

ADVERTISED



191-201 Morriss Road, Warrnambool

Development Plan

Table of Contents

TABLE OF CONTENTS	1
INTRODUCTION	3
EXECUTIVE SUMMARY	4
SITE ANALYSIS	5
SURROUNDS	10
RELEVANT PLANNING APPLICATIONS	12
SUPPORTING DOCUMENTATION	13
PROPOSAL	14
WARRNAMBOOL PLANNING SCHEME	16
Municipal Strategic Statement	16
State and Local Planning Policy	16
Zone	16
Overlays	17
General Provisions	17
PERMIT TRIGGERS	18
PLANNING ASSESSMENT	19
Policy Assessment	19

Movement network	22
Stormwater	24
Cultural Heritage	25
CONCLUSION	26
ATTACHMENT 1 – CLAUSE 56 ASSESSMENT	27

Introduction

Inception Planning has been engaged to prepare a Development Plan on behalf of Elmstone Property Group.

The subject site is impacted by the Development Plan Overlay, Schedule 1 which requires a Residential Development Plan.

A Development Plan must be submitted to and approved by the responsible authority prior to subdivision of the land into more than two lots.

The subject site is formally known as Lot 1 on Title Plan 961748.

Executive Summary

Strategic support	<ul style="list-style-type: none"> ✓ The site is zoned General Residential Zone, Schedule 1 where State Policy encourages the development that respects the neighbourhood character of the area ✓ The site analysis demonstrates the land to be void of any constraints and therefore the Development Plan encourages the entire site to be developed for residential purposes as per the provisions of the Development Plan Overlay ✓ The subject site is located in an 'existing urban area' as per Clause 11.03-11L-01 where infill development is encouraged
Vehicle access and traffic	<ul style="list-style-type: none"> ✓ Morriss Road is will connect all vehicles with external road networks and it was observed Morriss Road current experiences low volumes and has sufficient capacity to accommodate a moderate increase in residential traffic ✓ Two shared access points are proposed measuring 12m wide including appropriate landscaping to soften the appearance and provide for safety for future pedestrians ✓ Future development proposals will be required to address the required car parking calculations of Clause 52.06 – Car Parking of the Warrnambool Planning Scheme
Flood risk	<ul style="list-style-type: none"> ✓ Site not identified as flood prone.
Landscaping	<ul style="list-style-type: none"> ✓ The Appropriate Development Areas provide for sufficient areas for future development proposals to provide for landscaping opportunities

Site Analysis

The subject site is vacant and has a frontage of 100.58 metres to Morris Road and a maximum depth of 201m, equating to an overall developable area of 12,368.84m².

The land is formally known as Lot 1 on Title Plan 961748Q.

The supporting site feature combined with the aerial photography demonstrates the site is clear of any significant vegetation and there are no marked waterways.

The topography of the land is generally quite flat with a 2m fall towards Morriss Road across the 201m depth from west to east.

A sewer pit is located in the south east within Council's road reserve, a power pole located slightly north of centre of the site and another towards the southern property boundary within the Morriss Road reserve. A street tree located towards the site's boundary with 1 Thomas Place property, see aerial imagery dated March 12 2022 below:



Figure 1 – Subject Site



Figure 2- Morriss Road, Road facing north



Figure 3- Morriss Road, Road looking east



Figure 4 - 30m in from centre of roadside facing south east



Figure 5 - 30m in from the centre roadside facing west

Surrounds

The subject site abuts Morriss Road with residential development located on both the northern and southern property boundaries until approximately 124m into the depth of the land, this is where the zoning provisions change from residential to commercial zone.

Directly opposite the site are established residential dwellings with frontages to Morriss Road and side roads such as Mountain Ash Drive and Tarhook Road.

Directly to the west of the parcel is Hollingsworth Boulevard, zoned commercial with a proposal to for the final stage of subdivision, currently the land is undeveloped.

Below is an aerial photograph taken of the surround area, the subject site is highlighted with a red outline:



Figure 6 – Subject Site and Surrounds



Figure 7 – Abutting dwelling to the south

Relevant Planning Applications

Planning permit P2008-0286.01 was issued for the Lot 1 on Title Plan 119278C and Lot J on Plan of Subdivision 546634L – Caramut Road Warrnambool which permitted the “Creation of 18 lots in various lots, a road and associated works in accordance with endorsed plans”.

This development directly abuts the subject land to the west and final endorsed design documents are awaiting endorsement from the responsible authority.

PP20220246 - 56-60 Caramut Road, Warrnambool to subdivide the final stage of the commercial development was issued and plans endorsed on 27 March 2023.

The rear commercially zoned section of this parcel of land in relation to the subject site is shown below.

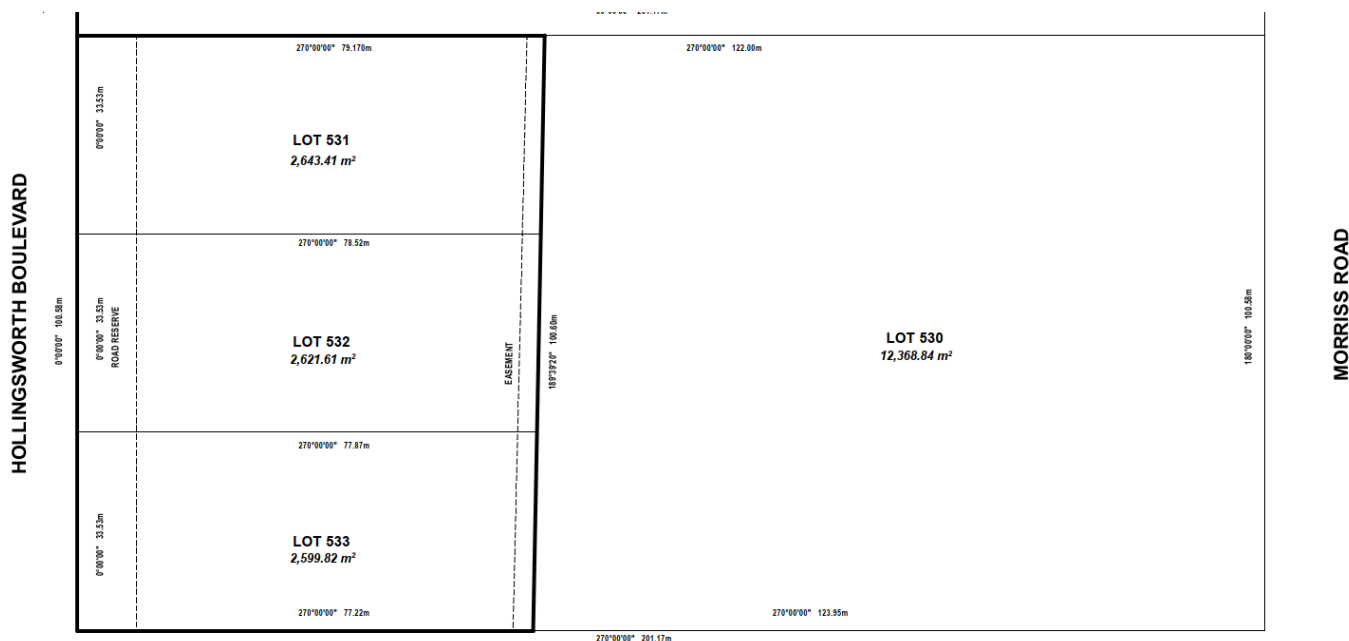


Figure 8 – PA20220246 Proposed Subdivision Plan

A pleasing aspect of the proposed subdivision is the 6m wide landscape buffer between commercially zoned land and residential zoned land, which will be included along the entire northern property boundary of the commercial subdivision, providing an excellent landscape buffer between the sensitive land use.

Supporting Documentation

- Title and Title Plan
- Feature Survey
- Plan of Subdivision and Indicative building envelopes
- Garden Area Plan
- Solar Study Plan
- Proposed floor plans of future dwellings
- Streetscape elevations
- Access and Linkage Plan
- Site Plan
- Site Profile Plan
- Landscape and Fencing Plan
- Vehicle Movement Plan
- Drainage Engineering Services Report prepared by SITEC – 3 October 2022
- Traffic Impact Assessment prepared by RedSquare Traffic – 23 August 2022
- Cultural Heritage Management Plan - 18740

The application proposes to develop the land for future infill development and this has been demonstrated on the supporting development plan.

The development plan provides for an indicative lot layout and building envelopes based on three different dwelling types

The site is proposed to be provided with vehicle and pedestrian access via two vehicle crossovers, resulting in a horse shoe type configuration of common property area, with lots and future dwellings being located on both sides of the common property area. A pedestrian footpath will be provided along the Morriss Street frontage. See diagram below:

The indicative building envelopes and lot boundaries have been designed in order to be able to meet relevant Rescode requirements when a future development proposal is put forward.

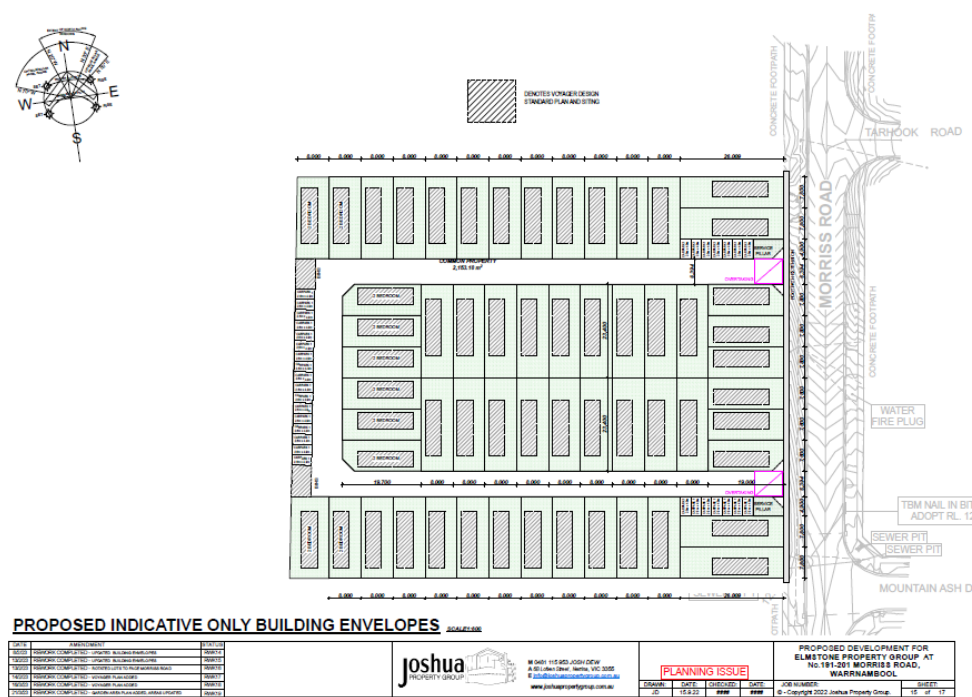


Figure 9 – Proposed indicative building envelopes

To support the development plan a landscape plan showing the location of proposed street planting has been provided and well as a traffic movement plan and indicative floor plans of the proposed dwellings. The proposed landscape plan is shown below and provides for canopy trees and groundcovers along both sides of the common property driveway and along the site's frontage.

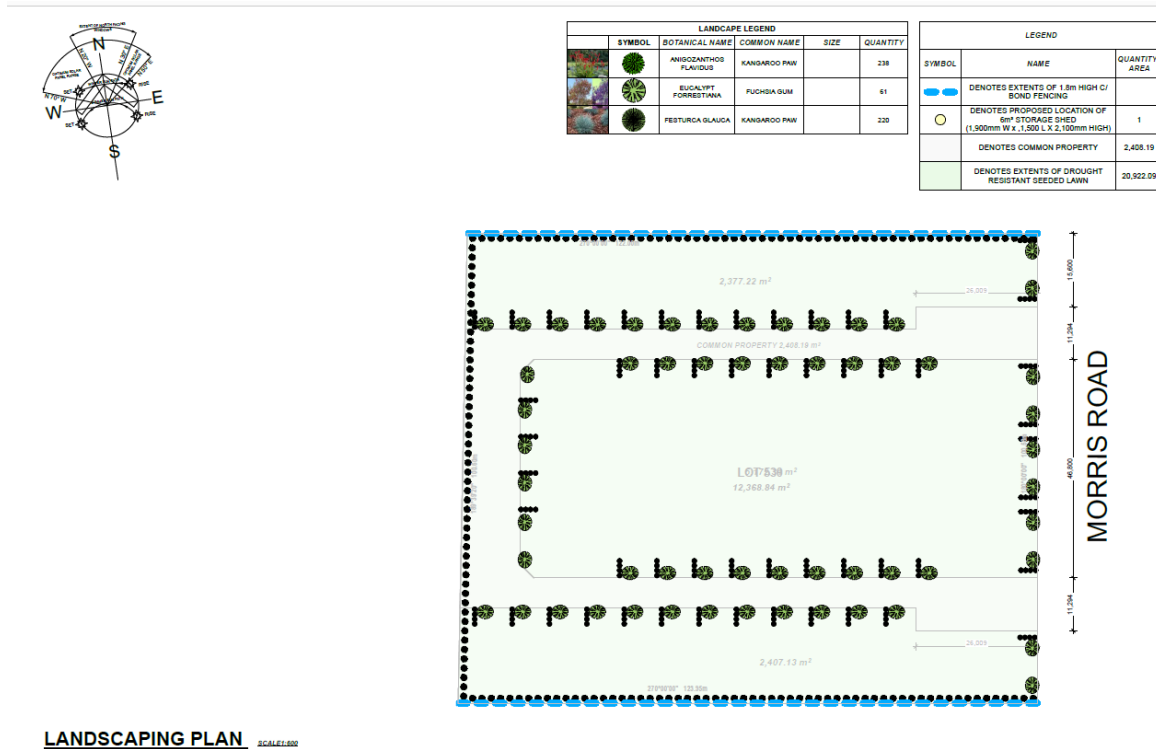


Figure 10 – Landscape Plan

A garden area plan has also been provided which demonstrates compliance with the 35% garden area requirement by providing 42% garden area. .

Warrnambool Planning Scheme

Municipal Strategic Statement

- Clause 02.01 – Context
- Clause 02.02 – Vision
- Clause 02.03-7 – Diversified Economy
- Clause 02.04 – Strategic Framework Plan

State and Local Planning Policy

- Clause 11.01-1S – Settlement
- Clause 11.03-1L-01 – Activity Centres in Warrnambool
- Clause 15.01-1S – Urban Design
- Clause 15.01-3S – Subdivision Design
- Clause 15.01-4S – Healthy Neighbourhoods
- Clause 15.01-5S – Neighbourhood Character
- Clause 16.01-1S – Housing Supply
- Clause 16.01-2S – Housing Affordability
- Clause 18.01-1S – Land Use and Transport Integration
- Clause 18.01-2S – Transport System
- Clause 18.01-3S – Sustainable and Safe Transport
- Clause 18.01-3L – Sustainable Personal Transport
- Clause 18.02.1S – Walking
- Clause 18.02-2S - Cycling
- Clause 18.02-4S – Roads
- Clause 18.02-4S – Car Parking
- Clause 19.03-2L - Infrastructure design and planning
- Clause 19.03-3L - Integrated water management

Zone

- Clause 32.08 – General Residential Zone Schedule 1(GRZ1)

Overlays

- Clause 43.04 – Development Plan Overlay, Schedule 1

General Provisions

- Clause 65.01 – Approval of an Application or Plan

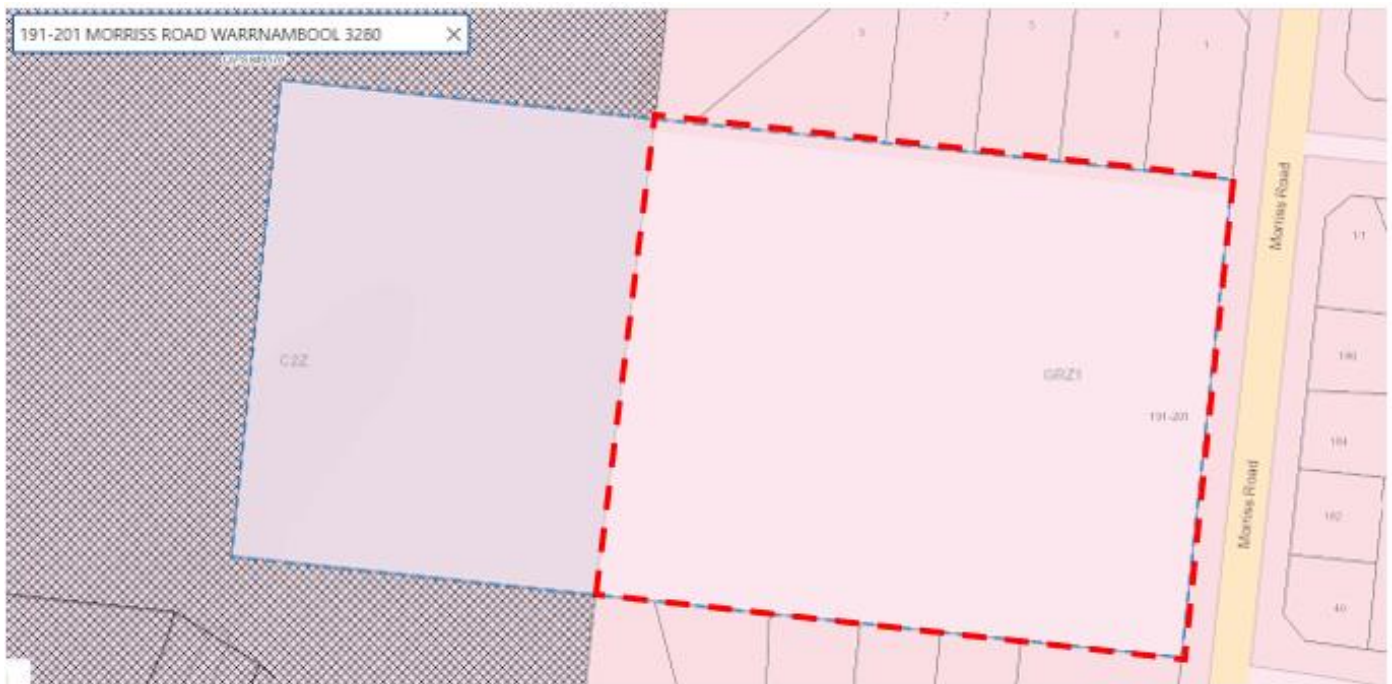


Figure 11 – Zoning Map

Permit Triggers

Clause 43.04 – Development Plan Overlay

- A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority

Planning Assessment

Policy Assessment

Planning is required to anticipate and respond to the needs of existing and future communities through the provision of zoned and services land for housing, employment, recreation and open space. In doing so, recognising the need for diversity of choice, land use and transport integration and accessibility are just some of the key considerations as described within the Warrambool Planning Scheme.

Clause 11.01-1S Settlement seeks to develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities. In accordance with Clause 11.03-1L01 the subject site is located in 'existing urban area' and therefore is considered as an appropriate location for residential infill development, offering excellent access to services and amenities. Below is a snippet of the map with a yellow star noted approximately where the subject site is located:

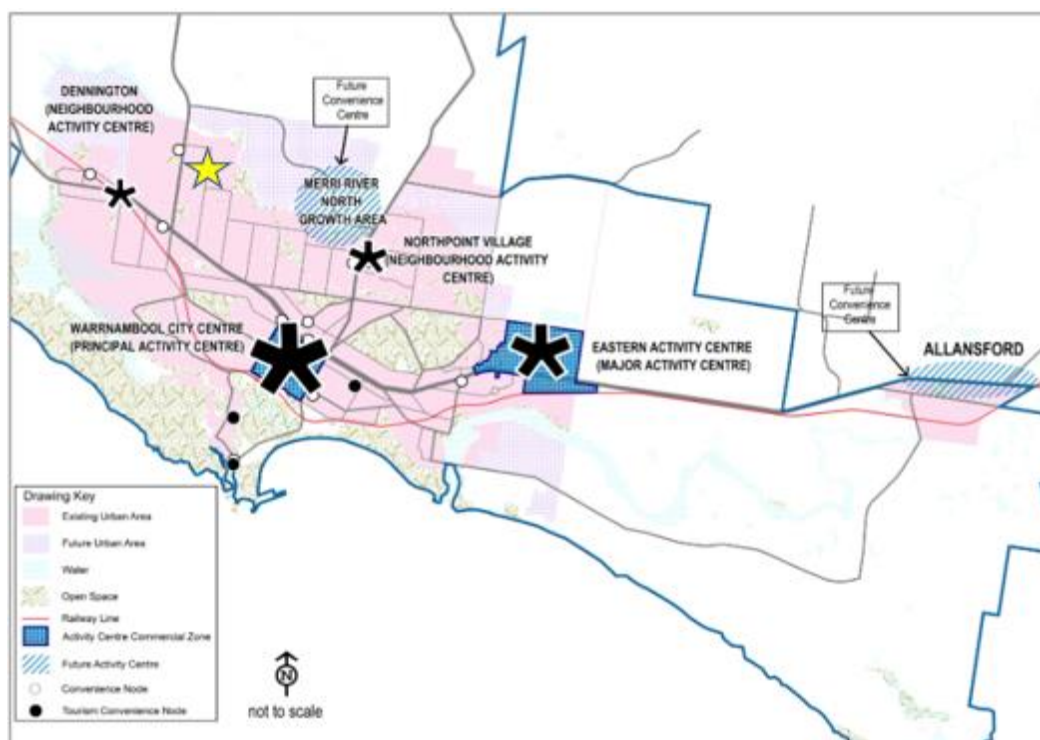


Figure 12 – Northpoint Village Neighbourhood Activity Centre Map

As directed by the state policy the development of the subject site will focus investment and growth in the major regional city of Warrnambool. The proposed Development Plan will support Warrnambool in its position as the key population and employment centre for the Great South Coast region as outlined under Clause 11.01-1R.

Clause 16.01 -1S House Supply looks to facilitate well-located, integrated and diverse housing that meets community needs. Of most relevance it supports the increase of housing in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas. Clause 16.01-1L includes strategies to facilitate this state level objective and explicitly supports the infill residential development in established urban areas.

The proposed Development Plan will enable the future development of the subject land, realising the above state, regional and local policies, that seeks to create an urban environment that is safe, healthy, functional that will positively contribute to a sense of place with a cultural identity.

The proposed subdivision layout will result in 52 lots with each having a single storey one or two bedroom dwelling. This will provide for improved housing diversity and affordability by providing a housing product that is currently in undersupply within Warrnambool.

An indicative floor plan for the dwellings has been provided as well as a streetscape elevation showing the indicative built form from Morris Road. house plan that presents to Morriss Road and forms part of the supporting documentation for review:

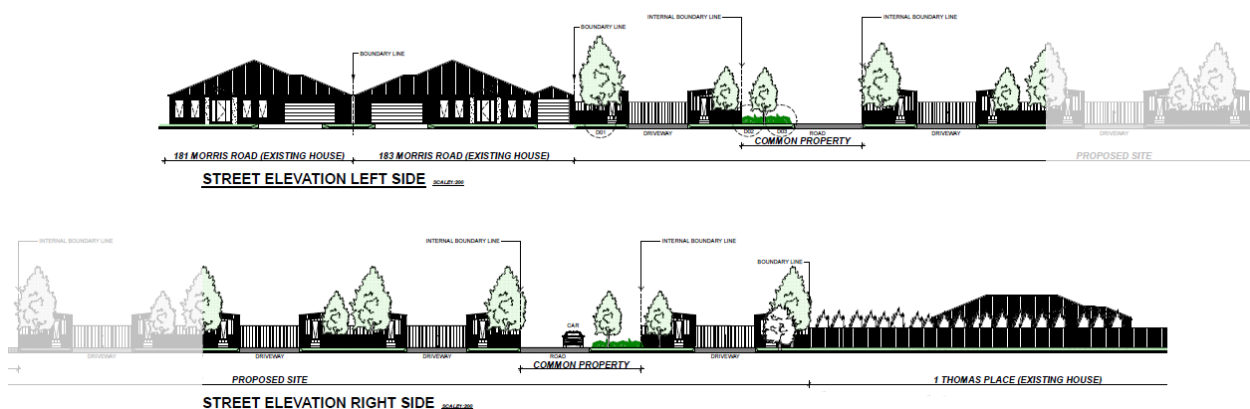


Figure 13 – Indicative House Plan - Eastern View to Morris Road

The proposed developable area will ensure any future dwelling design can be developed to support the public realm amenity and create a safe private realm protecting and enhancing the personal safety of future residents as per the objectives of Clause 15.01-1S – Urban Design.

The proposed development layout will encourage and support development that contributes to active street frontages generally found within Morriss Road. This is achieved through inclusion of a footpath along Morriss Road, landscaping along the street frontage and dwellings that front Morriss Road.

Developing a subject site which is void of development and of significant landscape features allows a contribution which is greater than how the subject land currently integrates to the character of the area and facilitates attractive, high amenity public realm. The proposed Development Plan presents itself with large portions of areas for development given the creation of common property verses public road networks. Therefore, the subject site lends itself to improve the landscape qualities of Morriss Street.

Typical tree, shrub and tube stock plantings will be undertaken within the proposed common property arrangement of the site along with private tree plantings encouraged in each future lot configuration. The landscape plan has been provided in the supporting packaged documentation.

Given the findings of the site analysis documents supporting the application, the Appropriate Building Areas have been provided over the entire subject site, albeit where proposed access is to be located. This is supported as per section 4.0 of Schedule 1 of the DPO.

The arrangements for the provisions and funding for all physical infrastructure is to be borne solely by the landowner.

A 'Complex Assessment' was required to be undertaken to address the *Aboriginal Heritage Regulations 2018* for the Cultural Heritage Sensitivity. The Complex Assessment comprised of hand and machine excavation being carried out as part of the process. The methodology was discussed at the inception meeting with Eastern Maar Aboriginal Corporation.

No Aboriginal cultural heritage was identified throughout this Complex Assessment. Given this, the Development Plan is not required to manage or accommodate areas for retention and protection of Aboriginal artefacts.

Movement network

Morriss Road is proposed to provide both vehicle and pedestrian access to any future development proposal. Two access points are proposed resulting in a horse shoe configuration of common property. This will allow future infill development of the site to have a frontage to both Morris Road to the east and dwellings within the site to have their own frontage to a newly constructed common property.

The common property accessway is proposed to measure a maximum width of 12m wide and provide for both vehicle and pedestrian connectivity to the site from Morriss Road. Assisting in softening the appearance and providing a safe experience for pedestrians using a shared zone, a 2m wide landscape strip is proposed.

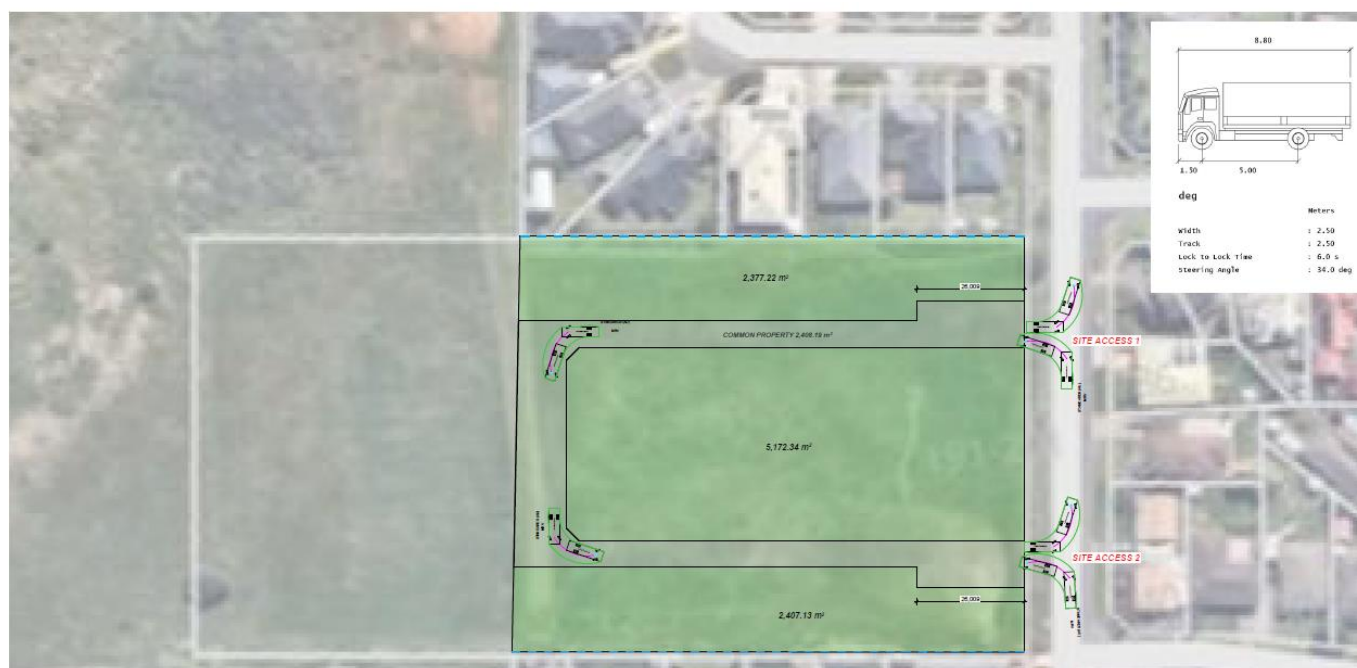


Figure 14 – Movement Plan

The subject site is well connected to public transport, with the local bus network operating along Morriss Road.

