly where these occur on uncleared public land.

**McConnell, Buckley and Wickman (2002a & b)** developed a management system for Aboriginal heritage in public forested land in Western Victoria within the West Victoria Regional Forest Agreement for the Department of Natural Resources and Environment. The Aboriginal Heritage Management System (AHMS) aimed to produce principles for the management of Aboriginal values in the Department of Natural Resources and Environment (NRE) managed forests; identify the Aboriginal heritage values prior to development; protect Aboriginal heritage values; integrate Aboriginal heritage management into NRE management; monitor and review the AHMS; recognise Aboriginal custodianship, involve Aboriginal communities and provide employment. A predictive sensitivity zoning model or Aboriginal heritage sensitivity zoning was developed for the West Victoria region in order to provide a regional framework to establish priorities for the on-going assessment of Aboriginal cultural heritage in Victorian forests. The West Victoria region was divided into a number of sub-regions based on environmental variation incorporating Victorian Bioregions, landscape, and geology, and past Aboriginal land use. Sub-regions with insufficient heritage information were unable to have the sensitivity mapped.

## Summary of Review

A review of previously registered Aboriginal Places and CHMPs undertaken within a 5km radius of the Activity Area for the Stawell growth area masterplan, provides information with which to develop a regional model of potential Aboriginal cultural heritage within the Activity Area and likely Management Requirements.

- Extensive clearing means scarred trees are unlikely to be located.
- A land use history of ploughing means any Aboriginal sites located are unlikely to be insitu.
- The most likely site type to be found is the low-density stone artefact scatter with occurrences of 1-4 artefacts typical.
- Earth Features can also be present in agricultural land.
- Stone artefacts are likely to be located on the ground surface.
- There is the possibility for some subsurface stone artefacts, but these will be fewer in number and in shallow deposits to between approximately 100-300mm.
- Raw materials in the stone artefact assemblages are likely to be quartz and silcrete.



- The registered Aboriginal places within the geographic region were generally of low scientific significance.

The CHMPs undertaken in the geographic region have all required at least a Desktop and Standard Assessment, with all but one progressing to a Complex Assessment. That includes a ground surface survey and subsurface testing with the excavation of 1 x 1m TPs and 50 x 50cm STP and more recently mechanical excavation pits between 1 x 2 to 1 x 5m. The management requirements varied slightly depending on the date at which the CHMP was conducted however in general the compliance requirements entail a surface salvage of registered Aboriginal places within each Activity Area. It is also currently a general compliance requirement to undertake a cultural heritage induction and have a copy of the CHMP on site during works. No areas were required to be set aside in any of the CHMPs reviewed. Where the surface salvage programs have been implemented it is common that the original recorded artefacts are unable to be located; however, in several cases new stone artefacts were recorded and registered as a new place. Any new places registered were all LDADs and consistent with the nature and extent of places registered during the CHMP process.

The custody and reburial of any stone artefacts is generally to be completed following the activity or may be transferred to a RAP if one is appointed. Please note that a RAP has now been appointed. It should be noted that since the CHMPs reviewed in this DD were undertaken and approved the Barengi Gadjin Land Council (BGLC) has been appointed as the RAP for the land within which the activity area at Stawell. The RAP decision was implemented on 1<sup>st</sup> July 2021.

## **Conclusion**

The proposed high impact activity is not affected by an area of cultural heritage sensitivity. The study area has undergone some previous ground disturbance, however the nature and extent of this disturbance is largely unknown.

The activity area is located on a plateau, and previous studies in the geographic region have noted the absence of Aboriginal cultural material on this plateau landform.

The land within the study area has been subjected to ground disturbance through farming and clearing and some residential development. A determination on significant ground disturbance was not undertaken as part of this brief.

The data available about the archaeology of the study area is based on assessments that have been undertaken in areas surrounding the study area. This assessment did not involve an inspection or archaeological assessment of the study area itself. No Aboriginal archaeological assessments have previously been undertaken over the study area.

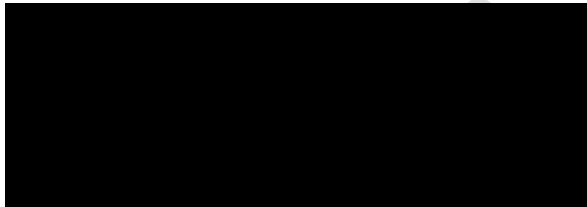


The proposed activity is not considered to require a mandatory CHMP as it is not located within an area of defined sensitivity under the Aboriginal Heritage Regulations (2018), and therefore the two required triggers are not met under Section 46 (a) of the *Aboriginal Heritage Act 2006*.

It should be noted that any identified Aboriginal cultural heritage can only be harmed within the context of a CHMP or a cultural heritage permit. Harm to Aboriginal places outside either of these options may result in a fine. The client does have the option to undertake a voluntary CHMP as a risk management strategy.

If you require any further information or have any questions regarding this matter, please do not hesitate to contact me.

Yours sincerely,

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**Disclaimer**

This heritage site assessment report offers no protection under the *Aboriginal Heritage Act 2006* (amended 2016) which provides protection for Aboriginal cultural heritage. This report only provides expert opinion on the recommendations for heritage management in the study area.

The client is always advised to seek qualified legal advice prior to acting on any recommendations contained in any report.

DRAFT





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