Future infill development of the land will provide for residential living that will successfully take advantage of all available modes of transport.

The building areas have been designed to better support active living and seeks to respond to the safety needs of all future occupants. The inclusion of the internal landscape area adds to the visual and safety outcomes expected and responds to local context.

Future development of the subject site will create for a community that can connect therefore better increasing the ability to share trips.

The supporting Traffic Impact Assessment prepared by RedSquare further discusses the sites pedestrian and vehicle connectivity to the broader community in greater detail and strongly supports the proposed access and future infill development of the site.

Clause 52.06 of the Warrnambool Planning Scheme specifies the car parking requirements applicable to the proposed subdivision development. Appropriate compliance of these requirements ensures adequate provision of car parking spaces as per the demand likely to be generated, by considering the activities on the land and the nature of the locality while providing opportunities to consolidate the efficient use of car parking facilities.

Any future development proposal will be subject to these provisions and therefore assessed at that stage.

Stormwater

Given the subject sites location in a well established residential setting, all services are available to be connected to the site.

Warrambool City Council is the responsible authority for stormwater discharge and a Stormwater Management Plan for the site will be required as part any future planning applications applied on the subject site.

Located on the boarding allotment between residential and commercial zoned land, there is are two junction pits where an existing 1650mm dia stormwater pipe with capacity for extra lots running south to north. These are demonstrated in the below Feature and Level Survey snippet and has been included in the supporting documentation:

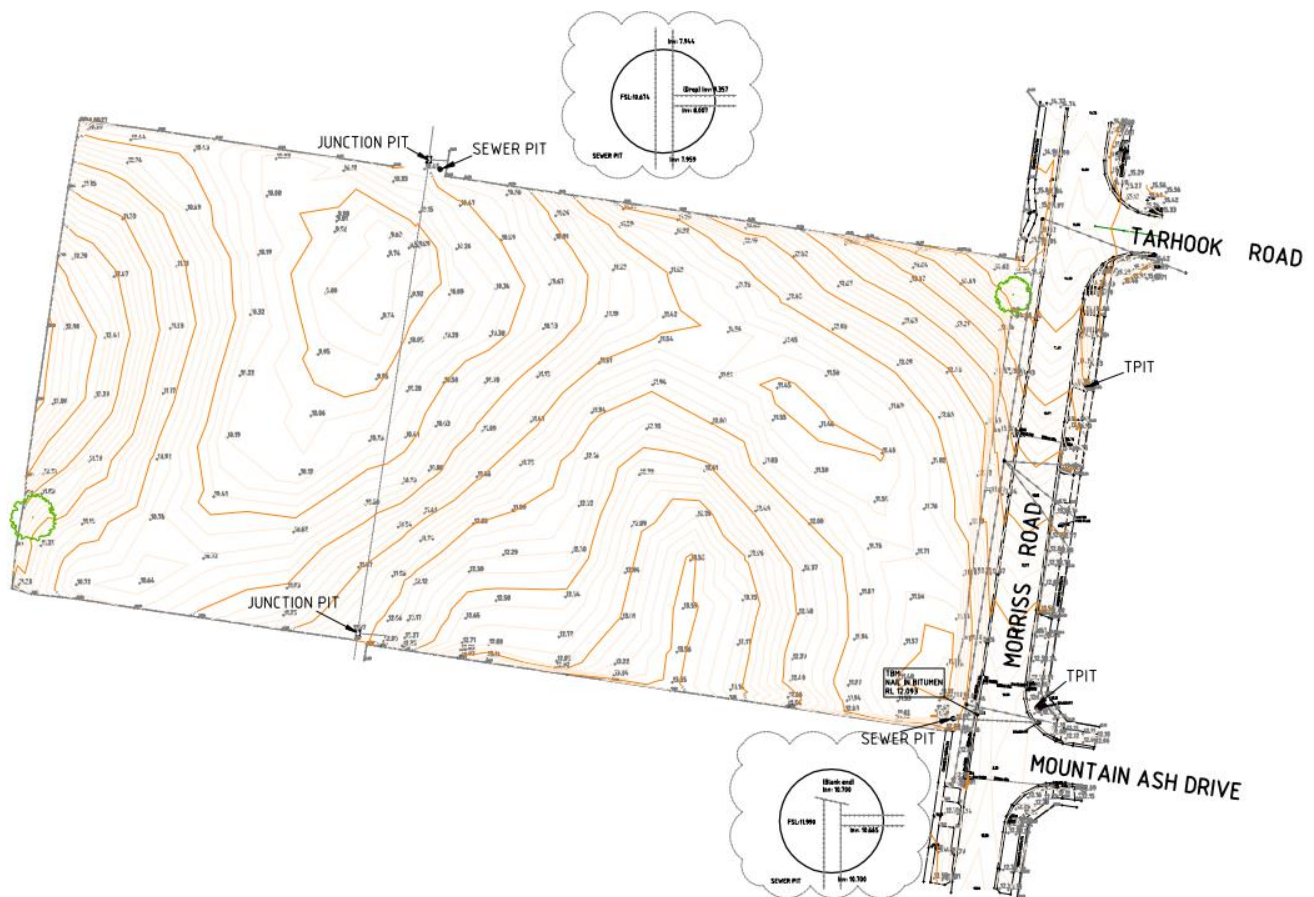


Figure 15 – Site Feature

The supporting Engineering Services Report further addresses the calculations of the Morriss Road Outfall in which the subject site forms part of and further addresses the minor and major storm events.

The report confirms that subject site is well integrated in terms of future service connection.

Cultural Heritage

A Cultural Heritage Management Plan (CHMP) has been prepared by Benchmark Heritage Management Pty Ltd, CHMP Number: 18740 in conjunction with the Eastern Maar Aboriginal Corporation.

The CHMP discusses the process of firstly starting with a Desktop study, progressing to the Standard Assessment and then undertaking the Complex assessment.

The Complex Assessment was conducted on the 4th-8th, and 11th-13th July 2022 and was undertaken by Matthew Barker (supervisor) and Emma Threlfall of Benchmark Heritage Management; with Fid Chatfield, Jyran Chatfield, Phillip Chatfield and Jindara Chatfield from EMAC. The excavation of seven 1x1m Test Pit and twenty-four Machine Test Pits was undertaken (Tables 8-9, Map 7).

No Aboriginal cultural heritage was identified in any of the Test Pits or Machine Test Pits. No dating samples of cultural deposits or stratigraphic layers were obtained due to the absence of Aboriginal cultural heritage. In general, the Complex Assessment revealed that the Activity Area is of low potential sensitivity for Aboriginal cultural deposits.

Conclusion

The review site is located in a residential setting which has been established over many years and functions exceptionally well with excellent connectivity to Warrnambool City Centre and adjacent neighbouring centres.

The above-mentioned review of the Warrnambool Planning Scheme identifies the land as being part of 'existing urban areas' and supporting aerial photography highlights the review site as being the final large scale residential zoned land to be developed in Morriss Road between Princess Highway and Coghlan Road.

The Development Plan seeks to provide guidance to the responsible authority as to where future development will be undertaken on the subject land via future development proposals. Given the site is void of remnant vegetation and there were no traces of Aboriginal artifacts and no other constraints affect the site, all land other than pedestrian and vehicle access has been noted as Appropriate Building Areas.

As expected from a residential setting such as Morriss Road, basic walking and cycling infrastructure surrounds the review site. The two proposed vehicle crossovers will provide 11.2m wide shared accessway's to the site and will enable future occupants of the land to connect to Morriss Street.

Appropriate future plantings within the common property area will aim to soften the appearance of the accessway and provide for an attractive and safe space for future residential tenants. Future development applications will encourage private landscaping to also be undertaken further enhancing the overall amenity of the development.

For the reason set out in our submission to Council, we respectfully request the Development Plan be supported.

Attachment 1 – Clause 56 Assessment

The purpose of this Clause is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To create liveable and sustainable neighbourhoods and urban places with character and identity.
- To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
 - *Metropolitan Melbourne growth areas.*
 - *Infill sites within established residential areas.*
 - *Regional cities and towns.*
- To ensure residential subdivision design appropriately provides for:
 - *Policy implementation.*
 - *Liveable and sustainable communities.*
 - *Residential lot design.*
 - *Urban landscape.*
 - *Access and mobility management.*
 - *Integrated water management.*
 - *Site management.*
 - *Utilities.*

Objective	Design Response
Clause 56.01-1 – Standard C1 Subdivision Site and Context Description	Refer to submitted plans and about site and surrounds description. The proposal meets the objective/standards
Clause 56.01-2 – Standard C2 Subdivision Design Response	Refer to submitted development plan. The proposal meets the objective/standards.
POLICY IMPLEMENTATION	

Objective	Design Response
<p>Clause 56.02-1 – Standard C1</p> <p>Strategic Implementation Objective</p> <p><i>An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy, or plan for the area set out in this scheme.</i></p>	<p>See policy support discussion in body of report.</p> <p>The proposal meets the objective/standards.</p>
LIVEABLE AND SUSTAINABLE COMMUNITIES	
<p>Clause 56.03-1 – Standard C2</p> <p>Compact and Walkable Neighbourhoods Objective</p> <p><i>To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space, and public transport.</i></p> <p><i>To allow easy movement through and between neighbourhoods for all people.</i></p>	Not applicable
<p>Clause 56.03-2 – Standard C3</p> <p>Activity Centre Objective</p> <p><i>To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.</i></p>	Not applicable

Objective	Design Response
<p>Clause 56.03-3 – Standard C4</p> <p>Planning for Community Facilities Objective</p> <p><i>To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation, and sports facilities.</i></p>	<p>Not applicable</p>
<p>Clause 56.03-4 – Standard C5</p> <p>Built Environment Objective</p> <p><i>To create urban places with identity and character.</i></p>	<p>The proposed subdivision will be integrated into the wider area with a footpath along the frontage linking to the housing estates to the north and south. The development provides for lots that will be orientated to front Morriss Road consistent with the surrounding development, which allows for the majority of development to be located behind these lots therefore preserving the current streetscape character.</p> <p>Landscaping and footpaths will provide for a safe and attractive development.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.03-5 – Standard C6</p> <p>Neighbourhood Character Objective</p> <p><i>To design subdivisions that respond to neighbourhood character.</i></p>	<p>Not applicable</p>
<p>LOT DESIGN</p>	

Objective	Design Response
<p>Clause 56.04-1 – Standard C7</p> <p>Lot Diversity and Distribution</p> <p><i>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</i></p> <p><i>To provide higher housing densities within walking distance of activity centres.</i></p> <p><i>To achieve increased housing densities in designated growth areas.</i></p> <p><i>To provide a range of lot sizes to suit a variety of dwelling and household types.</i></p>	<p>Lots sizes have been proposed between 143m² and 202m². This will allow for lots suitable for single dwellings with one and two bedrooms.</p> <p>The development will achieve a medium density development with lots under 300m². This density is considered appropriate given the sites proximity to Dennington Neighbourhood Activity Centre (1.5km to the west), its close proximity to schools and open space.</p> <p>The site is also served by the bus network with the Warrnambool to Dennington bus service located in close proximity to the site with a bus stop located 1.3km to the south providing connections to the Warrnambool CBD (Major Activity Centre) and Delacombe Neighbourhood Activity Centre.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.04-2 – Standard C8</p> <p>Lot Area and Building Envelopes</p> <p><i>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</i></p>	<p>All proposed lots show indicative building envelopes which are 4m x 14m. This is less than the recommended 10m x 15m building envelope, however proposed dwelling layout have been provided in the application which demonstrate that dwellings can be located on each lot providing good solar access, vehicle access and parking.</p> <p>The proposal meets the objective/standards.</p>

Objective	Design Response
<p>Clause 56.04-3 – Standard C9</p> <p>Solar Orientation of Lots</p> <p><i>To provide good solar orientation of lots and solar access for future dwellings.</i></p>	<p>The majority of lots are have the long axis within the range north 20 degrees west to north 30 degrees east, will ensure lots have good solar orientation.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.04-4 – Standard C10</p> <p>Street Orientation</p> <p><i>To provide a lot layout that contributes to community social interaction, personal safety, and property security.</i></p>	<p>All lots have a frontage to Morriss Road or the proposed internal accessway which will ensure that there will be passive surveillance within the subdivision.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.04-5 – Standard C11</p> <p>Common Areas</p> <p><i>To identify common areas and the purpose for which the area is commonly held.</i></p> <p><i>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</i></p> <p><i>To maintain direct public access throughout the neighbourhood street network.</i></p>	<p>The internal accessway, waste storage areas and car parking will be common property and owned by a body corporate. All lots will participate in the body corporate.</p> <p>The proposal meets the objective/standards.</p>
URBAN LANDSCAPE	
<p>Clause 56.05-1 – Standard C12</p> <p>Integrated Urban Landscape</p>	<p>A concept landscape plan has accompanied the application which details planting of street trees and shrubs.</p>

Objective	Design Response
<p><i>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</i></p> <p><i>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</i></p> <p><i>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</i></p> <p><i>To provide for integrated water management systems and contribute to drinking water conservation.</i></p>	<p>The proposal meets the objective/standards.</p>
<p>Clause 56.05-2 – Standard C13</p> <p>Public Open Space Provision</p> <p><i>To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.</i></p> <p><i>To provide a network of public open space that caters for a broad range of users.</i></p> <p><i>To encourage healthy and active communities.</i></p> <p><i>To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.</i></p> <p><i>To ensure land provided for public open space can be managed in an environmentally sustainable way and</i></p>	<p>The subdivision does not propose any open space.</p> <p>The proposal meets the objective/standards.</p>

Objective	Design Response
<i>contributes to the development of sustainable neighbourhoods.</i>	
Access and Mobility Management	
<p>Clause 56.06-1 – Standard C14</p> <p>Integrated Mobility</p> <p><i>To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.</i></p> <p><i>To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.</i></p> <p><i>To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.</i></p>	<p>Not applicable</p>
<p>Clause 56.06-2 – Standard C15</p> <p>Walking and Cycling Network</p> <p><i>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees, and visitors.</i></p> <p><i>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</i></p>	<p>The proposed subdivision will provide for a footpath along the frontage which will connect to the adjoining footpaths to the north and south providing good walking connections. Cycling connections can be provided via Morriss Road.</p> <p>The proposal meets the objective/standards.</p>

Objective	Design Response
<i>To reduce car use, greenhouse gas emissions and air pollution.</i>	
Clause 56.06-3 – Standard C16 Public Transport Network <i>To provide an arterial road and neighbourhood street network that supports a direct, efficient, and safe public transport system.</i> <i>To encourage maximum use of public transport.</i>	Not applicable
Clause 56.06-4 – Standard C17 Neighbourhood Street Network <i>To provide for direct, safe, and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport, and other motor vehicles using the neighbourhood street network.</i>	<p>No public street network is proposed.</p> <p>The proposal meets the objective/standards.</p>
Clause 56.06-5 – Standard C18 Walking and Cycling Network Detail <i>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-constructed, and accessible for people with disabilities.</i> <i>To design footpaths to accommodate wheelchairs, prams, scooters, and other footpath bound vehicles.</i>	<p>Footpaths will connect to the adjoining footpath network. Detailed engineering plans will be submitted as a condition of any permit which will provide the detailed design in compliance with Council's design standards.</p> <p>The proposal meets the objective/standards.</p>

Objective	Design Response
<p>Clause 56.06-6 – Standard C19</p> <p>Public Transport Network Detail</p> <p><i>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.</i></p> <p><i>To provide public transport stops that are accessible to people with disabilities.</i></p>	<p>No public transport stops are proposed within the proposed subdivision.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.06-7 – Standard C20</p> <p>Neighbourhood Street Network Detail</p> <p><i>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</i></p>	<p>No new streets are proposed. The internal accessway will be common property. A transport impact assessment has been submitted with the application which details the anticipated traffic generation can be readily absorbed into the existing road network as Morriss Road is currently experiencing low volumes of traffic and has sufficient capacity to accommodate a moderate increase in residential traffic.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.06-8 - Standard C21</p> <p>Lot Access</p> <p><i>To provide for safe vehicle access between roads and lots.</i></p>	<p>All lots will be accessed via Morriss Road or the internal accessway providing for safe access between road and lots.</p> <p>The proposal meets the objective/standards.</p>
INTERGRATED WATER MANAGEMENT	

Objective	Design Response
<p>Clause 56.07-1 - Standard C22</p> <p>Drinking Water Supply</p> <p><i>To reduce the use of drinking water.</i></p> <p><i>To provide an adequate, cost-effective supply of drinking water.</i></p>	<p>Reticulated water will be provided to each lot in accordance with Wannon Water requirements.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.07-2 - Standard C23</p> <p>Reused and Recycled Water</p> <p><i>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water</i></p>	<p>Wannon Water do not require recycled water in Warrnambool.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.07-3 - Standard C24</p> <p>Waste Water Management</p> <p><i>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</i></p>	<p>Wastewater will be connected to reticulated sewer to the satisfaction of Wannon Water</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.07-4 - Standard C25</p> <p>Stormwater Management</p> <p><i>To minimise damage to properties and inconvenience to residents from stormwater.</i></p> <p><i>To ensure that the street operates adequately during major storm events and provides for public safety.</i></p>	<p>The engineering services report submitted with the application details the overarching stormwater management. A detailed SMP would be submitted prior to development commencing onsite via a future permit condition.</p> <p>The proposal meets the objective/standards.</p>

Objective	Design Response
<p><i>To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</i></p> <p><i>To encourage stormwater management that maximises the retention and reuse of stormwater.</i></p> <p><i>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</i></p>	
SITE MANAGEMENT	
<p>Clause 56.08-1 – Standard C26</p> <p>Site Management</p> <p><i>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</i></p> <p><i>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</i></p> <p><i>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</i></p>	<p>A Construction Management Plan detailing how amenity and infrastructure will be protected and managed will be submitted prior to an construction as part of a future permit condition.</p> <p>The proposal meets the objective/standards.</p>
UTILITIES	
<p>Clause 56.09-1 – Standard C27</p> <p>Shared Trenching</p>	<p>Shared trenching will be utilised where possible.</p> <p>The proposal meets the objective/standards.</p>

Objective	Design Response
<p><i>To maximise the opportunities for shared trenching.</i></p> <p><i>To minimise constraints on landscaping within street reserves.</i></p>	
<p>Clause 56.09-2 – Standard C28</p> <p>Electricity, Telecommunications and Gas</p> <p><i>To provide public utilities to each lot in a timely, efficient and cost effective manner.</i></p> <p><i>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</i></p>	<p>All lots will have connection to services in accordance with the requirements of the relevant providers. This is further detailed in the submitted Engineering Services Report.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.09-3 – Standard C29</p> <p>Fire Hydrants</p> <p><i>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively, and efficiently.</i></p>	<p>Fire hydrants will be provided in accordance with the requirements of the conditions of the CFA.</p> <p>The proposal meets the objective/standards.</p>
<p>Clause 56.09-4 – Standard C30</p> <p>Public Lighting</p>	<p>Low level lighting will be provided along the accessway to provide safety and will be designed in accordance with Australian Standards. A lighting plan can be submitted as condition of a future permit.</p>

Objective	Design Response
<p><i>To provide public lighting to ensure the safety of pedestrians, cyclists, and vehicles.</i></p> <p><i>To provide pedestrians with a sense of personal safety at night.</i></p> <p><i>To contribute to reducing greenhouse gas emissions and to saving energy</i></p>	<p>The proposal meets the objective/standards.</p>

Attachment 2 – Clause 65 Assessment

The proposal responds positively to Clause 65 - Decision Guidelines by representing an orderly, sensible and practical response to development a vacant parcel of residentially zoned land in an established residential neighbourhood.

The abutting Commercially Zoned land is proposing a 6m wide landscape buffer within the rear of all lots abutting residential land which will ensure a no build zone and an excellent buffer to residential land.

Future development proposals will allow the responsible authority to assess proposals against the relevant provisions of the Planning Scheme to ensure overall compliance with ResCode.

The site is well connected in terms of walking, cycling and vehicle transport.

Before deciding on an application or approval of a plan, the responsible authority must also consider, as relevant:

Decision Guidelines – Clause 65.01 Approval of an application or plan	Comment
The orderly planning of the area.	<p>The future development of the last vacant parcel of residentially zoned land will positively contribute to the orderly planning of the residential neighbourhood.</p> <p>Future development should look for opportunities to provide a diversity in housing choice in an area that is well connected to public transport and in walking distance to schools and commercially zoned land.</p>
The effect on the amenity of the area.	The proposed development is for residential purposes and will not impact on the amenity of the residential setting.

Decision Guidelines – Clause 65.01 Approval of an application or plan	Comment
<p>The proximity of the land to any public land.</p>	<p>Small pockets of park land are provided throughout the residential subdivisions to the east of the subject site.</p>
<p>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</p>	<p>Any storm or surface water runoff will be discharged to a nominated legal point of discharge.</p>
<p>Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site</p>	<p>As stated above the dwellings are to be connect to a legal point of discharge.</p>
<p>The extent and character of native vegetation and the likelihood of its destruction.</p>	<p>The land is void of native vegetation and therefore none is to be removed as part of the application process.</p>
<p>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</p>	<p>No native vegetation is proposed to be removed as part of the application process.</p>
<p>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</p>	<p>The subject site sits in a residential setting void of fire hazards or erosion or salinity issues.</p>

Decision Guidelines – Clause 65.01 Approval of an application or plan	Comment
<p>The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.</p>	<p>Two vehicle access points are proposed to the subject site providing for a common property arrangement.</p>



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PROPOSED DESIGN
No. 191-201 MORRISS ROAD, WARRNAMBOOL

Page No:	Drawing Name
1	COVER PAGE
2	CONTEXT PLAN
3	SITE ANALYSIS PLAN
4	FEATURE SURVEY
5	PLAN OF SUBDIVISION
6	LAND USAGE PLAN (A2 PAGE)
7	SOLAR STUDY PLAN (A2 PAGE)
8	ACCESS AND LINKAGES (A2 PAGE)
9	DEVELOPMENT PLAN
10	SITE PROFILE PLAN
11	SITE DETAILS
12	LANDSCAPING
13	VEHICLE MOVEMENT PLAN
14	STREET ELEVATION PLAN (A2 PAGE)
15	BUILDING ENVELOPE PLAN
16	FLOOR PLANS
17	GARDEN AREA PLAN
18	OVERSHADOWING 9am
19	OVERSHADOWING 12pm
20	OVERSHADOWING 3pm



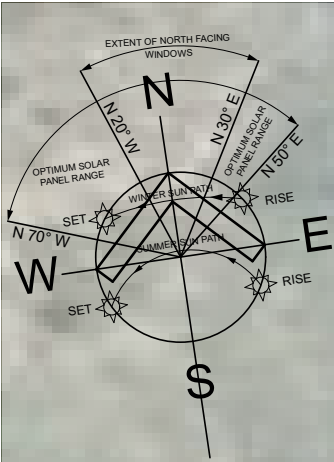


CONTEXT PLAN 1 SCALE1:2000

DATE	AMENDMENT	STATUS						
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16	<div><div>Joshua</div><div>PROPERTY GROUP</div></div> <div><div>M 0481 115 953 JOSH DEW</div><div>A 6B Lofven Street , Nerrina, VIC 3355</div><div>E info@joshuapropertygroup.com.au</div><div>www.joshuapropertygroup.com.au</div></div>				<div>PROPOSED DEVELOPMENT FOR ELMSTONE PROPERTY GROUP AT No.191-201 MORRISS ROAD, WARRNAMBOOL</div> <div><div>JOB NUMBER:</div><div>SHEET:</div></div>	
14/2/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK17						
16/3/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK18						
21/3/23	REWORK COMPLETED - GARDEN AREA PLAN ADDED, AREAS UPDATED	RWK19						
21/3/23	REWORK COMPLETED - OVERSHADOWING ADDED	RWK20						
31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21					© - Copyright 2022 Joshua Property Group.	

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SITE ANALYSIS PLAN SCALE 1:800

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21/3/23	REWORK COMPLETED - OVERSHADOWING ADDED	RWK20
31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21

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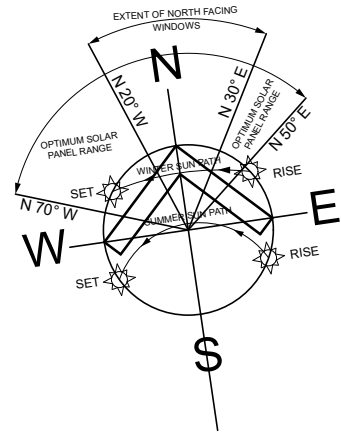
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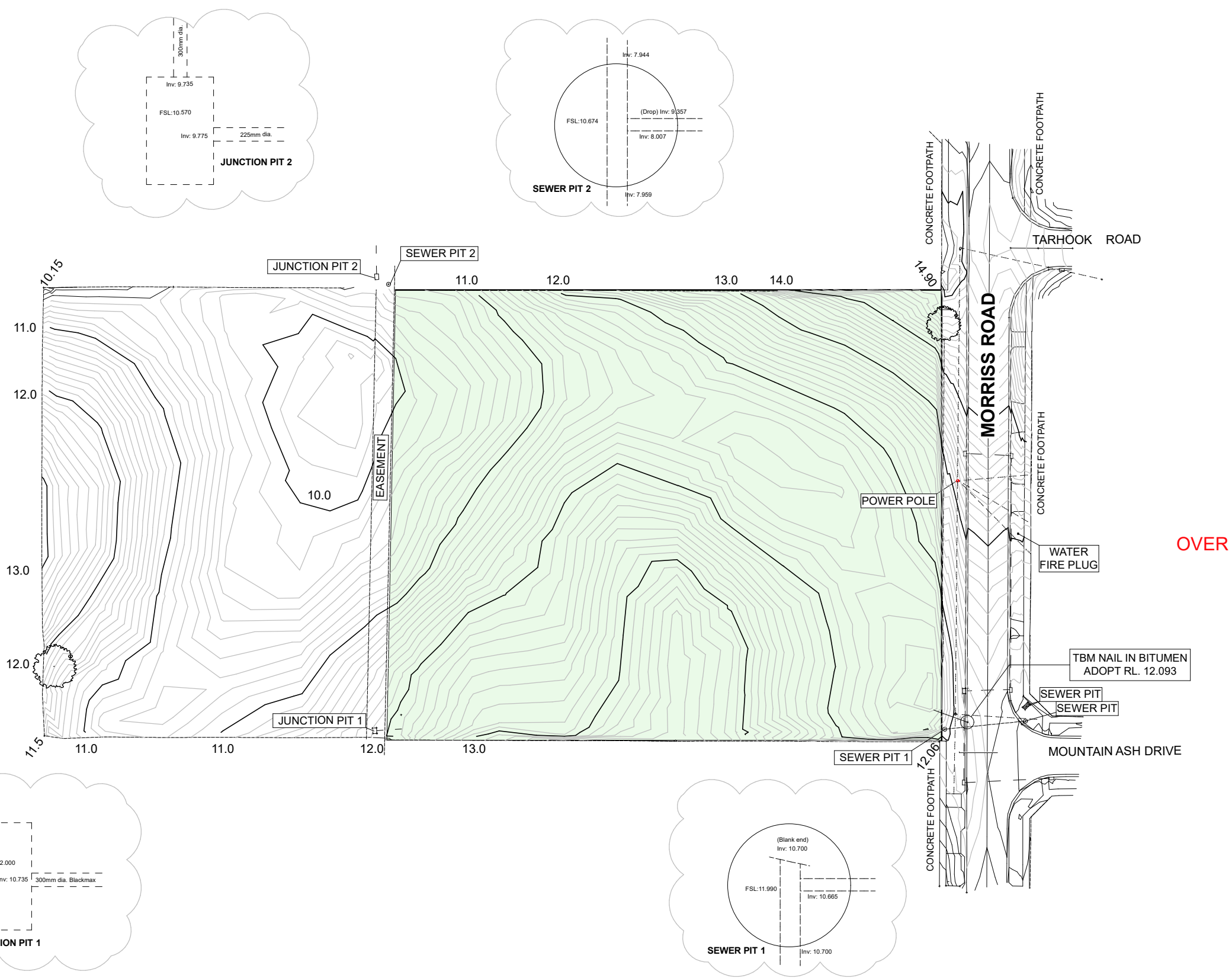
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FEATURE SURVEY SCALE1:1000

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31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21

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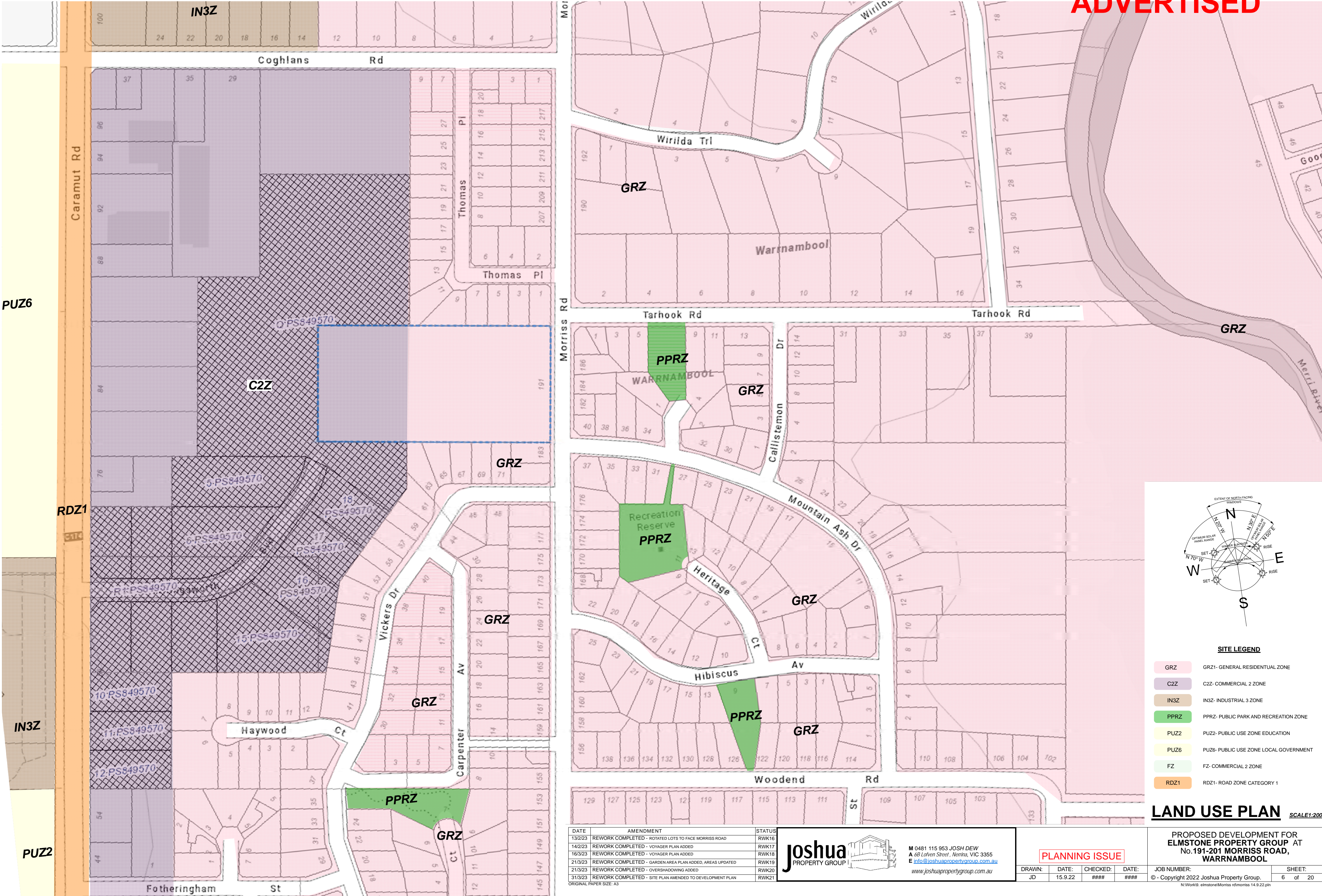
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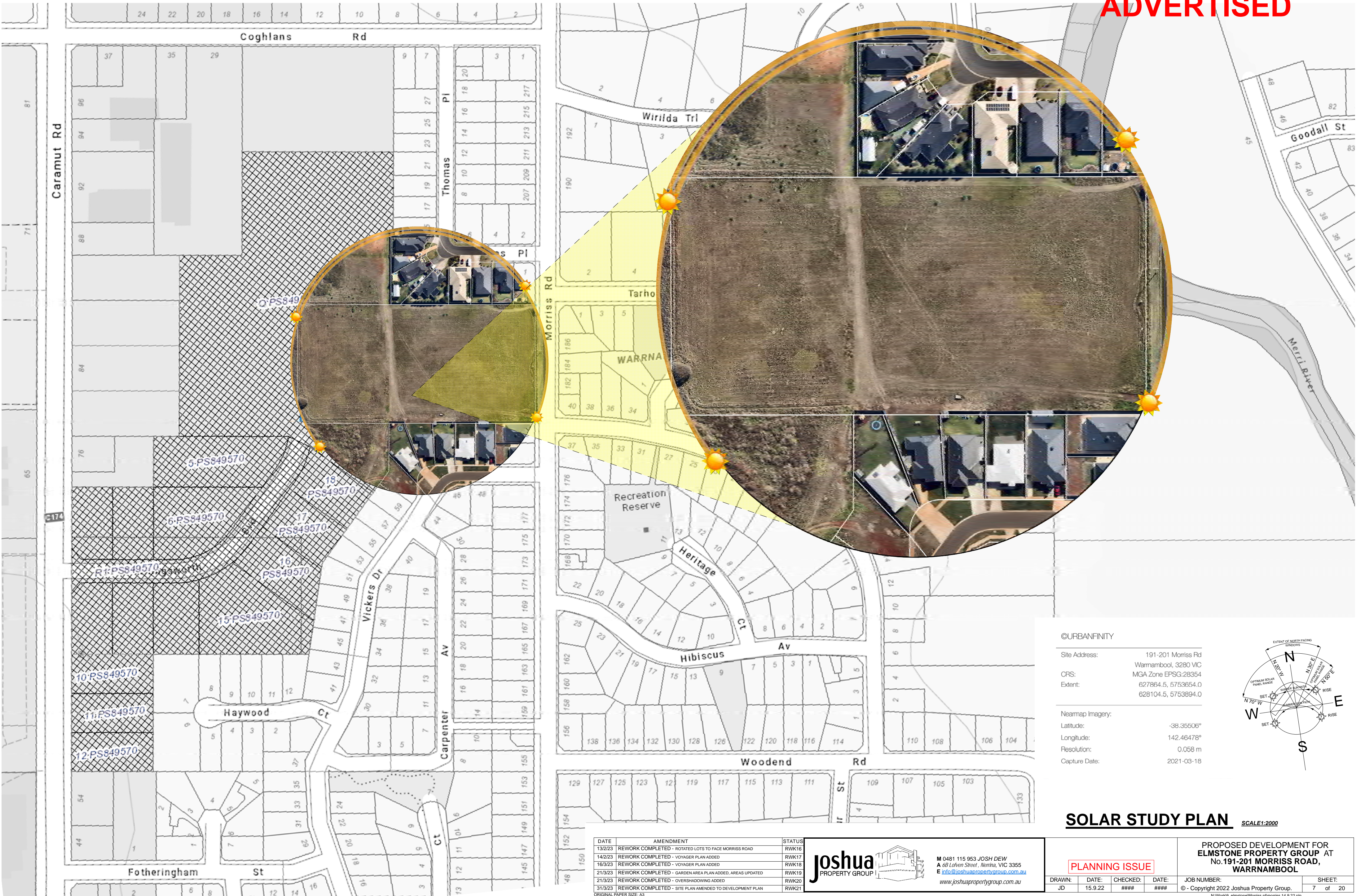
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 <p> M 0481 115 953 JOSH DEW A 6B Lofven Street , Nerrina, VIC 3355 E info@joshuapropertygroup.com.au www.joshuapropertygroup.com.au </p>	<div style="border: 2px solid red; padding: 5px; display: inline-block;"> PLANNING ISSUE </div>				PROPOSED DEVELOPMENT FOR ELMSTONE PROPERTY GROUP AT No.191-201 MORRIS ROAD, WARRNAMBOOL			
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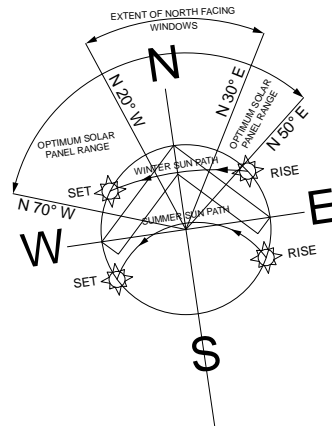
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Site Address: 191-201 Morriss Rd
Warrnambool, 3280 VIC
CRS: MGA Zone EPSG:28354
Extent: 627864.5, 5753654.0
628104.5, 5753894.0

Nearmap Imagery:
Latitude: -38.35506°
Longitude: 142.46478°
Resolution: 0.058 m
Capture Date: 2021-03-18



SOLAR STUDY PLAN SCALE 1:2000

DATE	AMENDMENT	STATUS
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRIS ROAD	RWK16
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31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21

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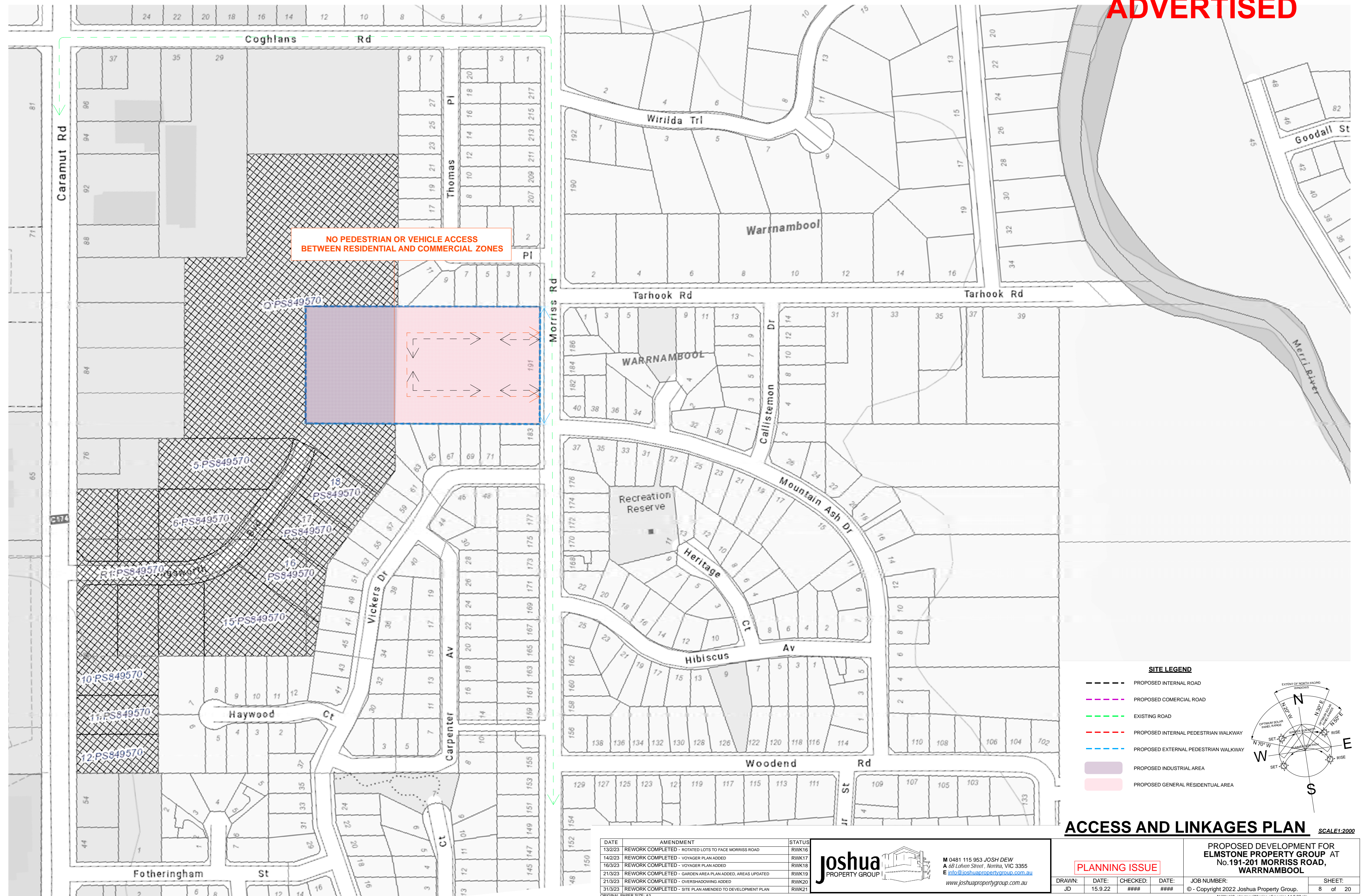
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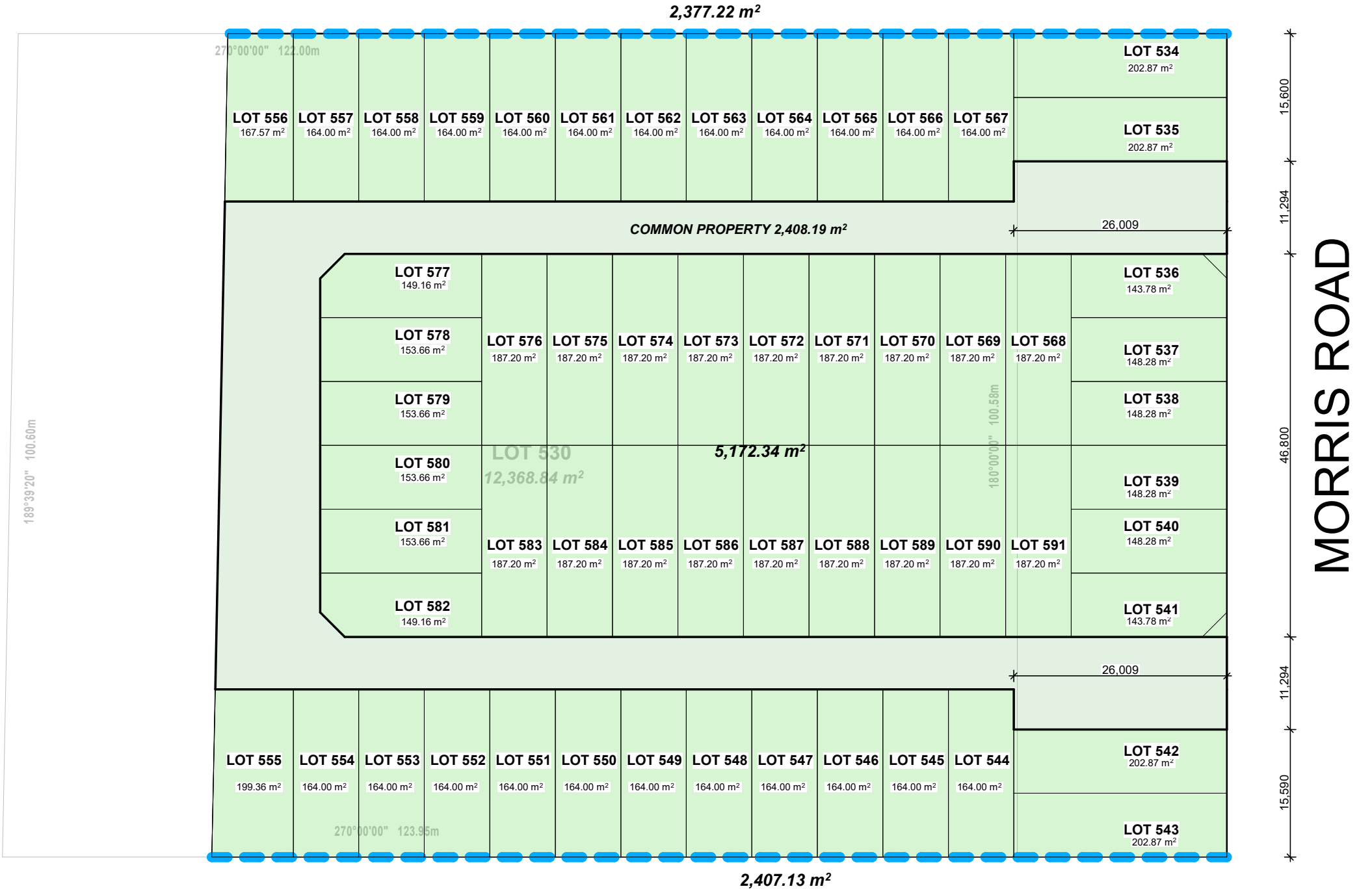
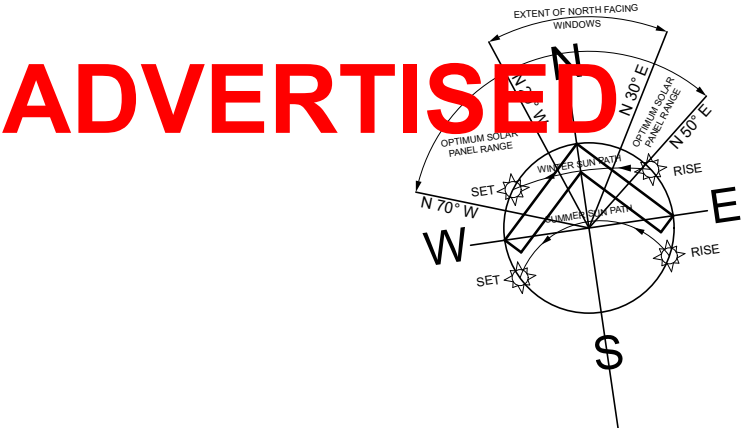
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Lot number	Size in m2
534	202.87
535	202.87
536	143.78
537	148.28
538	148.28
539	148.28
540	148.28
541	143.78
542	202.87
543	202.87
544	164
545	164
546	164
547	164
548	164
549	164
550	164
551	164
552	164
553	164
554	164
555	199.36
556	167.57
557	164
558	164
559	164
560	164
561	164
562	164
563	164
564	164
565	164
566	164
567	164
568	187.2
569	187.2
570	187.2
571	187.2
572	187.2
573	187.2
574	187.2
575	187.2
576	187.2
577	149.16
578	153.66
579	153.66
580	153.66
581	153.66
582	149.16
583	187.2
584	187.2
585	187.2
586	187.2
587	187.2
588	187.2
589	187.2
590	187.2
591	187.2

Lot number	Size in m2
full site	12368.84



DEVELOPMENT PLAN

SCALE 1:600

DATE	AMENDMENT	STATUS
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14/2/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK17
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SITE PROFILE PLAN SCALE 1:250

NOTE:
Width of planting hole is:
3 times root ball diameter in highly compacted soil.*
2 times root ball diameter minimum in all others.*
* Where available planting space is available.

Regularly check soil moisture of rootball with soil probe.

Ensure trees are placed so as to match crown of root ball with surrounding surface level. Carefully prune off any girdling roots from root ball. Form soil ring berm beyond the circumference of the root ball to provide a watering saucer around the immediate crown of tree. Spread specified mulch to tree surround at a minimum of 1.0m diameter from centre of tree.

Keep topsoil/mulch away from trunk base.

NOTE:
For slopes greater than 1:8 and if root ball is raised above grade form raised ring of soil & mulch to direct water into root ball.

200 min

ROOT BALL

SUB-SOIL

75mm depth of organic mulch or as specified

Backfill hole with existing site soil broken up to a friable texture. Pack around root ball to stabilise and allow rest of backfill to settle naturally, or tamp lightly

Set root ball on undisturbed soil or re-firm base to prevent settling.

Extend stakes into undisturbed soil.

All trees to be healthy well grown specimens free of pests and diseases with acceptable root:shoot ratios

Trees to be well watered prior to planting.

Stake all trees with 2 No. 50x50x1800mm, chisel pointed hardwood stakes driven min. 600mm into ground outside root ball.

Tie trees immediately after planting with flexible canvas or rubber ties in a figure8. Secure ties to stakes by wrapping around stake and nailing with galvanised nails.

D1 TYPICAL TREE PLANTING DETAIL Scale N.T.S.

Provide mounded topsoil berm to hold water during maintenance & establishment.

Mulch 75mm depth or as specified.

New topsoil 300mm depth, or as specified, cultivated into existing subsoil min.150mm depth

Break up sides and base of hole.

ROOT BALL

SUB-SOIL

D2 TYPICAL SHRUB PLANTING DETAIL Scale N.T.S.

Provide a plastic sleeve and three timber stakes

Provide mounded topsoil berm to hold water during maintenance & establishment.

Weedmat or mulch as specified.

Backfill hole with existing site topsoil.

ROOT BALL

- NOTE:**
1. Dig hole twice as deep as root ball and allow at least 200mm around sides for backfilling with topsoil.
 2. Apply fertiliser in base of hole, cover with topsoil (type & rate as per spec.). Avoid root contact.
 3. Place plant in centre of hole, backfill with specified topsoil, firming progressively.
 4. Water well into saucer around crown of plant.
 5. Stake larger shrubs where necessary using 50x50x1200mm hardwood stakes.

NOTE:
Place plants in position according to densities required and prepare planting holes, with as minimal soil disturbance as possible, to a minimum size of 150mm deep x 200mm in diameter. Plants shall be thoroughly soaked via immersion in water prior to planting. If the site soil is very dry then planting holes are also to be filled with water and allowed to drain completely.
Place plant in hole so that top of soil level in pot matches surrounding soil level. Back fill with existing site topsoil, removing any debris limiting to plant growth. Provide weed matting or mulch area as specified taking care to keep mulch clear of plant stem. All plants are to be thoroughly watered after planting.

D3 TYPICAL TUBE PLANTING DETAIL Scale 1:20

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13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16
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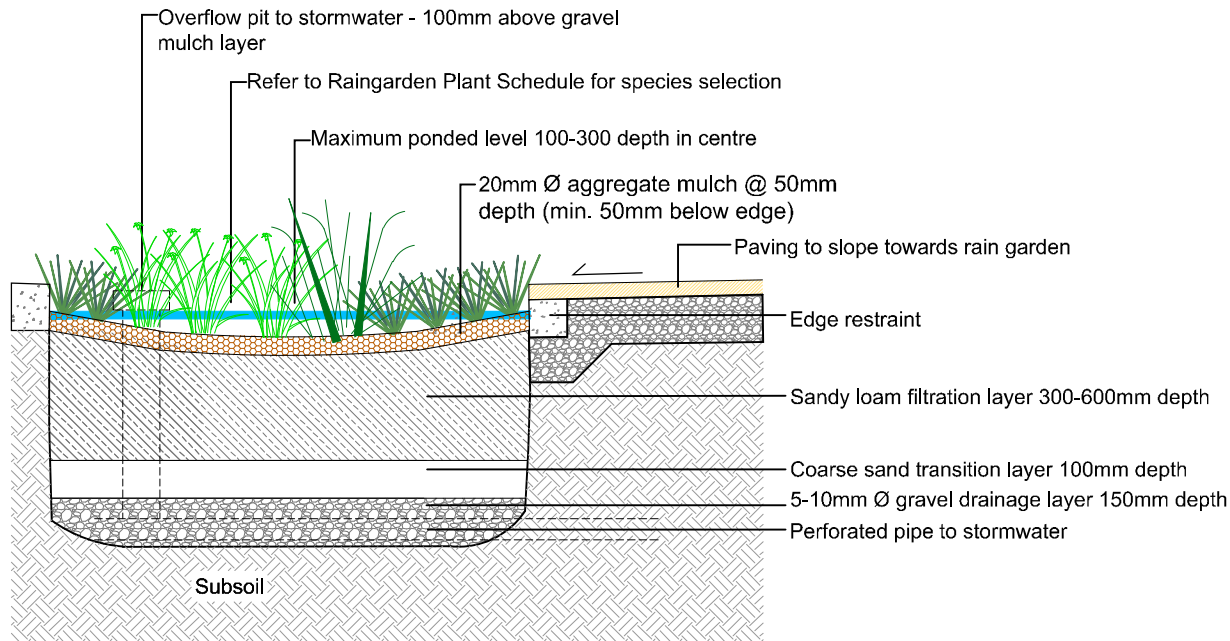
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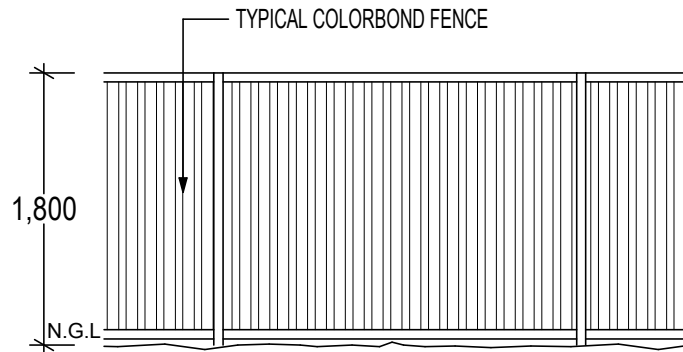
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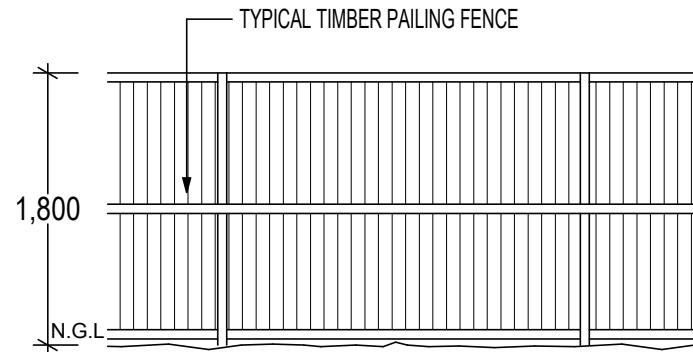


D5 TYPICAL RAIN GARDEN IN GROUND DETAIL - Refer to Civil Documentation
- Scale 1:20



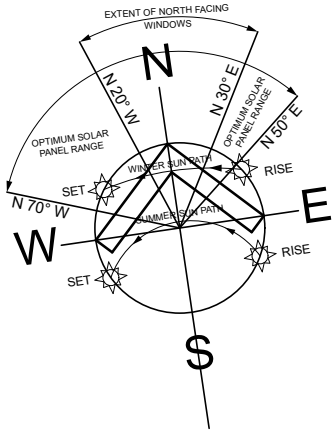
boundry fence detail



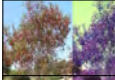



D6 FENCING DETAIL
1:50






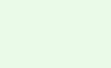
boundry fence detail

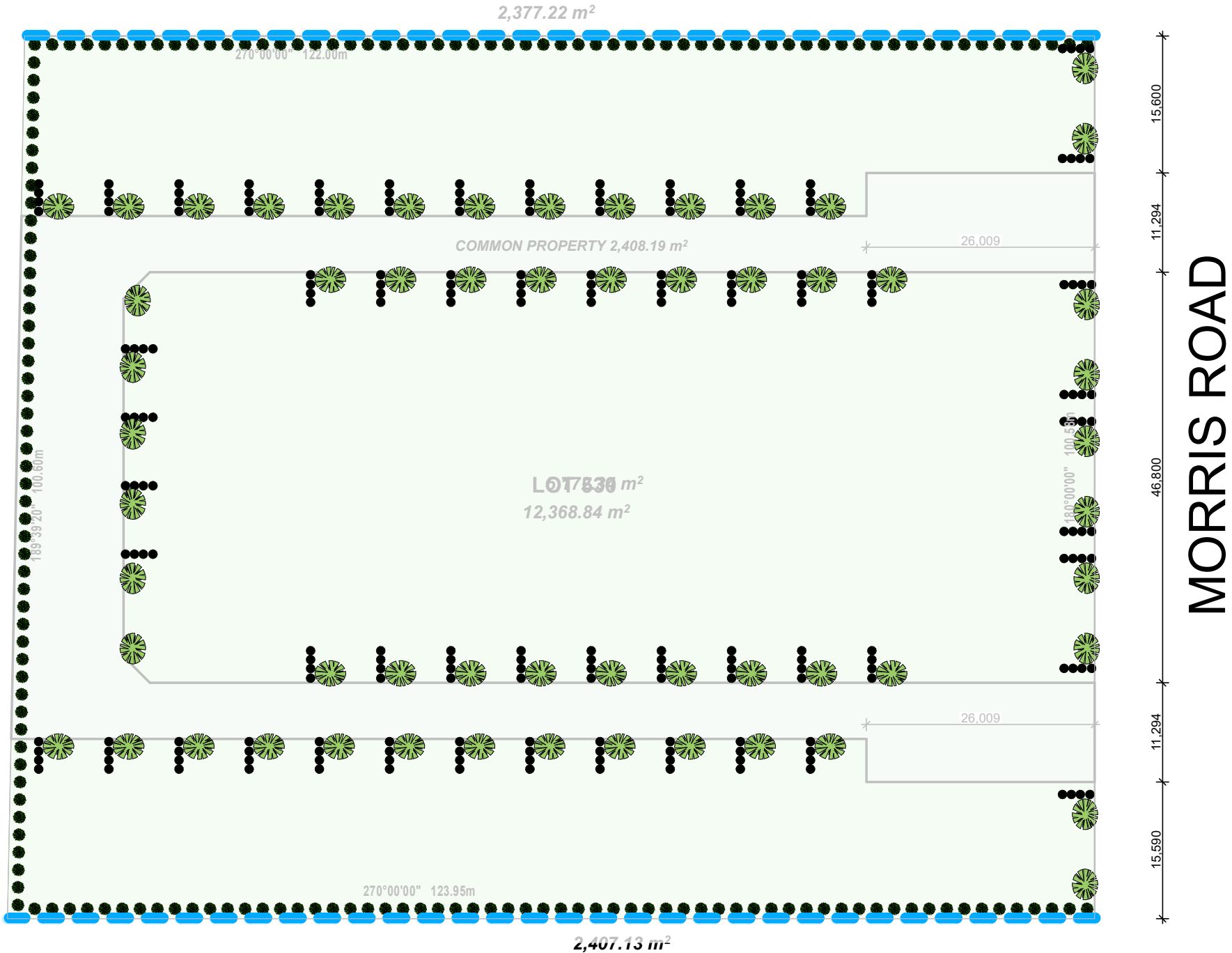
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LANDSCAPE LEGEND					
	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
		ANIGOZANTHOS FLAVIDUS	KANGAROO PAW	238	
		EUCALYPT FORRESTIANA	FUCHSIA GUM		61
		FESTURCA GLAUCA	KANGAROO PAW		220

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LEGEND		
SYMBOL	NAME	QUANTITY / AREA
	DENOTES EXTENTS OF 1.8m HIGH C/ BOND FENCING	
	DENOTES PROPOSED LOCATION OF 6m³ STORAGE SHED (1,900mm W x ,1,500 L X 2,100mm HIGH)	1
	DENOTES COMMON PROPERTY	2,408.19
	DENOTES EXTENTS OF DROUGHT RESISTANT SEEDED LAWN	20,922.09



LANDSCAPING PLAN

SCALE1:600

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14/2/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK17
16/3/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK18
21/3/23	REWORK COMPLETED - GARDEN AREA PLAN ADDED, AREAS UPDATED	RWK19
21/3/23	REWORK COMPLETED - OVERSHADOWING ADDED	RWK20
31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21

ORIGINAL PAPER SIZE: A3



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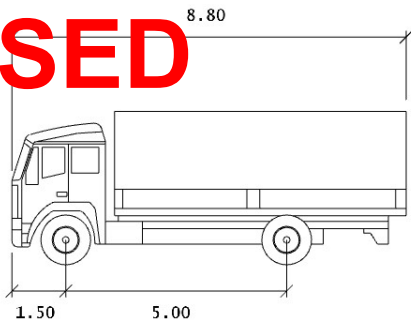
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PROPOSED DEVELOPMENT FOR
ELMSTONE PROPERTY GROUP AT
No.191-201 MORRISS ROAD,
WARRNAMBOOL

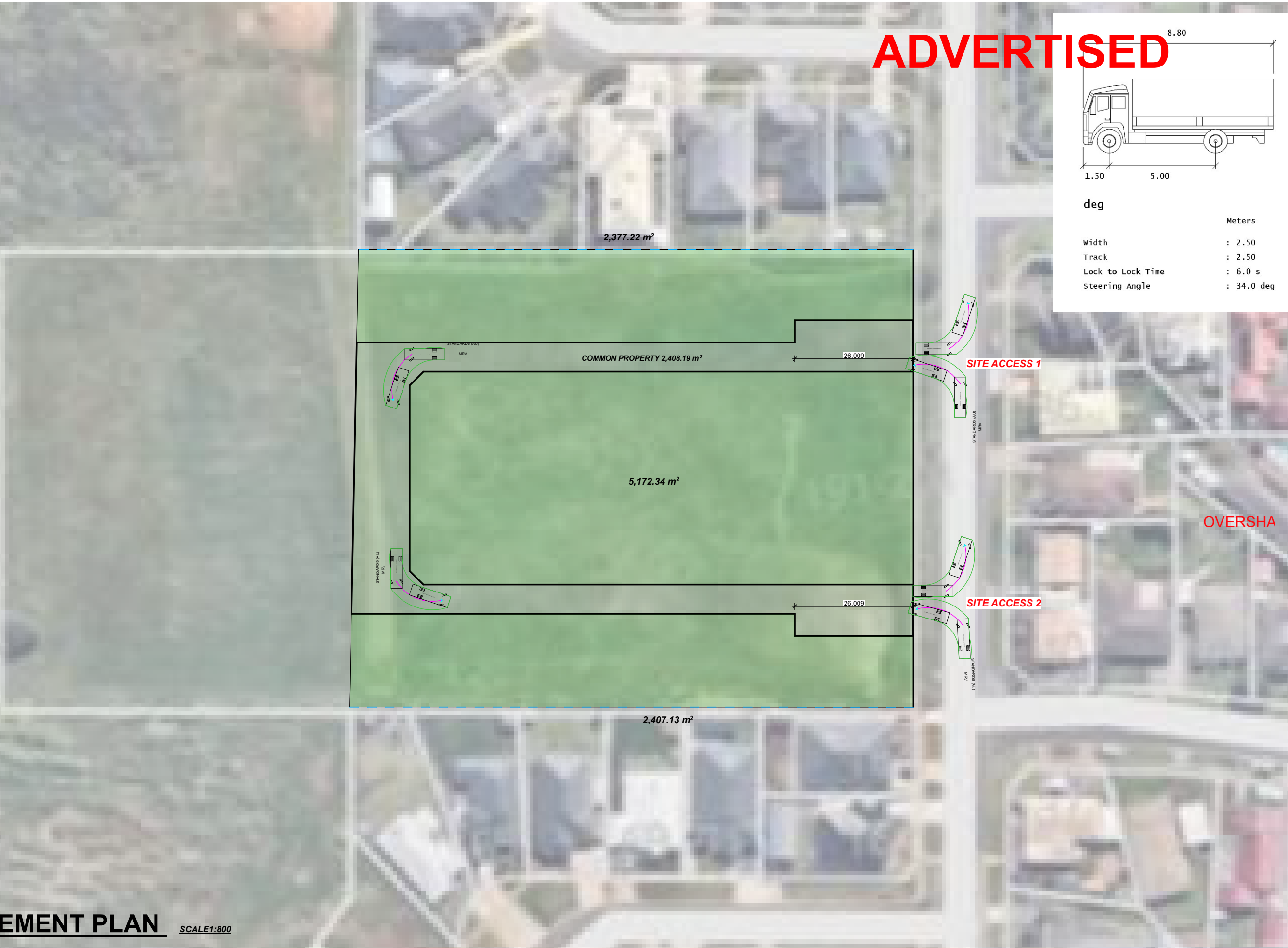
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deg	Meters
width	: 2.50
Track	: 2.50
Lock to Lock Time	: 6.0 s
Steering Angle	: 34.0 deg



VEHICLE MOVEMENT PLAN

SCALE1:800

DATE	AMENDMENT	STATUS
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16
14/2/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK17
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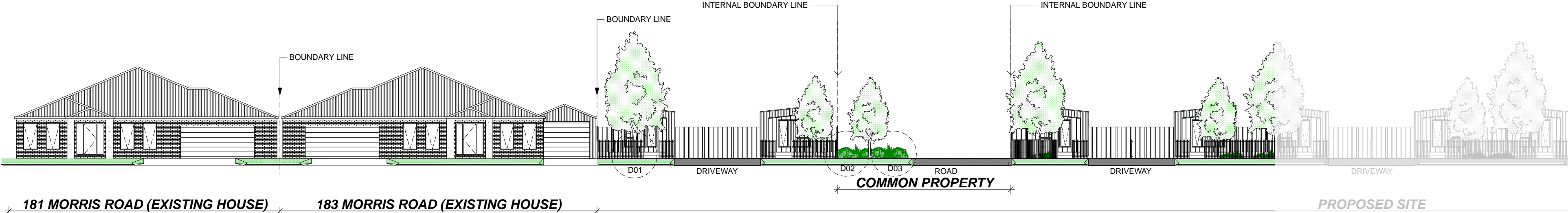
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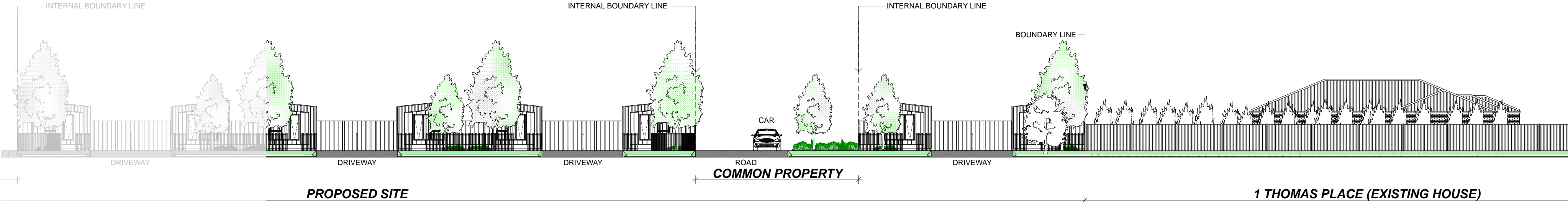
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STREET ELEVATION LEFT SIDE SCALE1:200



STREET ELEVATION RIGHT SIDE SCALE1:200



DATE	AMENDMENT	STATUS
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRIS ROAD	RWK16
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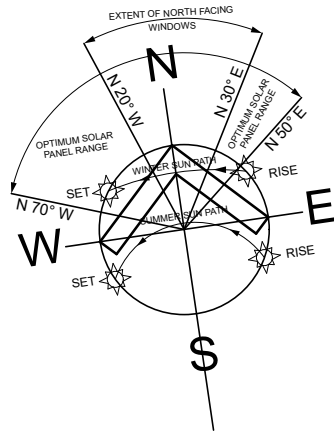
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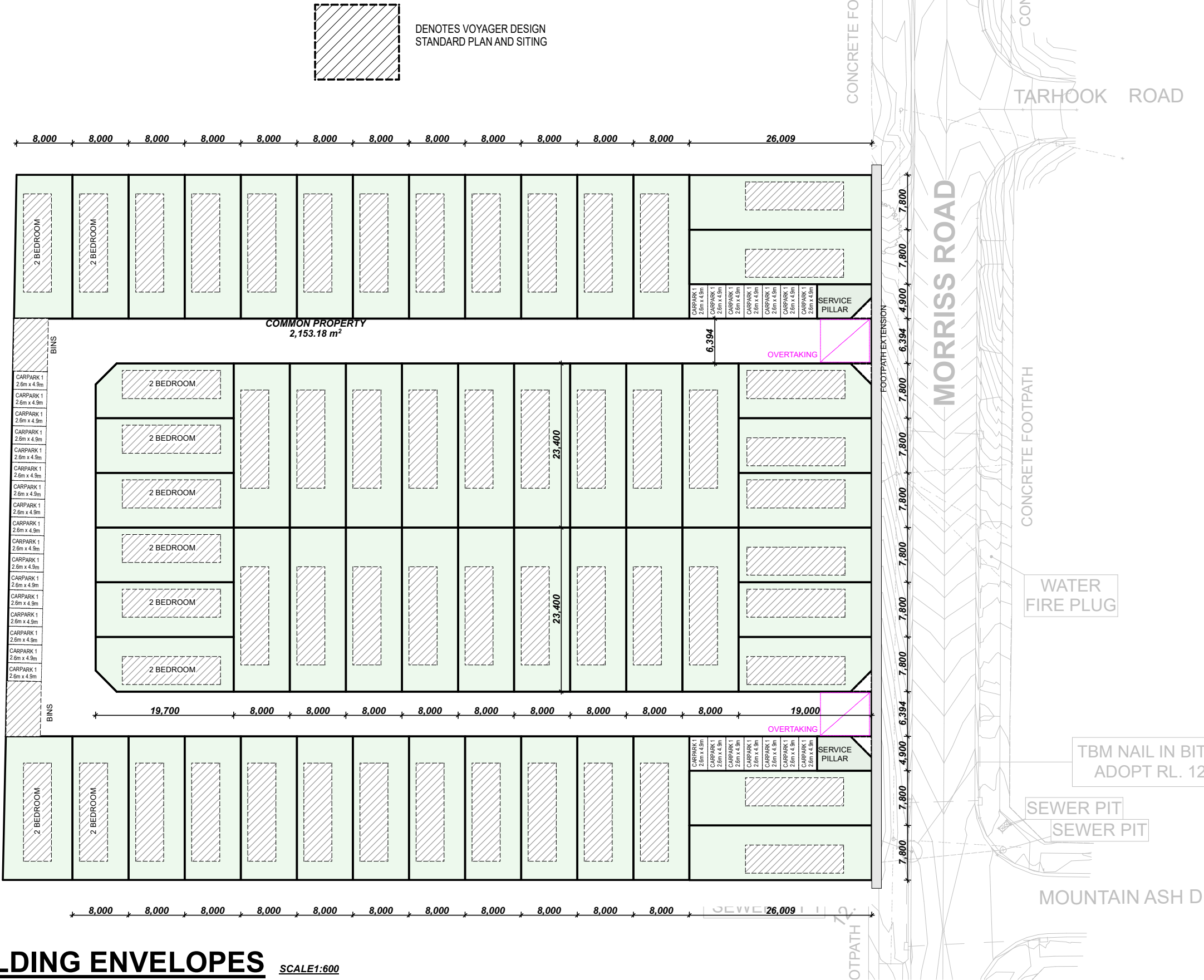
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PROPOSED INDICATIVE ONLY BUILDING ENVELOPES

SCALE 1:600

DATE	AMENDMENT	STATUS
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16
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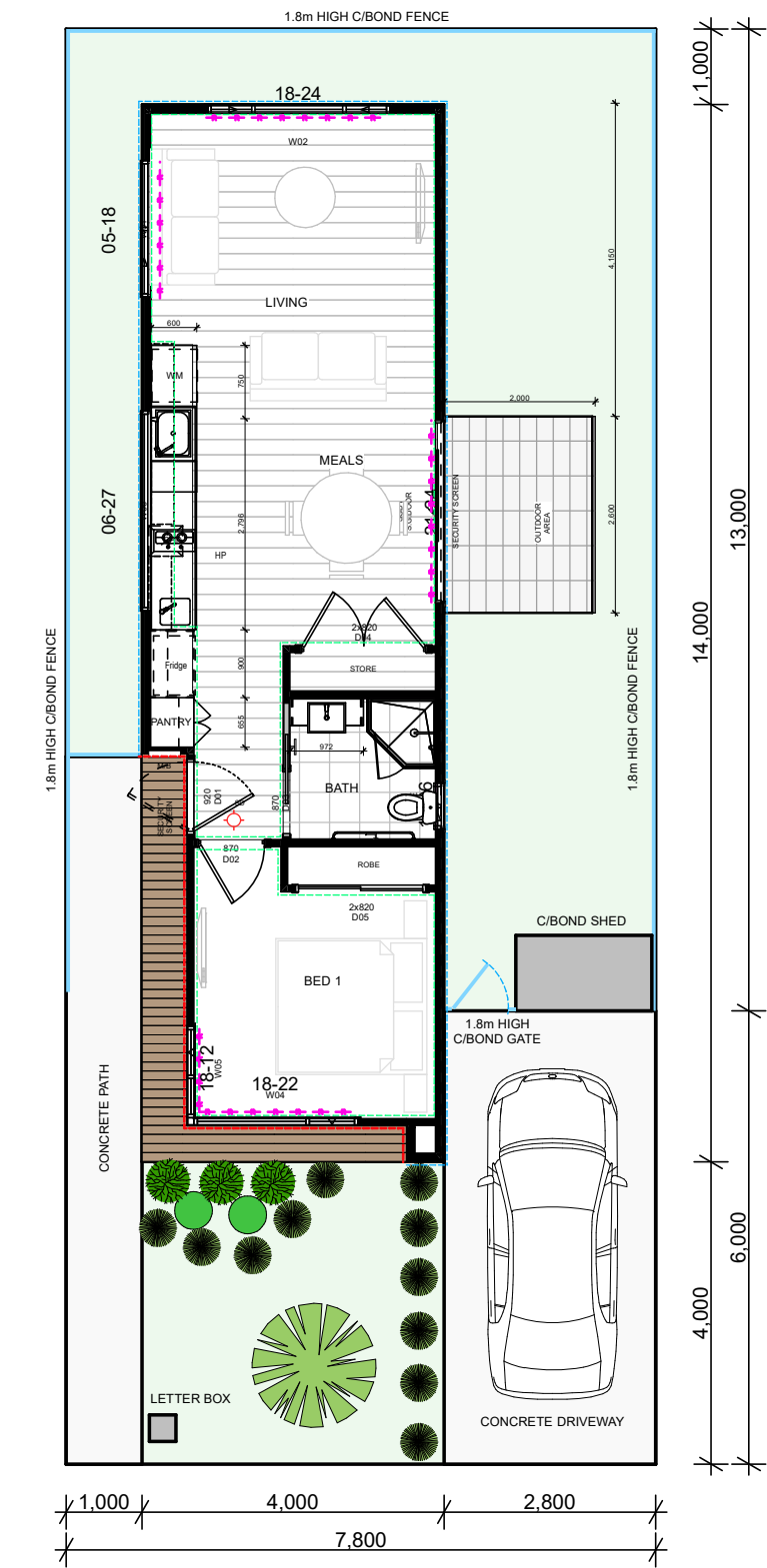
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JD	15.9.22	####	####

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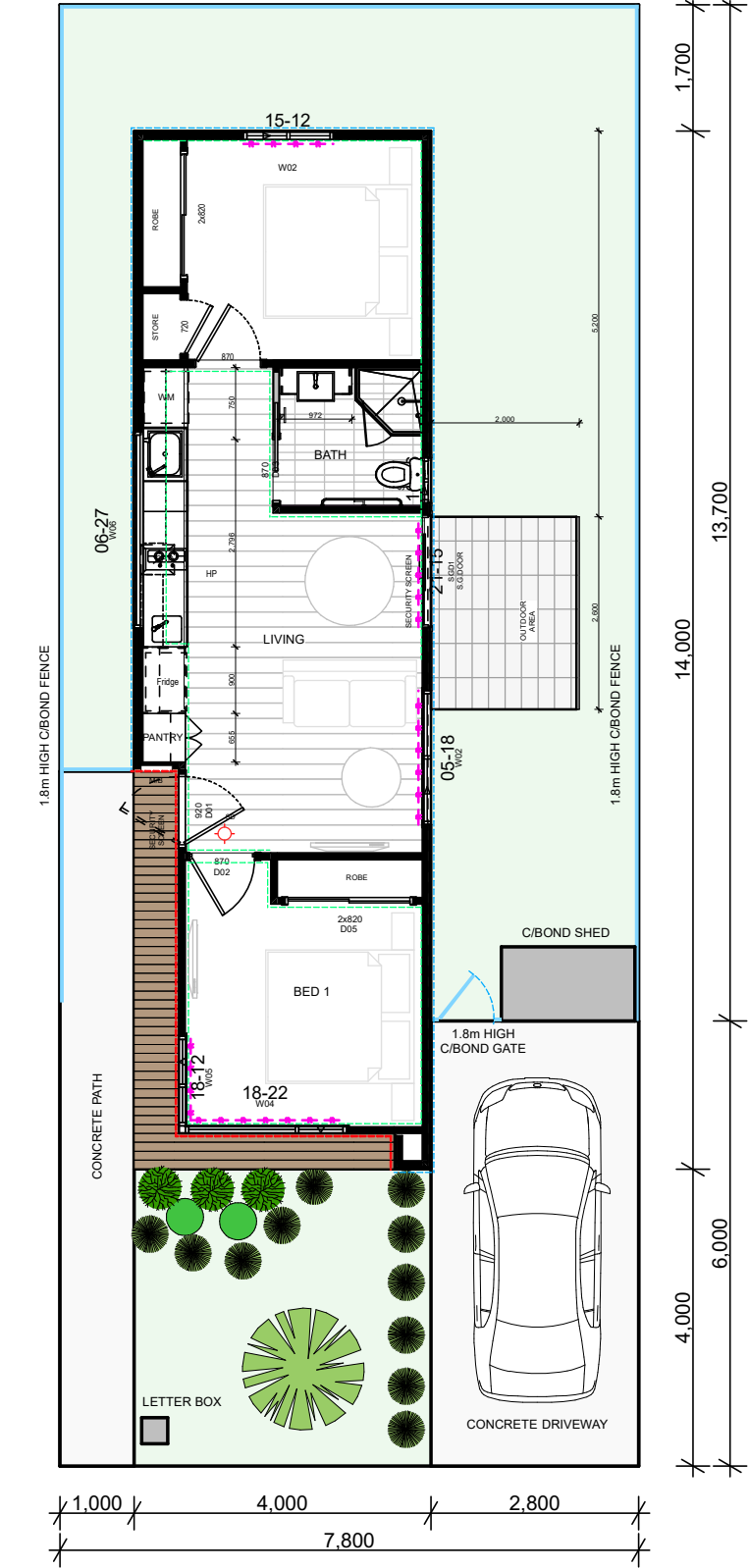
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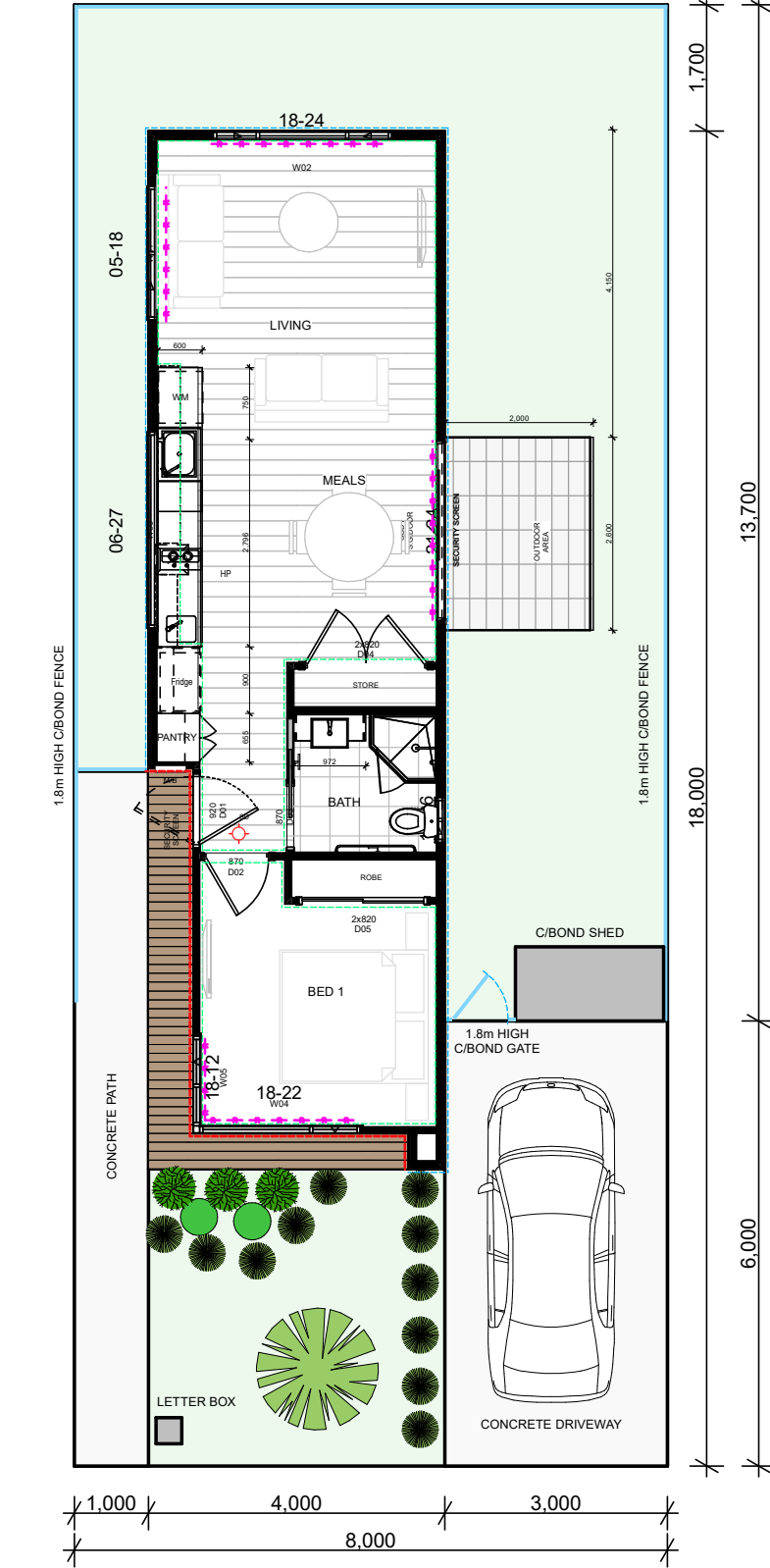
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MORRISS ROAD SCALE1:100



INTERNAL (2 BEDROOM) SCALE1:100



INTERNAL (1 BEDROOM) SCALE1:100

DATE	AMENDMENT	STATUS
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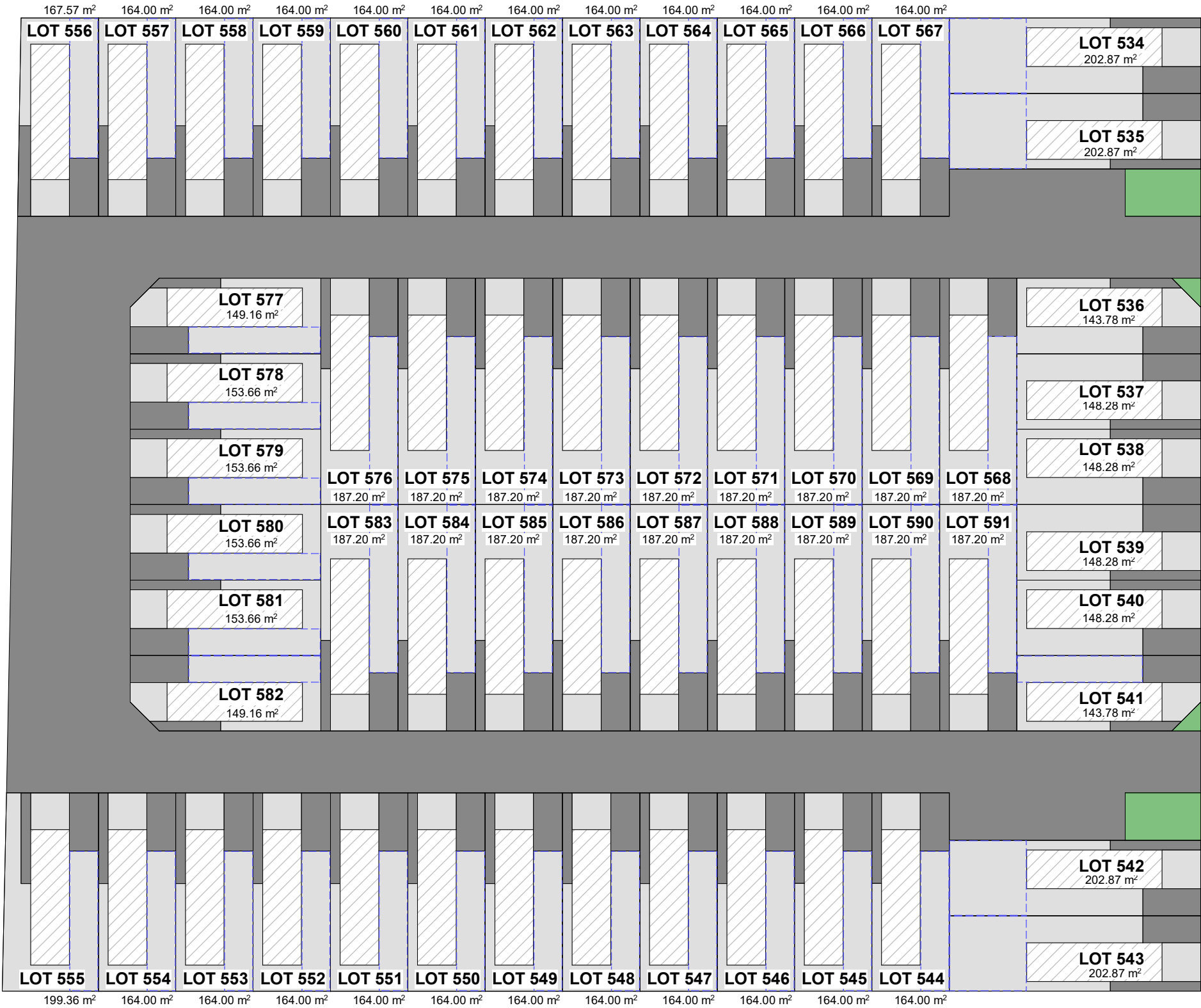
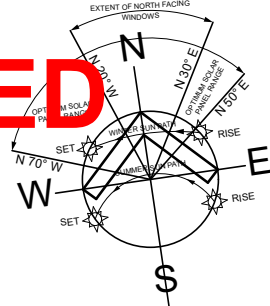
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LEGEND

HOUSE AREA	
POS	
SPOS	
HARD SURFACE	
COMMON PROPERTY GARDEN AREA	



Lot number	Size in m2	House area	Concrete Driveways	POS	SPOS	Garden area	Permeability	site coverage percentage	Garden area percentage
534	202.87	56	26.16	120.71	62.47	120.71	47%	28%	60%
535	202.87	56	26.16	120.71	62.47	120.71	47%	28%	60%
536	143.78	56	23.66	64.12	36.43	64.12	28%	39%	45%
537	148.28	56	26.16	66.12	36.43	66.12	27%	38%	45%
538	148.28	56	26.16	66.12	36.43	66.12	27%	38%	45%
539	148.28	56	26.16	66.12	36.43	66.12	27%	38%	45%
540	148.28	56	26.16	66.12	36.43	66.12	27%	38%	45%
541	143.78	56	23.66	64.12	36.43	64.12	28%	39%	45%
542	202.87	56	26.16	120.71	62.47	120.71	47%	28%	60%
543	202.87	56	26.16	120.71	62.47	120.71	47%	28%	60%
544	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
545	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
546	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
547	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
548	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
549	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
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552	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
553	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
554	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
555	199.36	56	27.36	116	43.5	116	44%	28%	58%
556	167.57	56	29.88	81.69	43.5	81.69	31%	33%	49%
557	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
558	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
559	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
560	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
561	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
562	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
563	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
564	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
565	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
566	164	56	27.36	80.64	43.5	80.64	32%	34%	49%
567	164	56	27.3	80.64	43.5	80.64	33%	34%	49%
568	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
569	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
570	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
571	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
572	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
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574	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
575	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
576	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
577	149.16	56	23.66	69.5	38.36	69.5	31%	38%	47%
578	153.66	56	27.36	70.3	38.36	70.3	28%	36%	46%
579	153.66	56	27.36	70.3	38.36	70.3	28%	36%	46%
580	153.66	56	27.36	70.3	38.36	70.3	28%	36%	46%
581	153.66	56	27.36	70.3	38.36	70.3	28%	36%	46%
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587	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
588	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
589	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
590	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%
591	187.2	56	27.36	103.84	50.22	103.84	41%	30%	55%

GARDEN AREA PLAN SCALE1:500

DATE	AMENDMENT	STATUS
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16
14/2/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK17
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31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21

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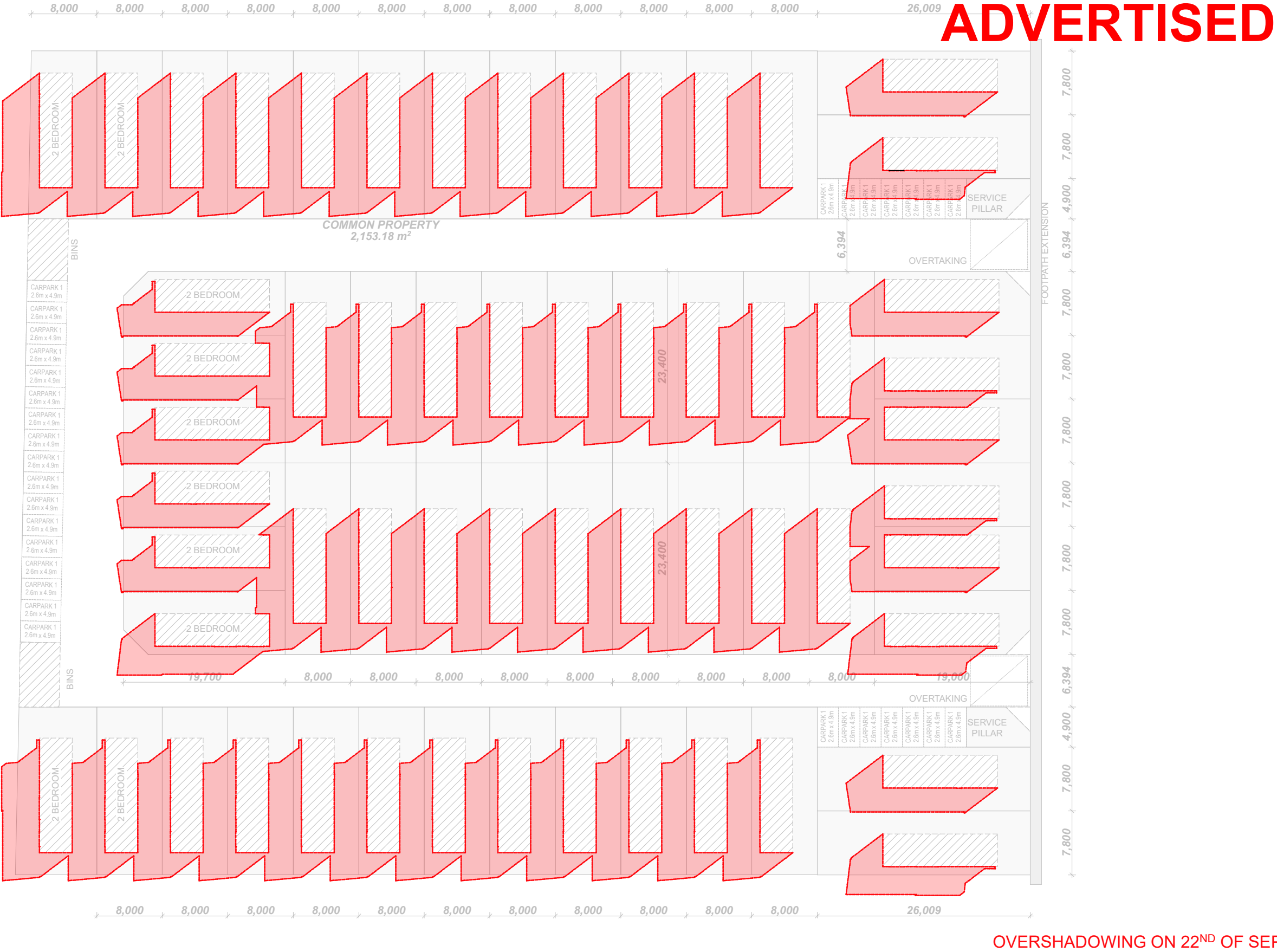


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Lot number	Size in m2	total building area	Impermeable surface area	Garden area	Permeability	site coverage percentage	Garden area perecentage
full site	12368.84	3248	4929.66	5222.18	60%	26%	42%
PROPOSED DEVELOPMENT FOR ELMSTONE PROPERTY GROUP AT No.191-201 MORRISS ROAD, WARRNAMBOOL							
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OVERSHADOWING ON 22ND OF SEPTEMBER

9 am

12 pm

3 pm

OVERSHADOWING 9am

SCALE1:500

DATE	AMENDMENT	STATUS
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16
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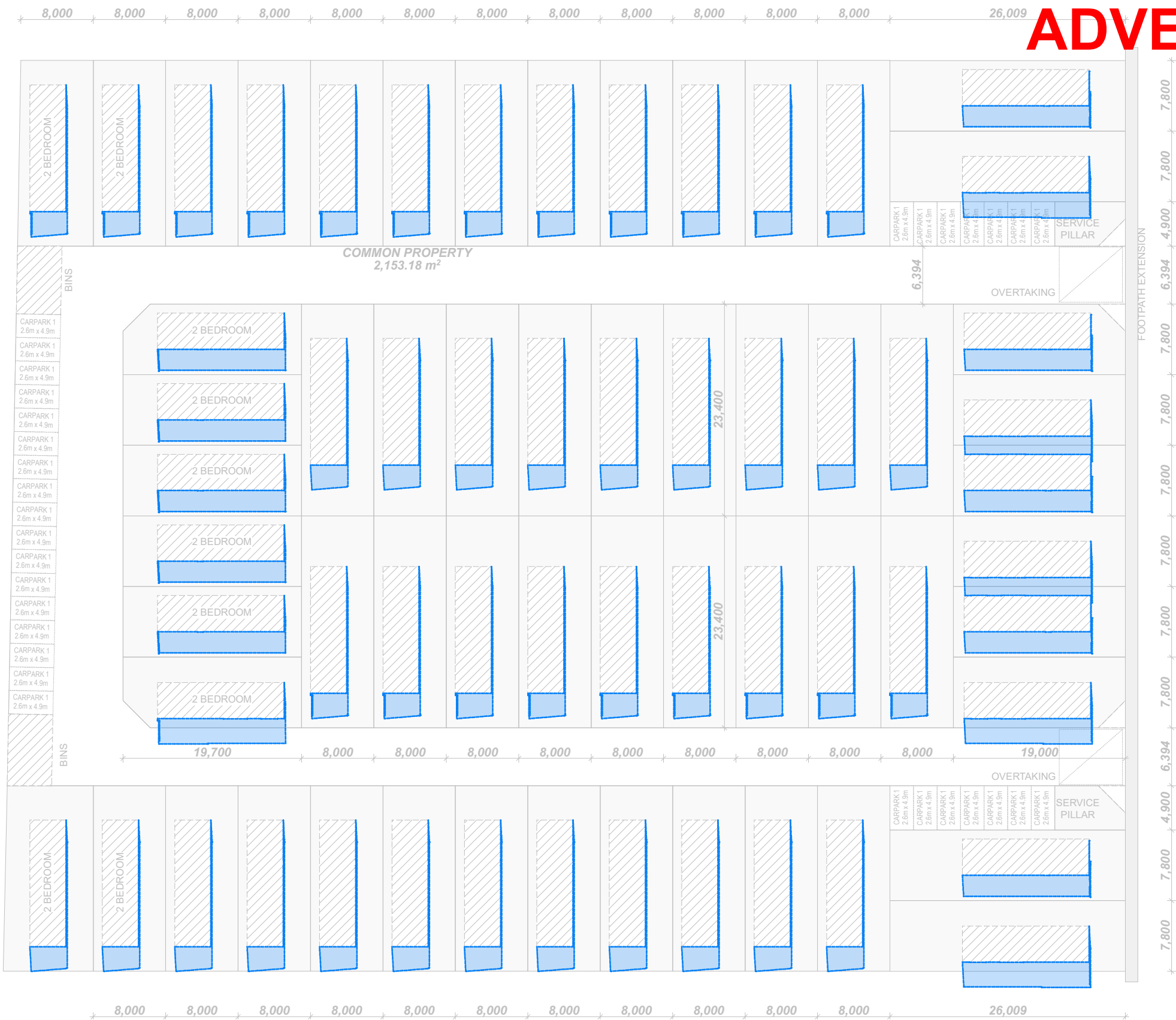
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OVERSHADOWING ON 22ND OF SEPTEMBER

9 am

12 pm

3 pm

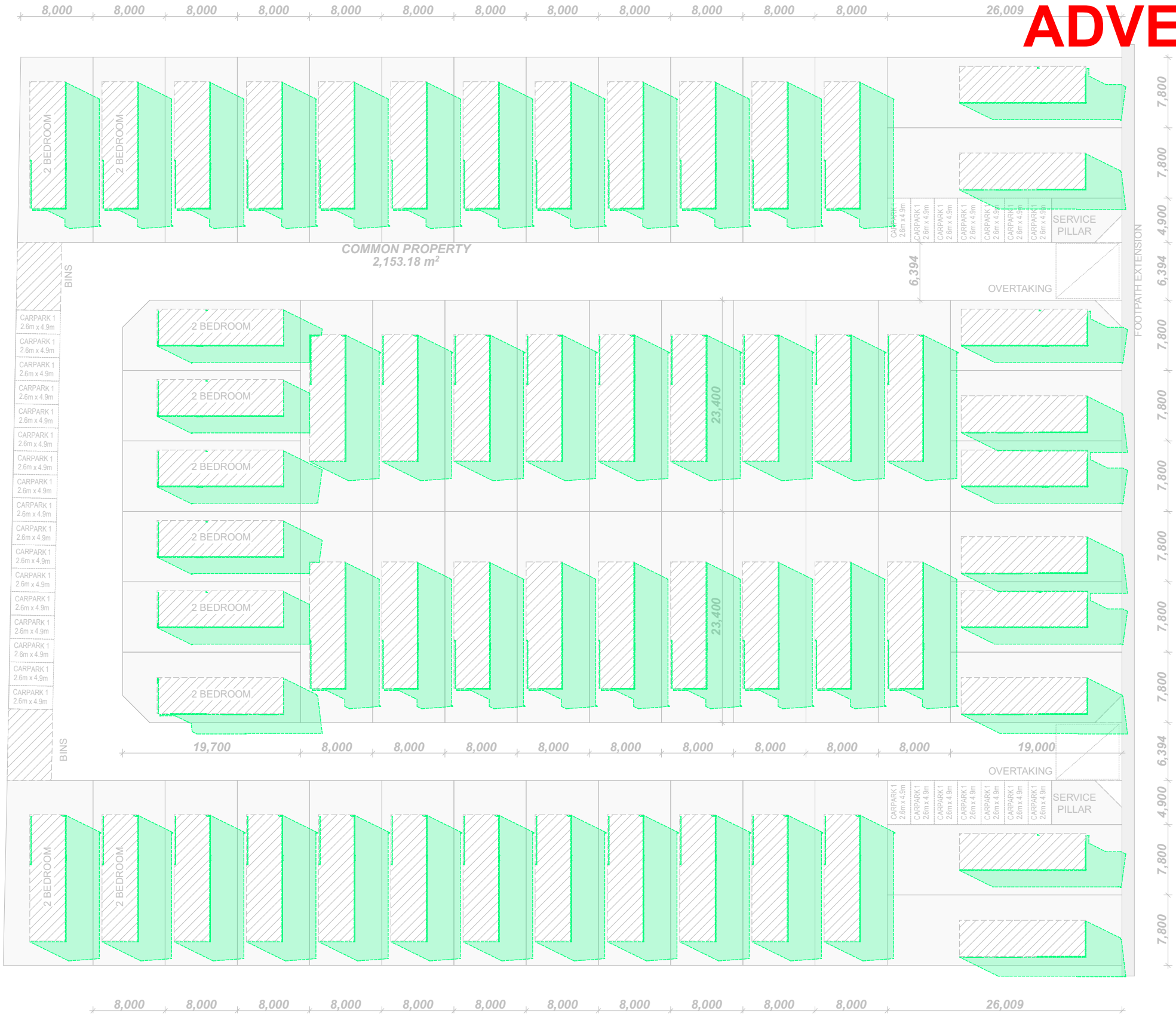
OVERSHADOWING 12pm

SCALE1:500

DATE	AMENDMENT	STATUS									PROPOSED DEVELOPMENT FOR ELMSTONE PROPERTY GROUP AT No.191-201 MORRISS ROAD, WARRNAMBOOL							
13/2/23	REWORK COMPLETED - ROTATED LOTS TO FACE MORRISS ROAD	RWK16	<div><div>Joshua</div><div>PROPERTY GROUP</div></div> <div><div>M 0481 115 953 JOSH DEW</div><div>A 6B Lofven Street , Nerrina, VIC 3355</div><div>E info@joshuapropertygroup.com.au</div><div>www.joshuapropertygroup.com.au</div></div>	<div>PLANNING ISSUE</div> <table><tr><td>DRAWN:</td><td>DATE:</td><td>CHECKED:</td><td>DATE:</td></tr><tr><td>JD</td><td>15.9.22</td><td>####</td><td>####</td></tr></table>			DRAWN:	DATE:	CHECKED:	DATE:	JD	15.9.22	####	####	JOB NUMBER:		SHEET:	
DRAWN:	DATE:	CHECKED:					DATE:											
JD	15.9.22	####					####											
14/2/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK17					© - Copyright 2022 Joshua Property Group.		19 of 20									
16/3/23	REWORK COMPLETED - VOYAGER PLAN ADDED	RWK18																
21/3/23	REWORK COMPLETED - GARDEN AREA PLAN ADDED, AREAS UPDATED	RWK19																
21/3/23	REWORK COMPLETED - OVERSHADOWING ADDED	RWK20																
31/3/23	REWORK COMPLETED - SITE PLAN AMENDED TO DEVELOPMENT PLAN	RWK21																

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OVERSHADOWING ON 22ND OF SEPTEMBER

9 am

12 pm

3 pm

OVERSHADOWING 3pm

SCALE1:500

DATE	AMENDMENT	STATUS
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ORIGINAL PAPER SIZE: A3

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NOTES

DATUM: WANGDOM PM 795 AND 12+9
CONTOUR INTERVAL: 0.1m
THIS IS A SURVEY PLAN OF EXISTING GROUND
SURFACE FEATURES AND LEVELS. IT IS NOT A
TITLE ESTABLISHMENT SURVEY.
SITE IS NOT QUALIFIED TO PROVIDE ADVICE
ON TITLE LOCATIONS.



PROJECT

191-201 MORRISS ROAD
WARRNAMBOOL
FEATURE & LEVEL SURVEY

SIZE	SCALE	PROJECT No.	SHEET No.	REV
A1	1 : 500	21-183	1 OF 1	-

ADVERTISED



MORRISS ROAD SUBDIVISION WARRNAMBOOL ENGINEERING SERVICES REPORT



Author: Carlin Gyorffy

Project Number: 22-183

Date: 03rd October 2022

Client: Elmstone Investments Pty. Ltd.

Revision	Description	Date
-	Initial Submission, Initial Layout Plan	31/08/2022
A	Feedback from clients	03/10/2022



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CONTENTS	PAGE
1. INTRODUCTION	3
2. ROADWORKS	5
3. DRAINAGE	8
4. SEWERAGE	10
5. WATER SUPPLY	11
6. ELECTRICITY	12
7. TELECOMMUNICATIONS	14
8. GAS SUPPLY	15
9. CONSTRUCTION CONSIDERATIONS	16
10. CONCLUSION	17
APPENDICES	18

1. INTRODUCTION

SITEC has been commissioned by Elmstone Investments Pty. Ltd. to prepare this Engineering Services Report in support of a Development Plan Overlay (DPO) for the proposed land of 191-201 Morriss Road, Warrnambool Vic 3280.

This report covers issues related to civil infrastructure required to suitably service the Development.

The objective of this report is to demonstrate that the proposed development can be supported by the existing infrastructure, serviced by new infrastructure and that the development is compliant with the Warrnambool Planning Scheme, Australian Standards and other relevant guidelines.

Figure 1 provides a locality plan indicating the entire site.



FIGURE 1: LOCALITY PLAN

The Existing site consists of no known features. The site is generally flat. The neighbouring sites consist of residential housing. The site is currently serviced by all necessary utilities including stormwater, water, sewerage, and electrical/communications services. See Figure 2 for feature and level survey of the site.

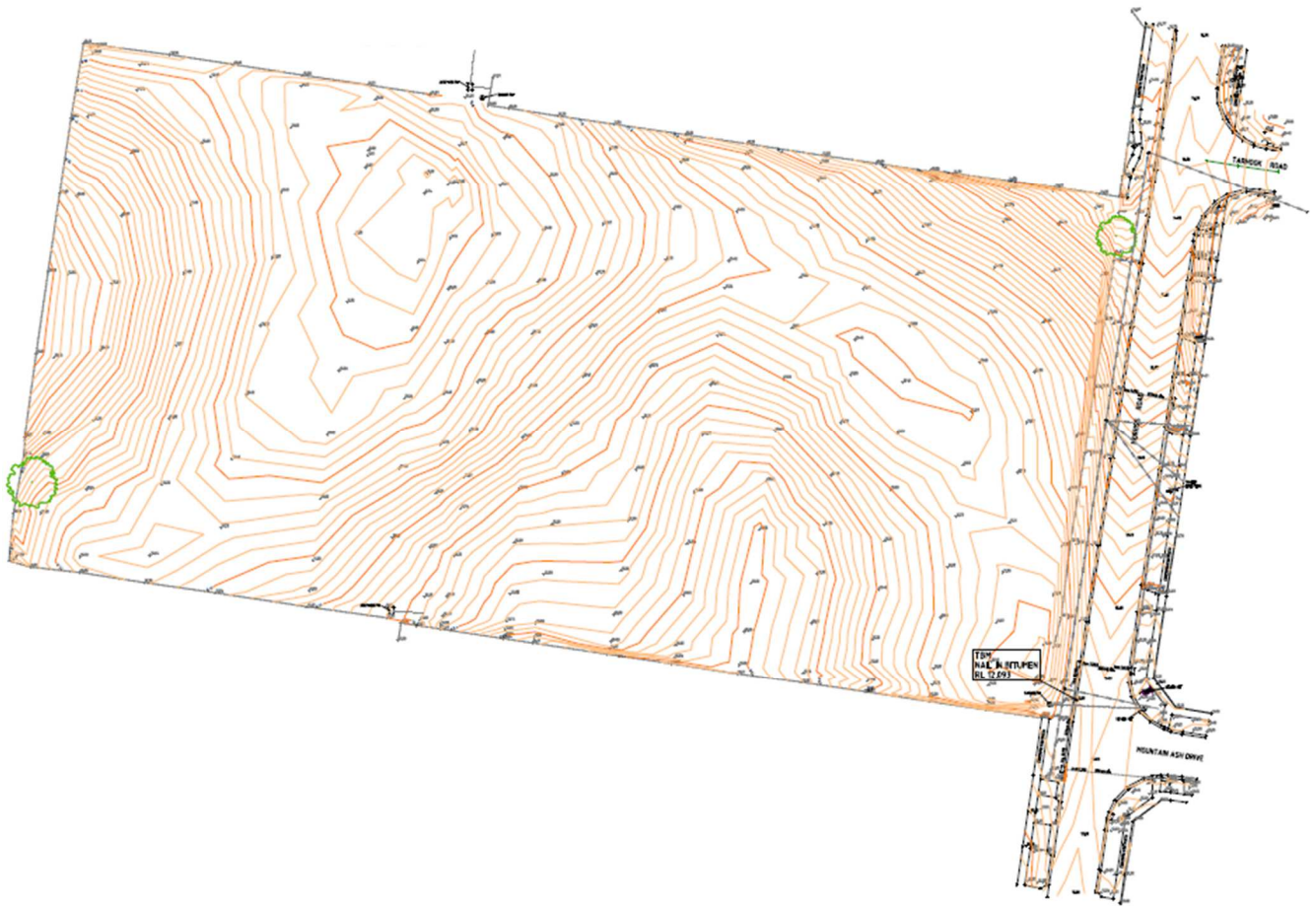


FIGURE 2: FEATURE AND LEVEL SURVEY

2. ROADWORKS

This development site will involve two intersections onto Morriss Road providing ingress and egress for all lots within the development via a common property driveway. The responsible authority for the intersections on Morriss Road is the Warrnambool City Council.

The Traffic Impact Assessment (TIA) conducted by RedSquare is found in the accompanying document in this submission. This TIA should be read in conjunction with this report. The TIA addresses specific issues such as access/egress from Morriss Road.

Site Accesses 1 and 2 will be constructed in line with current IDM crossover requirements.

The development will be serviced by internal access pavements as part of an Owners Corporation. All trafficable pavements are proposed as concrete.

All carparking areas will be designed to achieve compliance with AS2890.1.

Photos below show Morriss Road along the subject site.

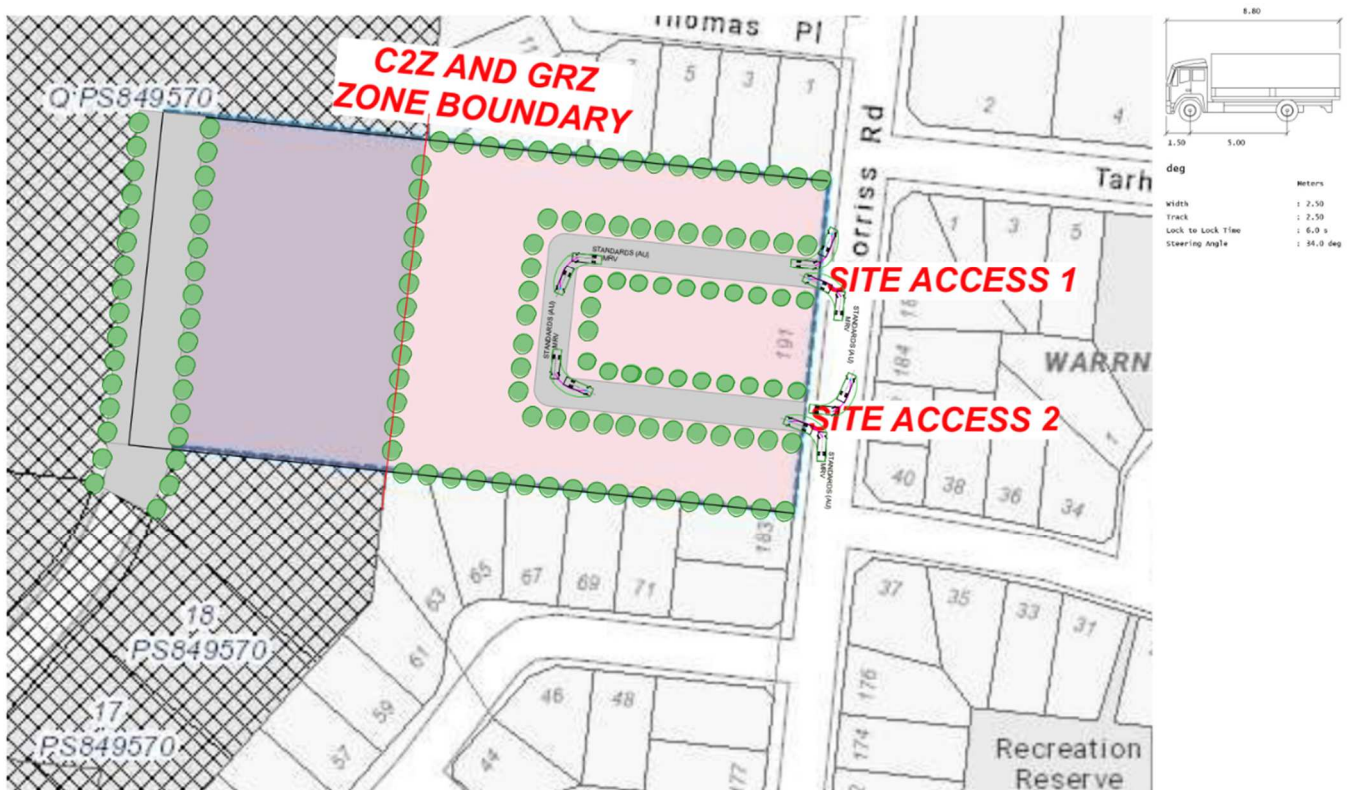


FIGURE 3: INTERNAL ROAD LAYOUT PLAN WITH SWEEP PATH ANALYSIS



PHOTO 1: MORRISS ROAD (LOOKING NORTH) – PROPOSED COMMON PROPERTY INTERSECTION LOCATION



PHOTO 2: MORRISS ROAD (LOOKING SOUTH) – PROPOSED COMMON PROPERTY INTERSECTION LOCATION
Morriss Road has a 9.5m sealed width and a 20.12m road reserve width between B-Type kerbs, making it a mix between an Access Street and a Collector Street Level 1.

This road is aligned north-south from Fitzroy Road in the south, passing the development site to the east, to then terminate in a turning facility in the north. The posted speed limit along Morriss Road is 60km/hr.

An approval for Works Within Road Reserves will need to be provided from Warrnambool City Council for any works proposed within the road reserve.

3. DRAINAGE

The Warrnambool City Council is the responsible authority for stormwater discharge. A Stormwater Management Plan for the site will be required as part of the Planning Permit conditions.

The current site is relatively flat, with a fall to the north towards an existing junction pit. There is an existing 1650mm dia stormwater pipe with capacity for extra lots running south to north between the two junction pits as shown in the Feature and & Level survey produced by SITEC Pty. Ltd. found in Appendix A.

The photo below shows the location where stormwater will be discharged to via the underground stormwater network.

Calculations for the construction of the Morriss Road Outfall (Contract No 2007034) included the subject site. These works were approved by Warrnambool City Council and accepted as servicing the entire DPO area. The Catchment Plan and hydrologic calculations for the capacity of the DPO area pipe network to convey the 1% AEP storm are attached in Appendix C.



PHOTO 3: DRAINAGE EASEMENT SOUTH-WEST OF THE DEVELOPMENT SITE (LOOKING NORTH-EAST)



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3.1 MINOR STORM EVENTS (20% AEP).

A stormwater network will be designed to cater for the 20% AEP storm event. Sufficient capacity is required in the stormwater network to collect and convey the flows, preventing both stormwater damage to properties and reducing the quantity and frequency of surface water to a level acceptable to the community.

This site will use a pit and pipe system sized to collect and convey the minor storm event through the development site.

To achieve WSUD as well as detain any excess stormwater volume, adequate stormwater treatment facilities will be provided which both treat the water and hold the water onsite to release treated stormwater at the allowable storm water flow.

3.2 MAJOR STORM EVENTS (1% AEP).

In accordance with Warrnambool City Council design standards, all road design and construction for the development must ensure that the 1% AEP storm event can pass through the road reserve network without entering private property, ensuring privately owned assets are protected from inundation and flooding during and after the major storm event.

The Stormwater Management Plan will discuss how the 1% AEP storm flows will be conveyed through the road network, down to the development's lowest areas and discharged off site into existing stormwater infrastructure. Calculations and safety checks will be required for the 1% AEP storm event to ensure the water is conveyed offsite in an appropriate way for a fully developed site.



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4. SEWERAGE

Wannon Water is the responsible authority for the provision of sewerage facilities to the site.

Currently there are two sewer reticulation networks within the vicinity of the site. There is one located to the north and one to the south of the site.

The development site falls by gravity towards north-western portion of the block, close to where the existing sewer network can be found to the north. It is feasible to connect the entire development site to the existing reticulation sewer network. Engagement between Wannon Water and the design engineering consultant will be required to determine the outcome of the development's growth to the existing sewer reticulation network. This is outside the scope of this report.

Supply would be subject to normal supply policy and a development agreement with Wannon Water.

5. WATER SUPPLY

Wannon Water is the responsible authority for the provision of water supply facilities to the development.

The site is currently serviced by water connections. The site can be supplied from Morriss Road with a water main running along the common property driveway and terminating prior to exiting the development with a washout facility attached, the watermain would be controlled by the body corporate with a bulk water meter and individual meters at house connections. It would be the responsibility of the body corporate to flush this line regularly.

An application to Wannon Water will be required for the approval and construction of the site master meter.

Engagement between the design engineering consultant and Wannon Water will be required to determine the exact connection point(s) for water supply for the development. This is outside the scope of this report.

Supply would be subject to normal supply policy and a development agreement with Wannon Water.

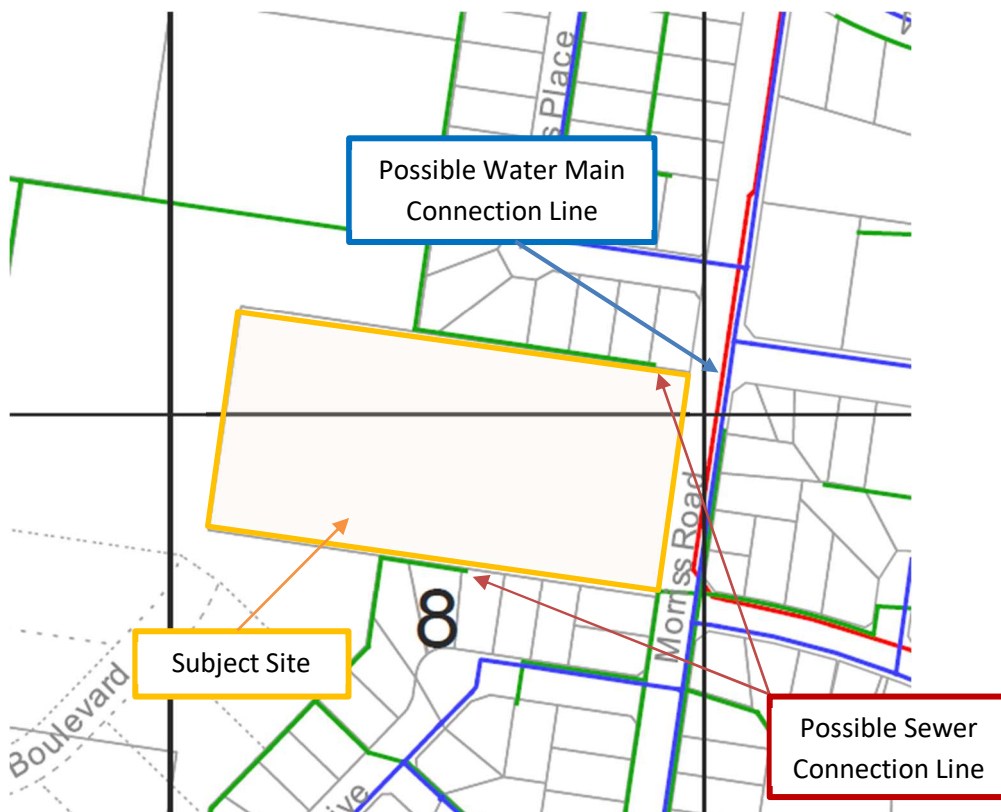


DIAGRAM 1: CURRENT WANNON WATER SEWER AND WATER MAIN ASSETS

6. ELECTRICITY

Powercor is the responsible authority for the provision of electricity supply to service this development. Electricity supply would be subject to normal supply policy and a development agreement with Powercor.

The site will be serviced with electrical and telecommunication reticulation in accordance with agreements with the relevant providers. Detailed design will be undertaken at the Building Application stage to ensure the additional buildings are adequately serviced. A Pad Mount Transformer and Meter bank is proposed to be located on the site which will supply the development.

Electricity supply can be provided to the site from the overhead electricity system situated along Morris Street. There are electricity pits located at both power poles on the eastern border of the site. There is also potential for connection to the south into underground cables in blue in the diagram below, or at the distribution substation.

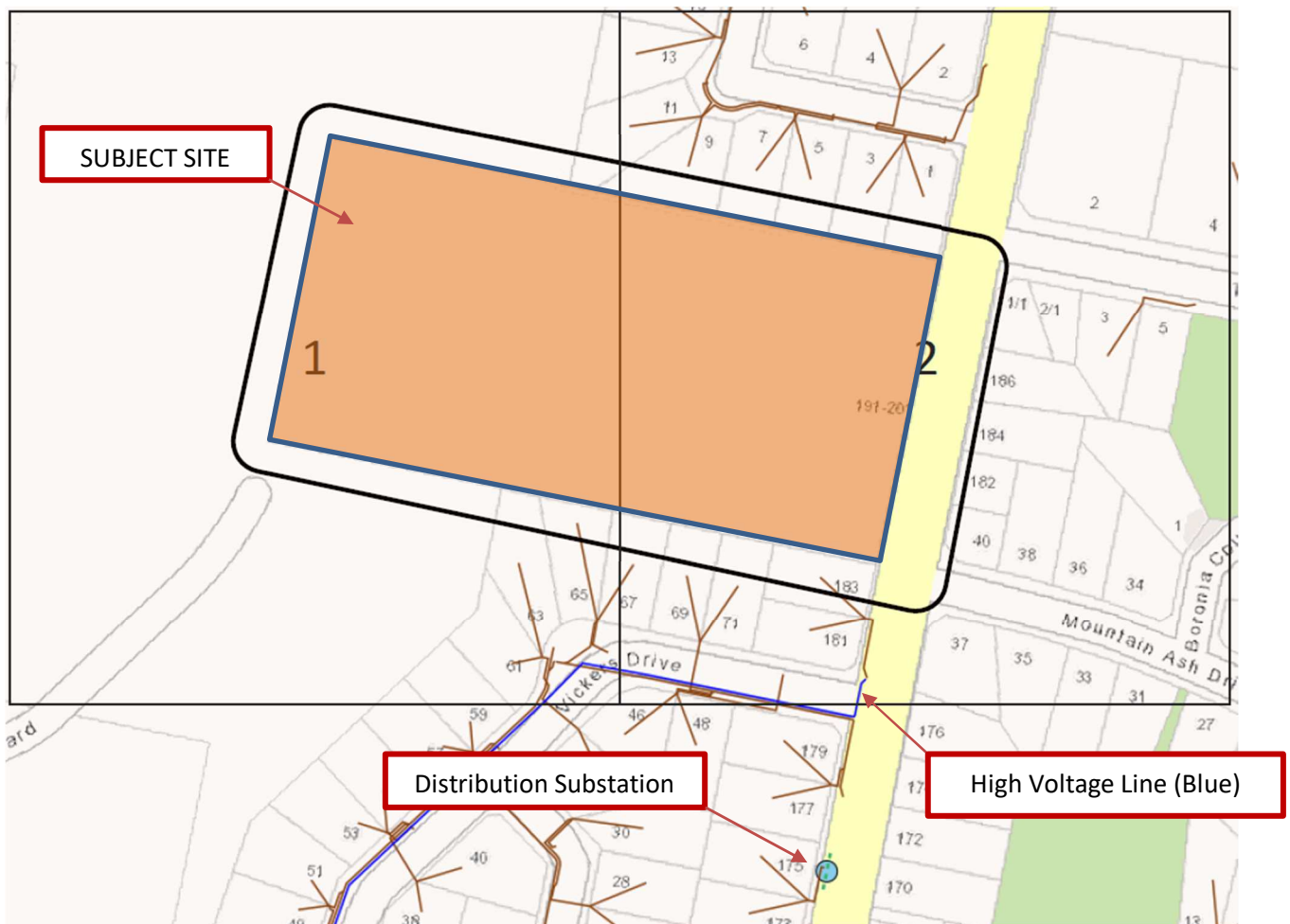


DIAGRAM 2: CURRENT LOCAL POWERCOR ASSETS (CABLES)



DIAGRAM 3: CURRENT LOCAL POWERCOR ASSETS (POWERPOLES – IN BLACK)

7. TELECOMMUNICATIONS

NBN Co is the responsible authority for the provision and management of new telecommunication facilities to service the proposed development.

Telecommunications can be provided to the development from an underground cable network travelling along Morriss Road for the extent of street frontage of the development site.

Supply would be subject to normal supply policy and a development agreement with NBN Co.



DIAGRAM 4: CURRENT TELECOMMUNICATION ASSETS

8. GAS SUPPLY

Ausnet are the principal provider of natural gas to the Warrnambool Area

Currently there is a 63mm diameter reticulated gas supply network along Morriss Road.

If this development follows through with gas infrastructure installation for the site, supply would be subject to normal supply policy and a development agreement with Ausnet.

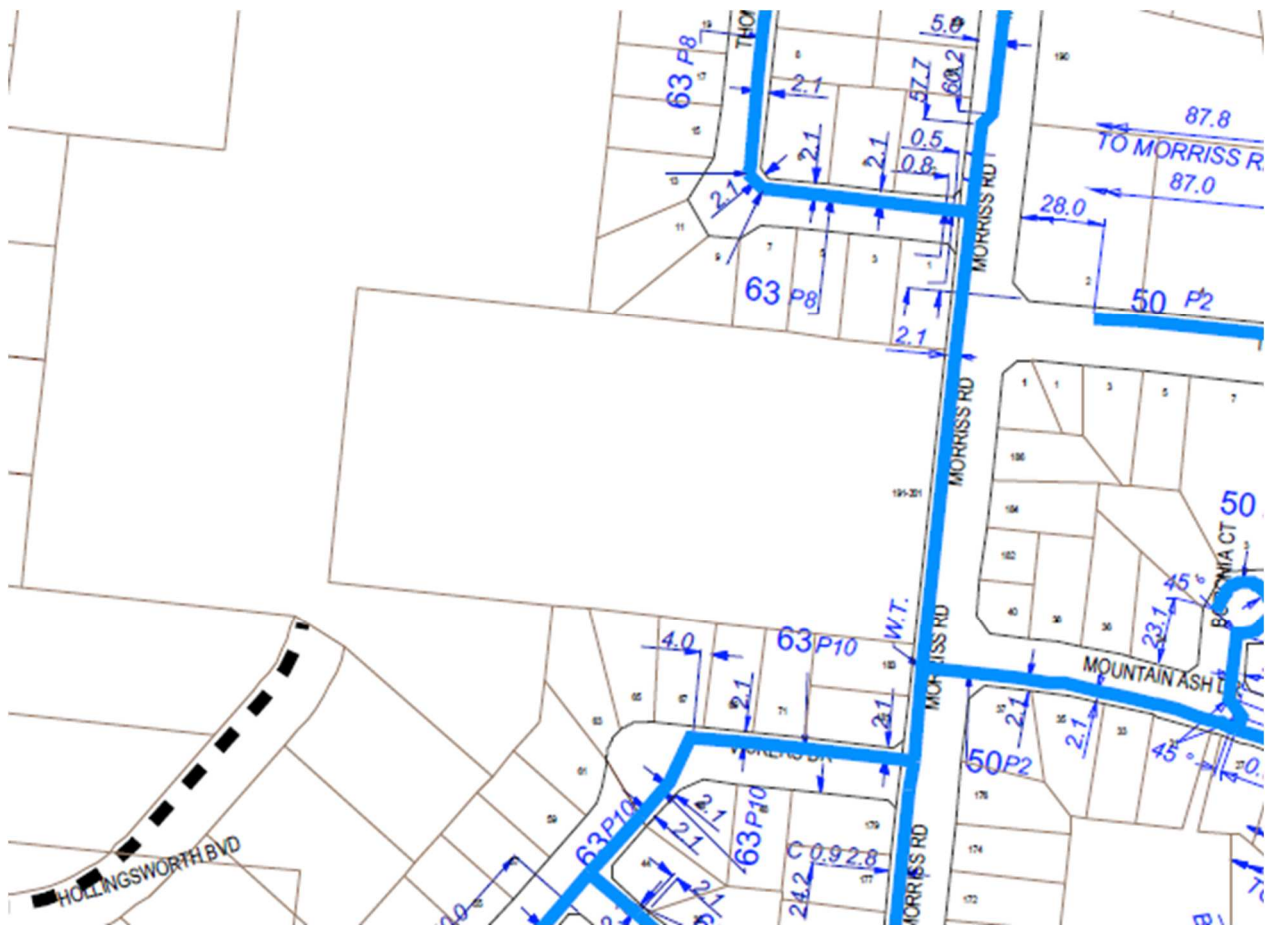


DIAGRAM 5: CURRENT AUSNET GAS MAIN ASSETS

9. CONSTRUCTION CONSIDERATIONS

Environmental Management

Environmental Management includes the management of sediment control and other nuisance resulting from the construction activities. This includes:

- Sediment and Erosion Control.
- Dust Control.
- Noise, Vibration and Odour Control.
- Management of existing neighbouring allotments to minimise disruption.

Erosion and sediment control will consist of clean and water cut-off drains, silt fences and shakedown facilities to meet Warrnambool City Councils requirements. These devices will be designed at the Operational Works Phase as necessary.

The design intent of Sediment and Erosion Control shall be to minimise the disturbance and likelihood of sediment transportation. This includes both water and sediment run-off.

Traffic Management Plan

The Builder/Contractor will be required to prepare a site-specific traffic management plan to manage construction traffic flow, ingress and egress from construction site, pedestrian routes and general site access during construction.

Construction Management Plan

The contractor will be required to submit a site-specific Construction Management Plan (CMP) for approval prior to commencement of site works.

The CMP will address Health and Safety, Traffic Management, Environmental Management, Quality Management, Construction Methodology (Work Method Statement) and Programme of Works. This plan will also cover dust controls, noise and vibration management, site stability and construction site access.



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10. CONCLUSION

This report has been prepared to support the Development Plan Overlay (DPO) for the proposed residential development at 191-201 Morriss Road, Warrnambool.

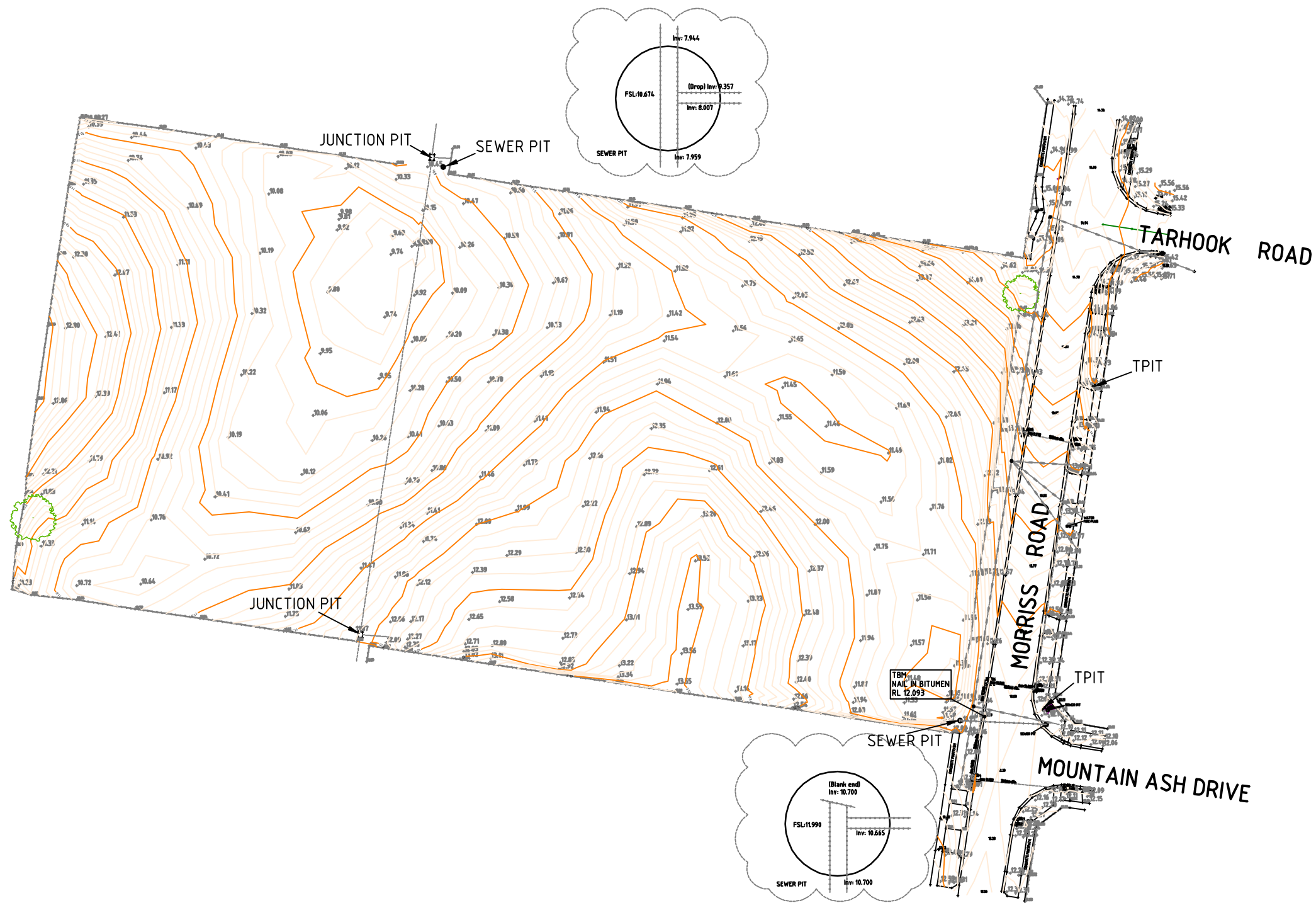
We are of the opinion that the information contained within this report and the various technical reports prepared for the Development Plan Overlay along with the accompanying engineering plans, demonstrates that the proposed development is in accordance with Council's requirements.

In conclusion we consider that there are no infrastructure servicing constraints that should inhibit this development.



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APPENDIX A



NOTES :

DATUM: WANGOOM PM 795 AHD 12.49
CONTOUR INTERVAL 0.1m
THIS IS A SURVEY PLAN OF EXISTING GROUND
SURFACE FEATURES AND LEVELS. IT IS NOT A
TITLE ESTABLISHMENT SURVEY.
SITEC IS NOT QUALIFIED TO PROVIDE ADVICE
ON TITLE LOCATIONS.



184 FAIRY STREET
WARRNAMBOOL VIC 3280
E: INFO@SITECVIC.COM.AU P: (03) 5561 3939

PROJECT

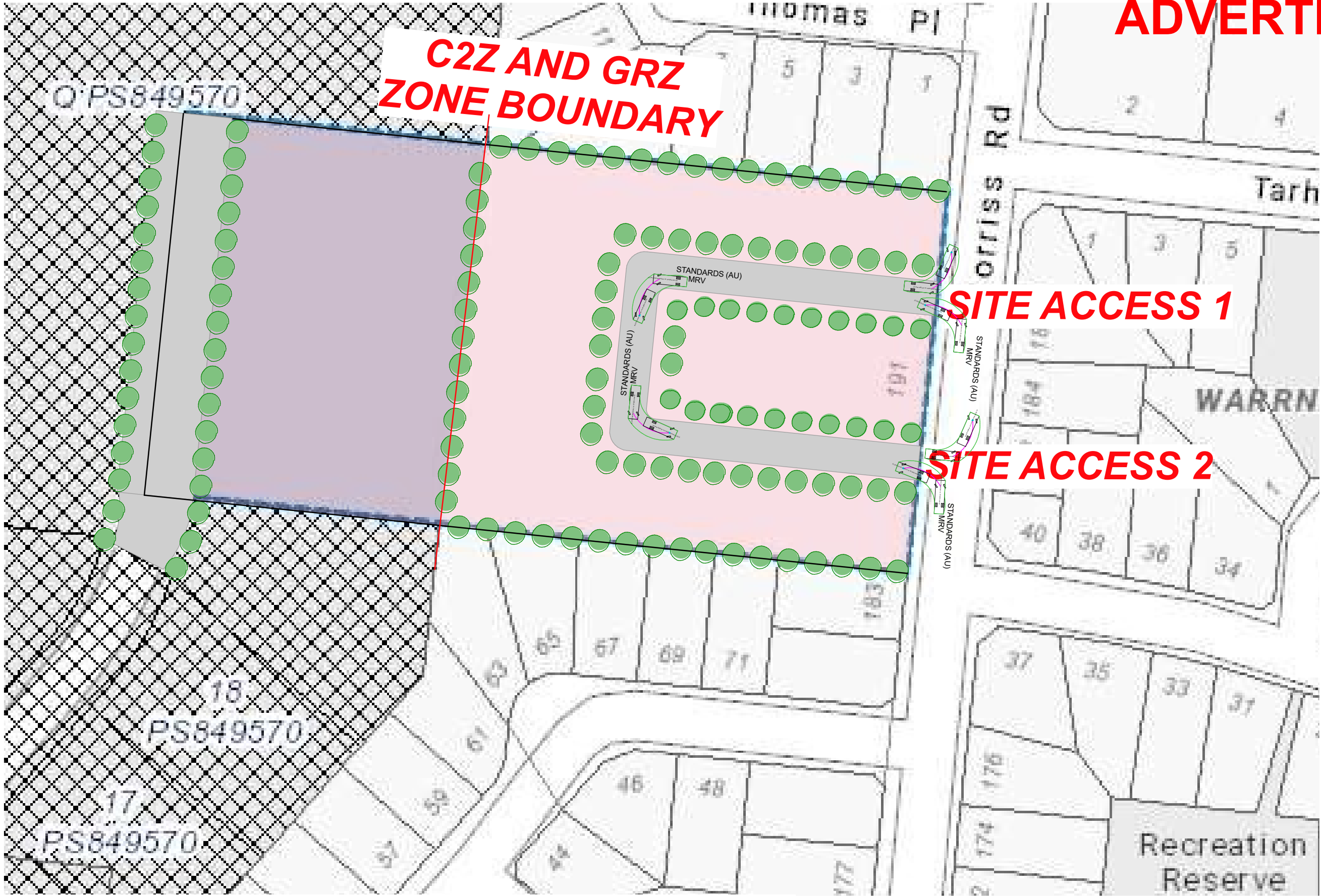
191-201 MORRISS ROAD
WARRNAMBOOL
FEATURE & LEVEL SURVEY

SIZE	SCALE	PROJECT No.	SHEET No.	REV
A3	1 : 1000	21- 183	1 OF 1	-

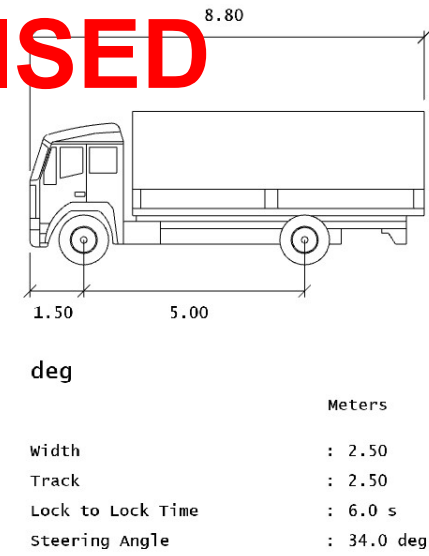


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APPENDIX B



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DEVELOPMENT PLAN

SCALE 1:1000

SITE LEGEND

- PROPOSED INTERNAL ROAD
- PROPOSED INDUSTRIAL AREA
- PROPOSED GENERAL RESIDENTIAL AREA

DATE	AMENDMENT	STATUS
14/10/21	REWORK COMPLETED VARIATION N° 4	RWK4
28/10/21	REWORK COMPLETED VARIATION N° 5	RWK5
1/11/21	REWORK COMPLETED VARIATION N° 6	RWK6
14/7/22	REWORK COMPLETED- TRUCK SWEEP PATH ADDED	RWK7
14/7/22	REWORK COMPLETED- TRUCK SWEEP PATH UPDATE	RWK8
18/7/22	REWORK COMPLETED- TRUCK SWEEP PATH UPDATE	RWK9

ORIGINAL PAPER SIZE: A2



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www.joshuapropertygroup.com.au

ENERGY RATING STAMP

DRAWN:	DATE:	CHECKED:	DATE:
JD	4.10.21	####	####

PROPOSED RESIDENCE FOR ELMSTONE PROPERTY GROUP AT No., LOT1 MORRIS ROAD, WARRNAMBOOL			
JOB NUMBER:			SHEET:
© - Copyright 2021 Joshua Property Group.			6 of 5

C:\Users\info\OneDrive\Work\9. elmstone\Morris rd\morriss.pln

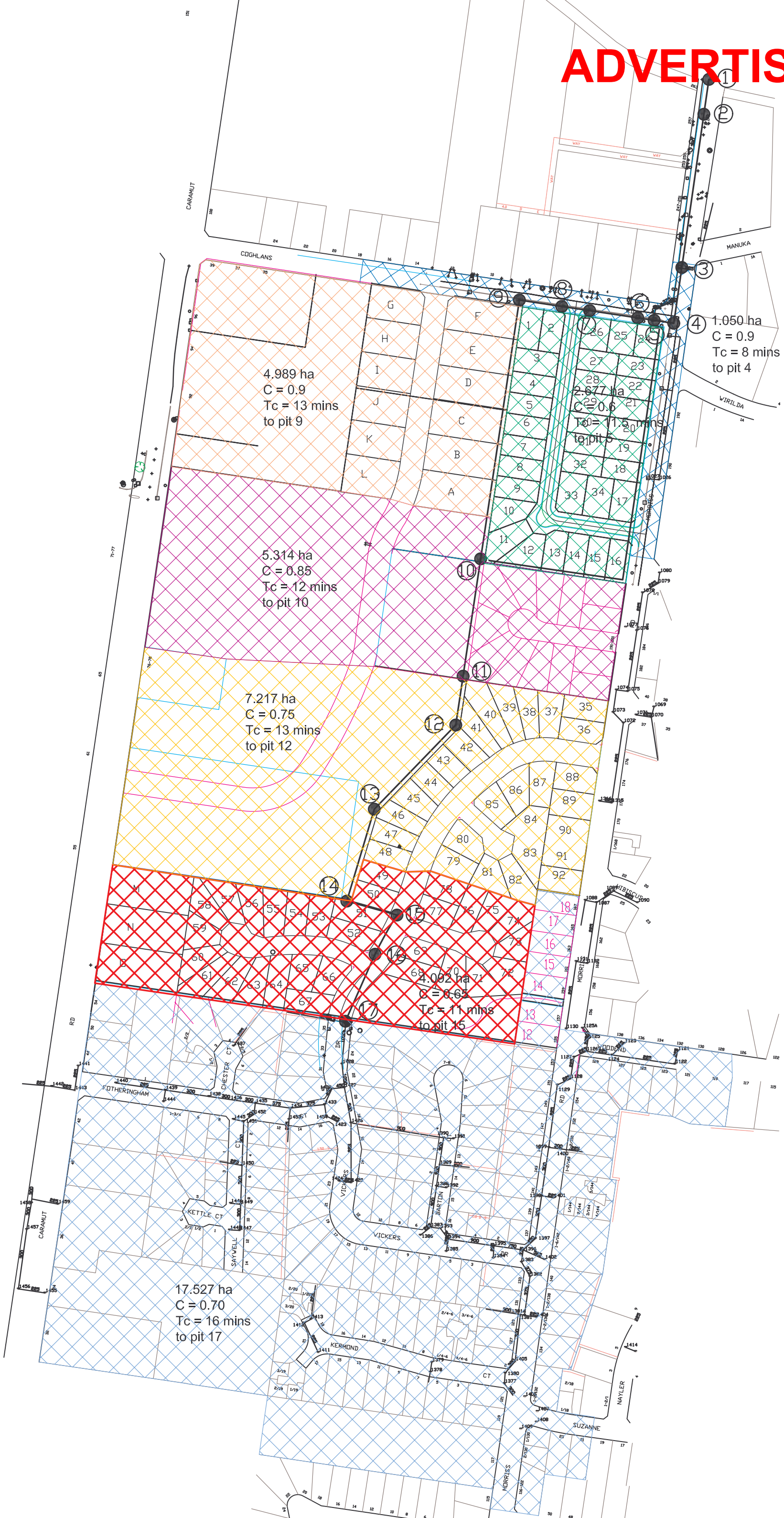
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APPENDIX C

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Proposed Outfall Drainage

Morriss Road Warrnambool

Scheme A

1 in 100 year frequency for entire catchment

Pit US	Pit DS	Area (ha)	CofR	Ae (ha)	Tot.Ae (ha)	Tc (min)	Int'y (mm/h)	ARI (yr)	Qa (L/s)	Qf (L/s)	Qa/Qf	Diam (mm)	Pipe Slope	a.Vel (m/s)	f.Vel (m/s)	Leng (m)	Tp (min)	Tp+Tc (min)	n	Pit Coef	Pit Loss	HGL Slope	HGL US	HGL DS
17	16	13.9	0.6	8.34																				
		3.63	0.9	3.267	11.607	16	70.08	100	2259.5	2391.6	0.94	1350	500	1.58	1.67	62.39	0.62	16.62	0.013	1	0.127	558.12	10.477	10.366
16	15				11.607	16.62	68.82	100	2218.9	2391.6	0.93	1350	500	1.55	1.67	38.24	0.38	17	0.013	1.5	0.184	578.73	10.182	10.116
15	14	3.38	0.6	2.028	13.635	17	68.08	100	2578.4	3167.5	0.81	1500	500	1.46	1.79	44.33	0.41	17.42	0.013	1.5	0.163	751.85	9.953	9.894
14	13	0.71	0.9	0.639	14.274	17.42	67.29	100	2668.1	3167.5	0.84	1500	500	1.51	1.79	81.71	0.76	18.18	0.013	1.6	0.186	702.12	9.708	9.592
13	12				14.274	18.18	65.9	100	2613.1	3167.5	0.82	1500	500	1.48	1.79	99.74	0.93	19.1	0.013	1	0.111	732.02	9.48	9.344
12	11	2.62	0.6	1.572	15.846	19.1	64.3	100	2830.2	3167.5	0.89	1500	500	1.6	1.79	42.11	0.39	19.49	0.013	1	0.131	623.99	9.213	9.146
11	10	4.3	0.6	2.58																				
		0.31	0.9	0.279	18.705	19.49	63.65	100	3307.1	4084.3	0.81	1650	500	1.55	1.91	101.02	0.88	20.38	0.013	1.6	0.195	759.82	8.951	8.818
10	9	3.28	0.9	2.952																				
		0.8	0.9	0.72																				
		1.23	0.6	0.738	23.115	20.38	62.24	100	3996.5	4084.3	0.98	1650	500	1.87	1.91	222.84	1.94	22.32	0.013	1.6	0.285	520.29	8.533	8.105
9	8	2.34	0.9	2.106																				
		2.61	0.9	2.349	27.57	22.32	59.39	100	4548.2	5151.1	0.88	1800	500	1.79	2.02	36.52	0.3	22.62	0.013	1.3	0.212	638.98	7.893	7.836
8	7				27.57	22.62	58.98	100	4516.5	5151.1	0.88	1800	500	1.77	2.02	23.99	0.2	22.82	0.013	1.3	0.209	647.97	7.627	7.59
7	6	2.68	0.6	1.608	29.178	22.82	58.71	100	4758.3	5151.1	0.92	1800	500	1.87	2.02	41.42	0.34	23.16	0.013	1.3	0.232	583.81	7.358	7.288
6	5				29.178	23.16	58.25	100	4721.3	5151.1	0.92	1800	500	1.86	2.02	14.14	0.12	23.28	0.013	1.3	0.228	592.99	7.059	7.036
5	4				29.178	23.28	58.1	100	4708.8	5151.1	0.91	1800	500	1.85	2.02	16.93	0.14	23.42	0.013	1.3	0.227	596.13	6.809	6.78
4	3	1.05	0.9	0.945	30.123	23.42	57.92	100	4846	5255.5	0.92	1800	480	1.9	2.07	48.03	0.39	23.8	0.013	1.3	0.24	480.34	6.54	6.003
3	2				30.123	23.8	57.41	100	4804.1	15167.5	0.32	1800	58	1.89	5.96	131.83	0.37	24.17	0.013	0.2	0.036	572.72	5.236	2.986
2	1				30.123	24.17	56.95	100	4765	8144.6	0.59	1800	200	1.87	3.2	30	0.16	24.33	0.013	0.2	0.036	582.15	2.95	2.8

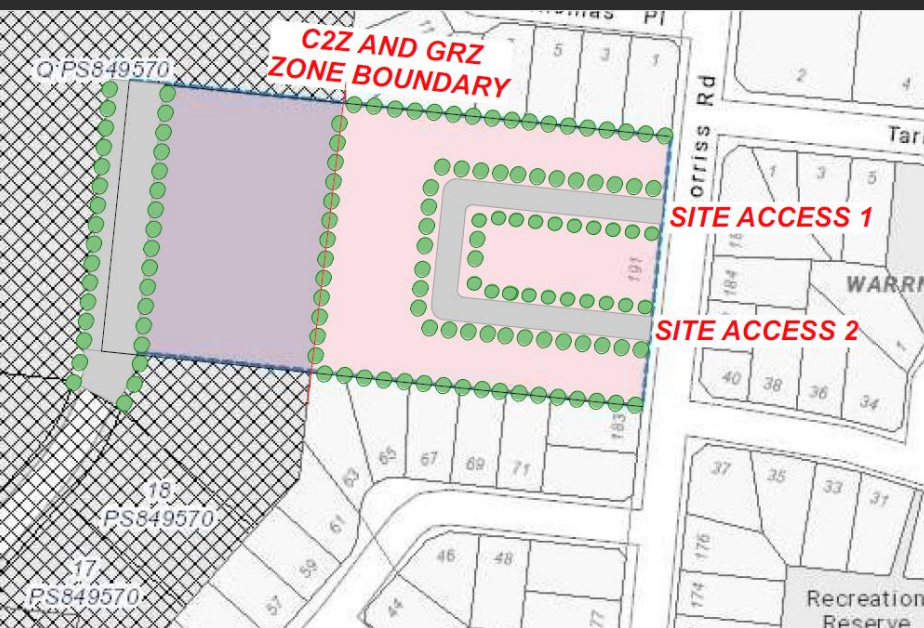
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RedSquare Traffic

Creativity in Transport Engineering

191-201 Morriss Road, Warrnambool Transport Impact Assessment



Prepared for Stuart Benjamin

23 August 2022

Reference J34O32/1221

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REVISION NO.	DATE	PREPARED BY	REVIEWED BY	APPROVED FOR ISSUE BY
1.0	23/06/2022	Sachini H.	Dane W.	Dane W.
2.0	23/08/2022	Sachini H.	Dane W.	Dane W.

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Stuart Benjamin	23 August 2022
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TABLE OF CONTENTS

1	INTRODUCTION	7
1.1	BACKGROUND	7
1.2	REFERENCES	7
2	EXISTING CONDITIONS.....	8
2.1	SUBJECT SITE.....	8
2.2	ZONES & OVERLAYS	9
2.3	ROAD NETWORK.....	12
2.4	TRAFFIC VOLUMES	14
2.5	PUBLIC TRANSPORT NETWORK	14
2.6	ACTIVE TRANSPORT NETWORK	14
2.7	LAND USE.....	14
2.8	CRASH STATISTICS	15
3	PROPOSED DEVELOPMENT	16
3.1	ACCESS POINTS	17
3.2	EXTERNAL CONNECTIVITY	17
3.3	PEDESTRIAN LINKAGES	19
4	PARKING ASSESSMENT.....	21
5	TRAFFIC GENERATION & IMPACT ASSESSMENT	22
5.1	TRAFFIC GENERATION	22
5.1.1	RESIDENTIAL.....	22
5.2	TRAFFIC DISTRIBUTION & ASSIGNMENT	22
5.2.1	RESIDENTIAL.....	22
5.3	TRAFFIC IMPACTS.....	24
5.3.1	External Roads.....	24
6	SCHEDULE 1 TO THE DPO	26



7	SCHEDULE 12 TO THE DDO	27
8	CONCLUSION.....	29



LIST OF FIGURES

FIGURE 1: SUBJECT SITE.....8

FIGURE 2: PLANNING SCHEME ZONES & OVERLAYS 10

FIGURE 3: DESIGN AND DEVELOPMENT OVERLAY 11

FIGURE 4: DEVELOPMENT PLAN OVERLAY 11

FIGURE 5: SUBDIVISION LAYOUT PLAN..... 16

FIGURE 6: ACCESS POINTS 17

FIGURE 7: EXTERNAL CONNECTIVITY..... 18

FIGURE 8: PEDESTRIAN LINKAGES 20

FIGURE 9: TRAFFIC DISTRIBUTION (RESIDENTIAL) 23

FIGURE 10: COGHLANS ROAD 25



LIST OF TABLES

TABLE 1: ROAD NETWORK CHARACTERISTICS	12
TABLE 2: TRAFFIC VOLUMES (SOURCE: VICROADS OPEN DATA TRAFFIC DATABASE)	14
TABLE 3: CRASH DATA (SOURCE: VICROADS OPEN DATA)	15
TABLE 4: TRAFFIC GENERATION (RESIDENTIAL).....	22
TABLE 6: DEVELOPMENT PLAN OVERLAY - TRANSPORT CONDITIONS & REQUIREMENTS	26
TABLE 7: DEVELOPMENT PLAN OVERLAY - SUBMISSION REQUIREMENTS.....	26
TABLE 8: DESIGN AND DEVELOPMENT OVERLAY - TRANSPORT OBJECTIVES.....	27
TABLE 9: DESIGN & DEVELOPMENT OVERLAY - CAR PARKING & DIRECTIONAL SIGNAGE.....	27



1 INTRODUCTION

1.1 BACKGROUND

RedSquare Traffic has been engaged by Stuart Benjamin & Inception Planning ('Clients') to prepare a transport impact assessment for a proposal residential & commercial subdivision at 191-201 Morriss Road, Warrnambool ('Subject Site', 'Site').

Through this assessment, RedSquare Traffic intends to assess the Development Plan associated with the Subject Site to assess relevant transport related implications. The Subject Site falls under the jurisdiction of Warrnambool City Council.

1.2 REFERENCES

The following documents have been reviewed and referred to in this report:

- Austroads Guide to Traffic Management (AGTM) Part 3: Transport Studies and Analysis Methods.
- Austroads Guide to Traffic Management (AGTM) Part 6: Intersections, Interchanges and Crossings Management.
- Austroads Guide to Traffic Management Part 8: Local Area Traffic Management.
- NSW Roads and Traffic Authority Guide to Traffic Generating Developments.
- VicRoads Traffic Volumes – Open Data Hub.
- VicRoads Map of Declared Road – Open Data Hub.
- City of Warrnambool Planning Scheme – Clause 52.06.



2 EXISTING CONDITIONS

2.1 SUBJECT SITE

The Subject Site is located within the area bounded by Morriss Road, Caramut Road and Coghlan's Road in Warrnambool as indicated by Figure 1 below.



FIGURE 1: SUBJECT SITE



The site is currently vacant and vehicle access is *not* facilitated under existing conditions via any crossovers. To the north, south and east are residential dwellings and to the west are commercial lands that are proposed to be developed in the future (Hollingsworth Business Park).

The total land area of the entire block is 19248 m² and currently has a single frontage to Morriss Road, which is approximately 100m in length. The land will function as a two-lot subdivision (with a boundary realignment), with the western portion proposed to be used as a commercial land while the eastern portion will be utilised for residential purposes. It is noted, the commercial land will *not* form part of this assessment.

2.2 ZONES & OVERLAYS

Subject Site falls partly within a *Commercial 2 Zone (C2Z)* and partly within a *General Residential Zone (GRZ1)*. Additionally, a *Design and Development Overlay – Schedule 12 (DDO12)* and a *Development Plan Overlay – Schedule 1 (DPO1)* applies to this Site. As stated above, lands surrounding the development site fall into *General Residential Zone* and *Commercial 2 Zone*.

Warrnambool-Caramut Road is part of the *TR22 – Principal Road Network*.



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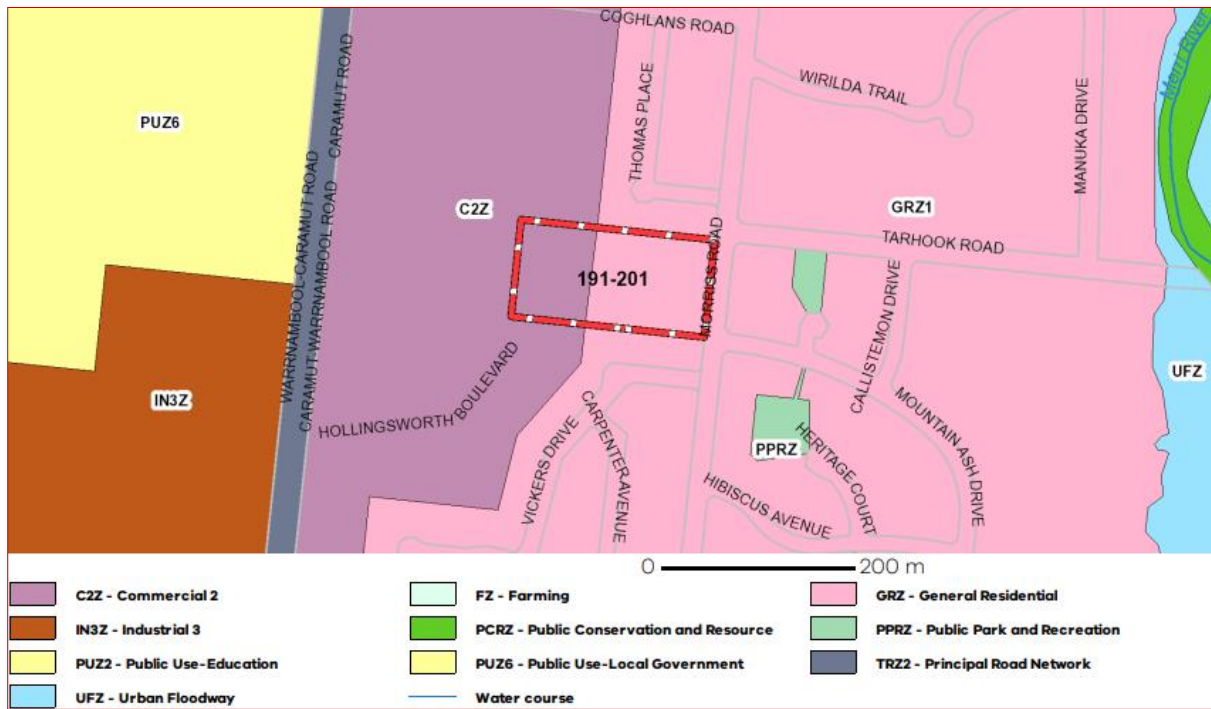


FIGURE 2: PLANNING SCHEME ZONES & OVERLAYS

The *Design and Development Overlay* applies to the portion of the land that is proposed to be included in the two-lot subdivision (boundary realignment), while the *Development Plan Overlay* only applies to the portion that falls within the *General Residential Zone* (Refer to Figure 2 & 3).



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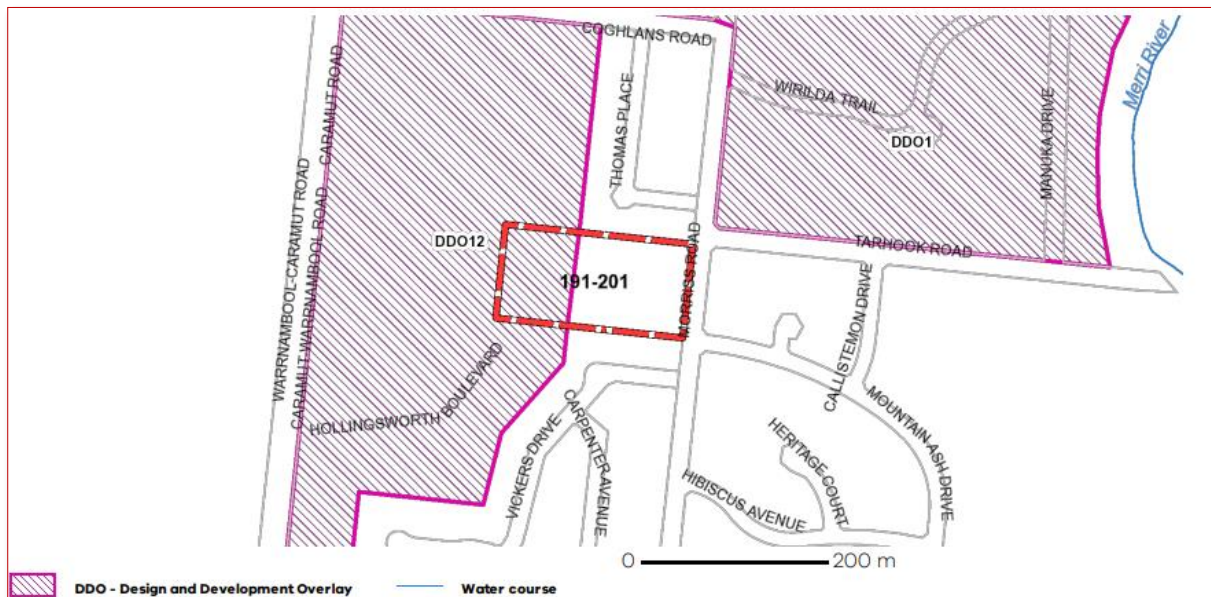


FIGURE 3: DESIGN AND DEVELOPMENT OVERLAY

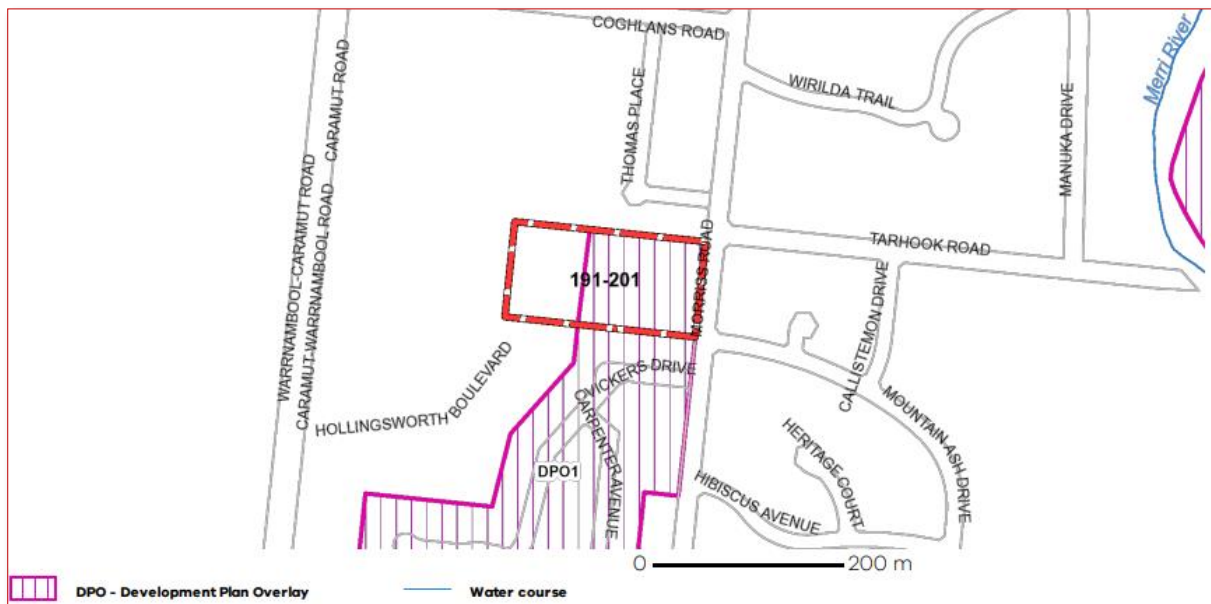


FIGURE 4: DEVELOPMENT PLAN OVERLAY



2.3 ROAD NETWORK

An overview of the existing road network surrounding the Subject Site is presented in Table 1.

TABLE 1: ROAD NETWORK CHARACTERISTICS

	Classification	Road Authority	Carriageway	Traffic Lanes	Active Transport	Speed Limit	Street Parking
Warrnambool - Caramut Road	Arterial	Department of Transport	Single	1 in each direction	Footpath	60km/h	Kerbside parking permitted on shoulder
Coghlan's Road	Municipal	Warrnambool City Council	Single	No lanes marked	Footpaths in certain sections	60km/h	No restrictions, kerbside parking permitted
Hollingsworth Boulevard (Proposed)	Municipal	Warrnambool City Council	TBC	TBC	TBC	TBC	TBC



Morriss Road	Municipal	Warrnambool City Council	Single	1 in each direction	Footpath	60km/h	Kerbside parking permitted
--------------	-----------	-----------------------------	--------	------------------------	----------	--------	----------------------------------



2.4 TRAFFIC VOLUMES

Table 2 summarises the VicRoads Open Data Traffic Volumes along Warrnambool-Caramut Road.

TABLE 2: TRAFFIC VOLUMES (SOURCE: VICROADS OPEN DATA TRAFFIC DATABASE)

Volume Type	Warrnambool-Caramut Road	Princes Highway (A1)
Two Way AADT (Veh/day)	7700	19000
Two Way AADT Trucks (Veh/day)	900	2000

Traffic volumes for Morriss Road and Coghlan's Road are currently unavailable. However, based on land uses it is likely that Morriss Road carries about 1000-1500vpd.

2.5 PUBLIC TRANSPORT NETWORK

Route 1 buses operate along Morriss Road as well as along Coghlan's Road in the immediate vicinity of the Subject Site. Nearest bus stop is located approximately 1.3km away from the proposed subdivision site and equates to a walk of approximately 16 minutes.

Warrnambool Railway Station is located approximately 4.8km away from the Subject Site and if driving would take approximately 7 minutes. However, aforementioned Route 1 bus that operates along Morriss Road provides a connection from near the Subject Site to Warrnambool Railway Station.

2.6 ACTIVE TRANSPORT NETWORK

As expected from a regional area, basic walking and cycling infrastructure surrounds the Subject Site. Footpaths are found along on certain sections of Coghlan's Road and on Morriss Road. No formal crossing points are found on either of these roads, except at the intersection of Caramut Road/Princes Highway (Raglan Parade) and Morriss Road/Princes Highway, where signalised pedestrian crossings are provided. It is noted, 1.5m wide footpaths are proposed for Hollingsworth Boulevard.

2.7 LAND USE

Noteworthy land uses in the vicinity of the Subject Sites include:

- Warrnambool Stadium



- Warrnambool Basketball Inc.
- Brauer College.
- Brauerander Park.
- Merryvale Recreation Reserve.

2.8 CRASH STATISTICS

A review of crash statistics for the roads and intersections surrounding the Subject Sites were sourced from the *VicRoads Crash Statistics* database. This database records fatal and injury (serious/other) crashes on Victorian roads during the latest five-year reporting period and categorises these crashes as follows.

- **Fatal injury:** At least one person was killed in the crash or died within 30 days as a result of the crash.
- **Serious injury:** At least one person was sent to hospital as a result of the crash.
- **Other injury:** At least one person required medical treatment as a result of the crash.

Table 3 below presents a summary of the road crashes in the vicinity the proposed development, where traffic from the subdivisions is anticipated to disperse.

TABLE 3: CRASH DATA (SOURCE: VICROADS OPEN DATA)

Location	Severity	Details
Caramut Road	Other Injury	No collision and no object struck, in a 60km/h speed zone, day light conditions.
Caramut Road/Coghlan's Road	Other Injury	Collision with vehicle at the intersection, in a 60km/h speed zone, night conditions with street lights.
Caramut Road	Serious Injury	Collision with vehicle while performing a U-turn, in a 60km/h speed zone, day light conditions.

As per above, a total of 3 incidents were reported in the vicinity of the Subject Site and no recurring trends can be identified for the recorded crashes.



3 PROPOSED DEVELOPMENT

Through this Development Plan, the land is proposed to be developed into a commercial subdivision as well as a residential subdivision as indicated by Figure 5 below. Lots 37, 38 and 39 are planned to be developed as commercial lots whereas lot 40 will be developed into a residential subdivision. Details regarding the number of lots of the residential land is unknown currently. Dotted line denotes the boundary between Commercial & Residential areas.



FIGURE 5: SUBDIVISION LAYOUT PLAN



3.1 ACCESS POINTS

Whilst specific details about the internal road network is not available yet, it is envisaged that the residential area of the site will gain access from Morriss Road at two access points, as shown below. A loop road is expected to be formed through lot 40, which will facilitate bi-directional traffic movements. It is noted, the internal road will function as common property of the residential subdivision and will not fall under the jurisdiction of any road authority.

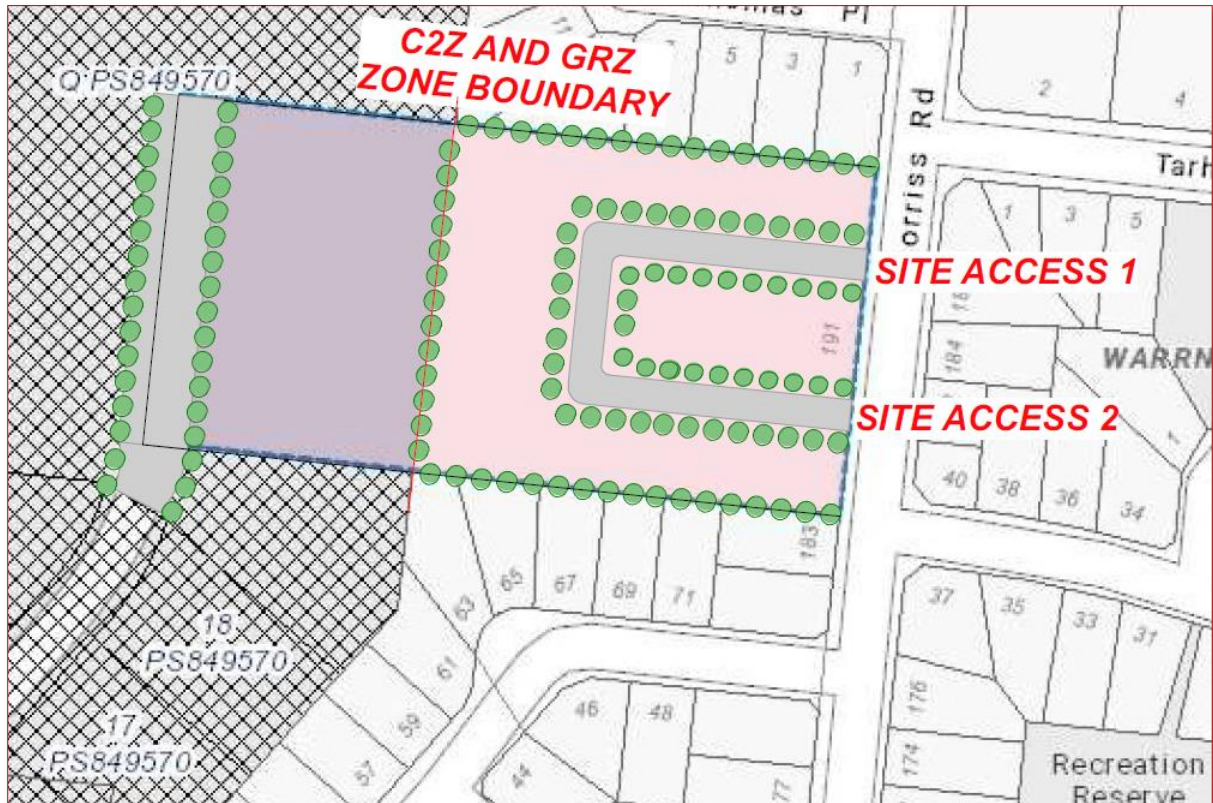


FIGURE 6: ACCESS POINTS

On the other hand, the commercial lots will gain access via the proposed Hollingsworth Boulevard and will have no interference with the residential traffic that will occupy lot 40.

3.2 EXTERNAL CONNECTIVITY

Residential portion of the land is expected to be connected to the external road network through Morriss Road and the traffic will predominantly flow to and from Princes Highway (Raglan Parade).



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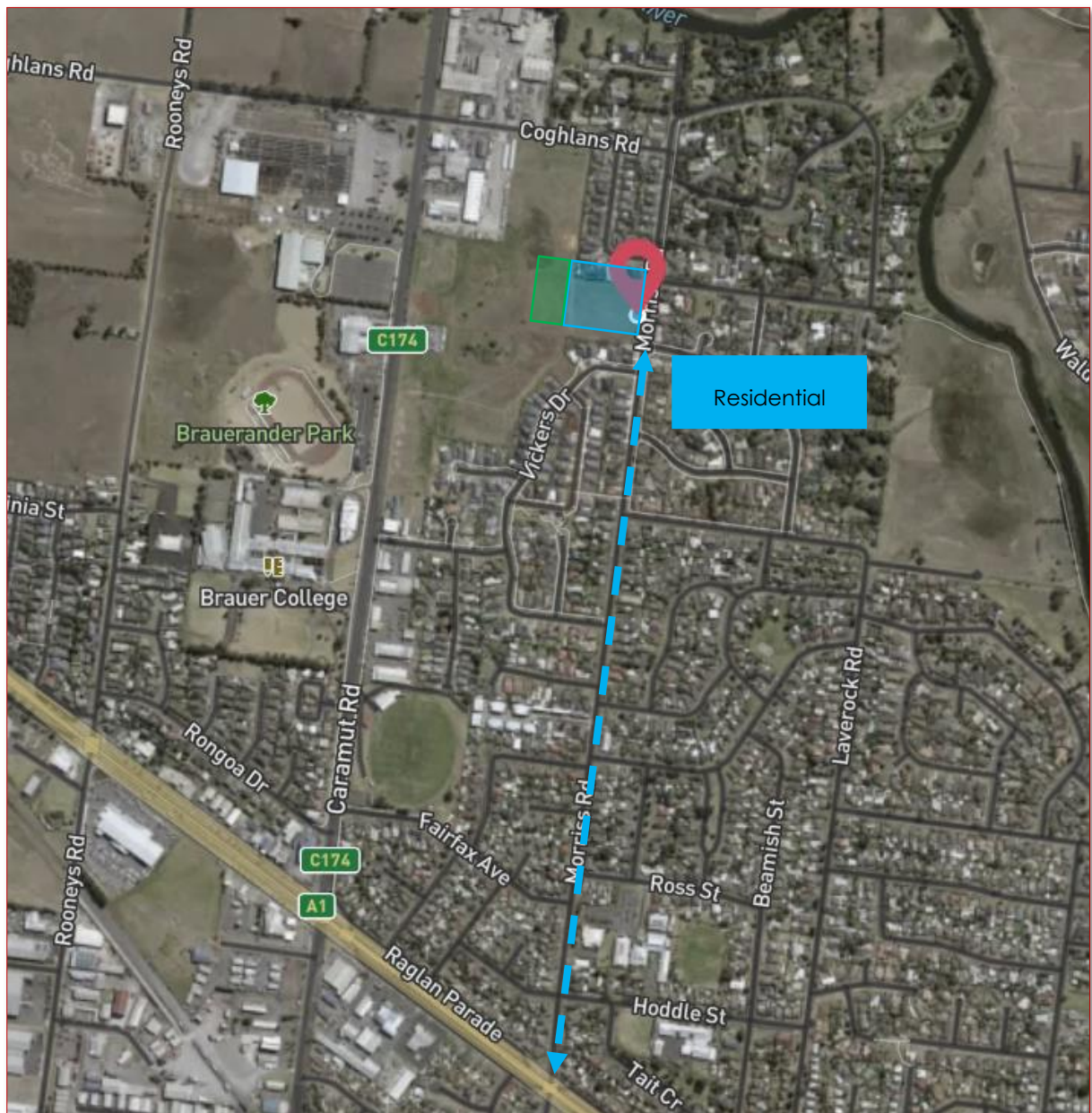


FIGURE 7: EXTERNAL CONNECTIVITY



3.3 PEDESTRIAN LINKAGES

It is expected that the subdivision site will contain footpaths within its internal road network in the future or at a minimum function as appropriate shared zones for vehicles and pedestrians. The pedestrians will be connected with the external pedestrian network via the existing footpaths that are found along Morriss Road.

As expected from a regional area, basic walking and cycling infrastructure surrounds the Subject Site. Footpaths are found along on certain sections of Coghlan's Road and on the entire length of Morriss Road. No formal crossing points are found on these roads, except at the intersection of Caramut Road/Princes Highway (Raglan Parade) and Morriss Road/Princes Highway, where signalised pedestrian crossings are provided.

Figure 8 below shows the pedestrian linkages that are available from the Subject Site.



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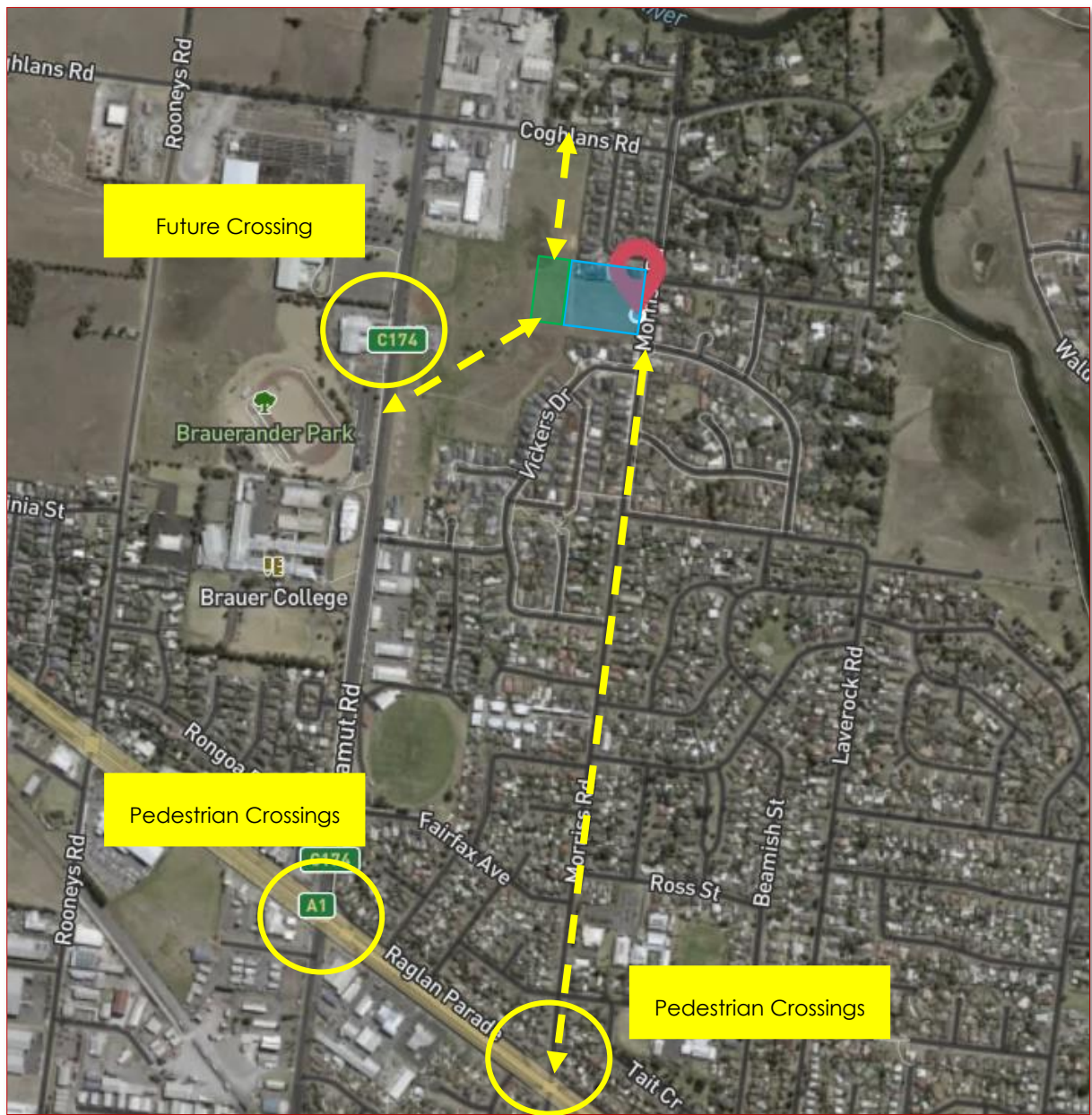


FIGURE 8: PEDESTRIAN LINKAGES



4 PARKING ASSESSMENT

Clause 52.06 of the *Warrnambool Planning Scheme* specifies the car parking requirements applicable to the proposed subdivision developments. Appropriate compliance of these requirements ensures adequate provision of car parking spaces as per the demand likely to be generated, by considering the activities on the land and the nature of the locality while providing opportunities to consolidate the efficient use of car parking facilities.

For residential lots, applicable requirements regarding car parking spaces as per *Clause 52.06* are summarised below:

- 1 car space to each one-bedroom or two-bedroom dwelling.
- 2 car spaces to each three or more-bedroom dwelling (Studies or studios that are separate rooms are counted as a bedroom).
- 1 car space for visitors to every 5 dwelling for developments of 5 or more dwellings.

For the proposed subdivision development, details regarding the number of bedrooms per residential dwelling are *not* available at this stage as this process is high level planning addressing the *Development Plan Overlay*. Upon further detailed development plans, car parking in accordance with *Clause 52.06* will be addressed.

Thus, a detailed analysis of the car parking requirements cannot be undertaken. However, it can be noted that street kerbside parking should typically accommodate for the visitor parking demands.



5 TRAFFIC GENERATION & IMPACT ASSESSMENT

The *RTA Guide to Traffic Generating Development (2002) (RTA Guide)* sets out traffic generation rates based on survey data collected in New South Wales for a range of land uses and is generally applied by VicRoads (DoT) as the standard for metropolitan development characteristics.

5.1 TRAFFIC GENERATION

5.1.1 RESIDENTIAL

Following table specifies the traffic generation rates that have been applied to this development site (residential).

TABLE 4: TRAFFIC GENERATION (RESIDENTIAL)

Land Use	Daily Vehicle Trips	Weekday Peak Hour Vehicle Trips
Residential Lots	9.0 per dwelling	0.85 per dwelling

It is currently unknown how many lots will be formed within the residential portion of the development site. Thus, a detailed traffic generation is unable to be undertaken at this stage.

5.2 TRAFFIC DISTRIBUTION & ASSIGNMENT

5.2.1 RESIDENTIAL

The directional distribution of residential traffic accessing the Sites in the peak hours assumes that 80% of the traffic will exit and 20% will enter the site during the AM peak, and 40% will exit and 60% enter the site during the PM peak hour periods (*Source: Traffic Engineering and Management, K W Ogden and S Y Taylor, 2017, Section 34.6*).

Having regard to the site's locality within the Warrnambool Township, the majority of the traffic are likely to be generated to/from the southeast and will use Princes Highway and Morriss Road to access the town. Accordingly, RedSquare Traffic expects that the traffic distribution will be as follows.

- 85% to and from south and east.
- 15% from north and west.



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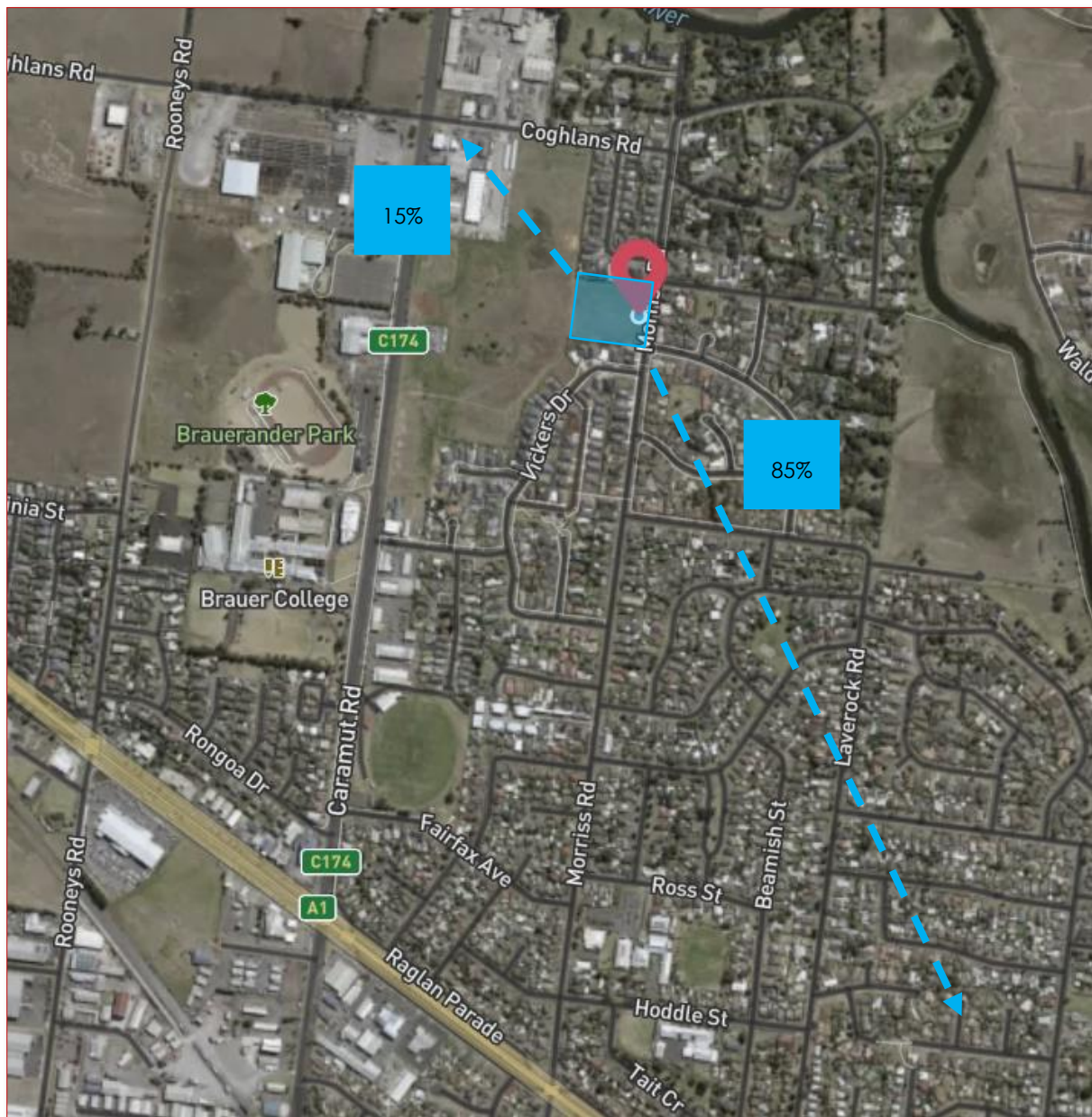


FIGURE 9: TRAFFIC DISTRIBUTION (RESIDENTIAL)



5.3 TRAFFIC IMPACTS

5.3.1 External Roads

5.3.1.1 Morriss Road

Almost all vehicles of the proposed residential development will utilise Morriss Road to connect with the external road network. Specific details about the traffic generation rates are not available at this stage of the assessment. However, it was observed on site that Morriss Road is currently experiencing low volumes and has sufficient capacity to accommodate a moderate increase in residential traffic.

5.3.1.3 Coghlan's Road

Coghlan's Road facilitates access to a number of residential properties as well as commercial/industrial developments near the intersection with Caramut Road. It was observed during the site inspection that, Coghlan's Road is being used as a route for heavy vehicles as well as passenger cars of these commercial/industrial developments. Therefore, addition of vehicle manoeuvres via the Subject Site is not expected to create any adverse impacts on its mid-block areas.

Presented below is an image of Coghlan's Road captured during the site inspection.





FIGURE 10: COGHLANS ROAD



6 SCHEDULE 1 TO THE DPO

As described above, a *Development Play Overlay (Schedule 1)* applies to the residential portion of the Subject Site. No specific objectives are outlined in this overlay, although it is required that a Development Plan is submitted and approved by the responsible road authority prior to the land being subdivided into more than two lots. Thus, this transport impact assessment intends to support the Development Plan that will be developed by *Inception Planning* in anticipation of gaining approval from Warrnambool City Council prior to being subdivided into residential lots.

The relevant transport related conditions and requirements are summarised below.

TABLE 5: DEVELOPMENT PLAN OVERLAY - TRANSPORT CONDITIONS & REQUIREMENTS

Requirement	Response
All roads which provide direct access to the site must be sealed. Should such a road be identified as a Transport Zone 2 or a Transport Zone 3 the responsible authority will determine the standard of road construction.	Only road providing direct access to the site is Morriss Road (Residential). Morriss Road is a sealed road is not identified as Transport Zone 2 or Transport Zone 3 roads.

The overlay requires the following (transport related) to be submitted with the Development Plan.

TABLE 6: DEVELOPMENT PLAN OVERLAY - SUBMISSION REQUIREMENTS

Requirement	Response
Show suitable road and pedestrian linkages between the site and adjacent areas.	The above requirement in relation to the road and pedestrian linkages have been provided in Section 3.1, 3.2 and 3.3 above, as far as reasonably practical at this stage of the development proposal.



7 SCHEDULE 12 TO THE DDO

As described above, a Development and Development Overlay (Schedule 12) applies to the two-lot subdivision (boundary realignment) of the Subject Site. Following Design Objectives (transport related) are specified via this overlay.

TABLE 7: DESIGN AND DEVELOPMENT OVERLAY - TRANSPORT OBJECTIVES

Requirement	Response
To ensure that new development along Caramut Road enhances the appearance and function of this road.	Not applicable. The development site in consideration is not located along Caramut Road.
To minimise the impact of commercial traffic on adjoining residential amenity and pedestrian traffic.	Several signage treatments have been suggested to discourage the use of Morriss Road. However, a majority of traffic is expected to be drawn towards the intersection of Hollingsworth Boulevard and Caramut Road.
To ensure that car parking, vehicle access and service areas do not visually impinge on front setbacks or affect streetscape elements such as trees and nature strips.	Specific details regarding individual developments are <i>not</i> available at this stage. It is expected that each tenant/owner will comply with these requirements in the future.

Following matters are also specified under Car Parking & Directional Signs under 2.0 – Buildings and works of the Schedule 12.

TABLE 8: DESIGN & DEVELOPMENT OVERLAY - CAR PARKING & DIRECTIONAL SIGNAGE

Requirement	Response
Large areas set aside for car parking should be provided with landscape islands to allow the planting of shade trees and shrubs.	Specific details regarding individual developments are not available at this stage. It is expected that each tenant/owner will comply with these requirements in the future.



Land uses generating regular truck movements are to provide designated truck parking areas in addition to car parking spaces and/or loading bays.

Not applicable.

Vehicle loading and unloading should be designed to occur totally within the site.

Specific details regarding individual developments are not available at this stage. It is expected that each tenant/owner will comply with these requirements in the future.

Common parking areas should be considered as part of any integrated development.

Specific details regarding individual developments are not available at this stage. It is expected that each tenant/owner will comply with these requirements in the future.

Each business should provide appropriate directional signs to assist with the movement of pedestrian and vehicular traffic.

Specific details regarding individual developments are not available at this stage. It is expected that each tenant/owner will comply with these requirements in the future.



8 CONCLUSION

RedSquare Traffic have reviewed all relevant documents pertaining to this Development Plan and have no further recommendations to satisfy any traffic engineering and parking related concerns.



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**BENCHMARK
HERITAGE MANAGEMENT**

**Proposed Residential and Industrial Subdivision at 191 -201 Morriss Road
and 56 Carmut Road, Warrnambool: Cultural Heritage Management Plan**

First Peoples - State Relations Management Plan Number: 18740

Size of Activity: Medium

Sponsor: TW. Hollingsworth Estate (ABN 33 624 829 469)

Date: October 28th, 2022

Heritage Advisor: Matthew Barker

Author: Matthew Barker and Emma Threlfall

Registered Aboriginal Party: Eastern Maar Aboriginal Corporation

Level of Assessment: Desktop, Standard and Complex

ABORIGINAL CULTURAL HERITAGE: None



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Title Page

TITLE OF MANAGEMENT PLAN:	Proposed Residential and Industrial Subdivision at 191 - 201 Morriss Road and 56 Carmut Road, Warrnambool
CHMP NUMBER:	18740
SIZE OF ACTIVITY AREA:	6.5ha (Medium)
LEVEL OF ASSESSMENT:	Desktop, Standard and Complex Assessments
SPONSOR:	TW. Hollingsworth Estate (ABN 33 624 829 469)
HERITAGE ADVISOR:	Matthew Barker
AUTHORS:	Matthew Barker and Emma Threlfall
DATE OF COMPLETION:	October 28 th , 2022
ABORIGINAL CULTURAL HERITAGE:	None
REGISTERED ABORIGINAL PARTY:	Eastern Maar Aboriginal Corporation

Acknowledgements

Benchmark Heritage Management Pty Ltd (BHM P/L) wishes to acknowledge the following people for their assistance and participation in the production of this CHMP:

Eastern Maar Aboriginal Corporation:

Nathalia Guimaraes - Nathalia Guimaraes - RAP Cultural Heritage Manager
 Craig Edwards - On Country Operations Manager
 Emily Corris – RAP Technical Specialist
 John Clarke - General Manager Bio-cultural Landscapes
 Davina Taylor – Strategic Liaison Officer
 Kane Clark – Field Representative
 Tamika Clark – Field Representative
 Fid Chatfield – Field Representative
 Jyran Chatfield – Field Representative
 Phillip Chatfield – Field Representative
 Jindara Chatfield – Field Representative

The Sponsor

TW. Hollingsworth Estate



Eastern Maar
Aboriginal Corporation

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PO Box 546
Warrnambool VIC 3280

28 October 2022

CULTURAL HERITAGE MANAGEMENT PLAN – NOTICE OF APPROVAL

The Eastern Maar Aboriginal Corporation, trading as Eastern Maar Aboriginal Corporation RNTBC, acting as the Registered Aboriginal Party, hereby approve the Cultural Heritage Management Plan as referred to below:

CHMP Name:	Proposed Residential and Industrial Subdivision at 191 -201 Morriss Road and 56 Carmut Road, Warrnambool		
CHMP Number:	18740		
Sponsor:	TW. Hollingsworth Estate	ABN:	33 624 829 469
Heritage Advisor (s):	Matthew Barker		
Author(s):	Matthew Barker and Emma Threlfall		
Cover Date:	October 28 th , 2022	Pages:	i-vii/1-109

Eastern Maar Aboriginal Corporation is satisfied that the CHMP has been prepared in accordance with the standards prescribed for the purposes of Section 53 of the *Aboriginal Heritage Act 2006*, and the CHMP adequately addresses the matters set out in Section 61.

Pursuant to Section 64 [1] of the *Aboriginal Heritage Act 2006* this Cultural Heritage Management Plan takes effect upon the granting of this approval and once a copy is lodged with the Secretary*.

Yours Sincerely,

Marcus Clarke
CEO Eastern Maar Aboriginal Corporation RNTBC

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

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Disclaimer

The information contained in this CHMP references information contained in government heritage databases and similar sources and is, to the best knowledge of Benchmark Heritage Management Pty Ltd, true, and correct at the time of report production. While this CHMP contains a summary of information it does not provide, nor does it intend to provide, an in-depth summary and assessment of all available research materials in relation to the Activity Area. Benchmark Heritage Management Pty Ltd does not accept liability for errors or omissions referenced in primary or secondary sources.

Any opinions expressed in this CHMP are those of Benchmark Heritage Management Pty Ltd and do not represent those of any third parties. Benchmark Heritage Management Pty Ltd have undertaken reasonable efforts to consult with Registered Aboriginal Parties and representatives of Aboriginal community groups who are, to the best of our knowledge and advice, the legal and proper representatives of the local Aboriginal community relevant to the Activity Area. However, Benchmark Heritage Management Pty Ltd will not be held responsible for opinions or actions which may be expressed by dissenting persons or organisations. This CHMP has been prepared to comply with the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018*.

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Abbreviations

ACHP: Aboriginal Cultural Heritage Place
BA: Bachelor of Archaeology
BHM P/L: Benchmark Heritage Management Pty Ltd
CHMP: Cultural Heritage Management Plan
DGPS: Differential Global Positioning System
EMAC: Eastern Maar Aboriginal Corporation
EVC: Ecological Vegetation Community
FPSR: First Peoples – State Relations
GDA: Geocentric Datum of Australia
GRZ: General Residential Zone
LDAD: Low Density Artefact Distribution
OH&S: Occupational Health and Safety
PAD: Potential Archaeological Deposit
PAS: Potential Archaeological Sensitivity
PH: Potential of Hydrogen
RAP: Registered Aboriginal Part
S: Section
TL: Thermo-luminescence Dating
VAHR: Victorian Aboriginal Heritage Register

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Executive Summary

Compliance requirements are set out in Part 1 of the Cultural Heritage Management Plan.

Activity, Location and Level of Assessment Undertaken

This CHMP has been prepared for the proposed residential and industrial subdivision at 191 -201 Morriss Road and 56 Carmut Road, Warrnambool, in the City of Warrnambool, being Lot 1 TP961748, Lot H PS546634 and Lot P PS814852, herein referred to as the Activity Area. The Activity Area is located in MGA Zone 54. All coordinates presented in this CHMP are referenced to GDA94/MGA54. The Activity Area is 6.5ha in size and is situated within Warrnambool, which lies approximately 220km southwest of the Melbourne CBD (see Map 1 and Map 2). This CHMP comprises a Desktop, Standard and Complex Assessment (see Sections 7.1-7.3 for more detail). A Glossary of Terms is shown in Appendix 3.

Results of Assessment: Desktop

The Desktop Assessment indicated that there are a total of 12 registered ACHPs within the geographic region comprising 11 Artefact Scatters and 1 Low Density Artefact Distribution (LDAD) (Table 3). These ACHPs consist of a total of 13 ACHP components comprising 2 ACHP component types, 11 Artefact Scatters and 1 Low Density Artefact Distribution (LDAD) with 2 components (Table 3). The difference between the number of ACHP and number of ACHP component types is because several ACHP contain two or more ACHP component types. No Aboriginal Historical References were identified within the geographic region. None of these ACHPs were located in the Activity Area. The Desktop Assessment concluded that Artefact Scatters and Low Density Artefact Distributions (LDADs) are the ACHP site types most likely to occur within the Activity Area.

Results of Assessment: Standard

The Standard Assessment was conducted on the 24th of May 2022 and was undertaken by Mathew Barker of Benchmark Heritage Management. Kane Clark and Tamika Clark from the EMAC also participated. Effective ground surface coverage was estimated to be less than 1% due to dense grass, vegetation, and fill mounds. The excavation two auger probes was undertaken in assess the nature of soils. No Aboriginal cultural heritage was located in the Standard Assessment or in the auger probes. The field representatives of the EMAC agreed that the Activity Area was of low potential archaeological sensitivity and agreed to establish the potential for Aboriginal cultural heritage by Complex Assessment to test the site prediction model.

Results of Assessment: Complex

The Complex Assessment was conducted on the 4th-8th, and 11th-13th July 2022 and was undertaken by Matthew Barker (supervisor) and Emma Threlfall of Benchmark Heritage Management; with Fid Chatfield, Jyran Chatfield, Phillip Chatfield and Jindara Chatfield from EMAC. The excavation of seven 1x1m Test Pit and twenty-four Machine Test Pits was undertaken (Tables 6-7, Map 6). No Aboriginal cultural heritage was identified in any of the Test Pits or Machine Test Pits. No dating samples of cultural deposits or stratigraphic layers were obtained due to the absence of Aboriginal cultural heritage. In general, the Complex Assessment revealed that the Activity Area is of low potential sensitivity for Aboriginal cultural deposits.

ADVERTISED**Table of Contents**

Title Page	i
Abbreviations	iii
Executive Summary	iv
Part 1 -Cultural Heritage Management Conditions.....	1
1.0 Management Conditions.....	1
1.1.1 General Condition 1: Cultural Heritage Induction - Prior to the Activity	1
1.1.2 General Condition 2: Notification to EMAC of Commencement/Completion of the Activity - Prior to the Activity/After the Activity	2
1.1.3 General Condition 3: A Copy of the Approved CHMP to be Retained Onsite – Throughout Duration of the Activity	2
1.1.4 General Condition 4: Protocols for Managing and Handling Sensitive Information Relating to Aboriginal Cultural Heritage within the Activity Area. – Throughout Duration of the Activity	2
1.1.5 General Condition 5: Compliance Inspections – Throughout Duration of the Activity	3
1.1.6 General Condition 6: Activity to occur within the Activity Area – Throughout Duration of the Activity	3
2.0 Contingency Arrangements.....	4
Part 2 - Assessment	16
3.0 Introduction	16
3.1 Reasons for Preparing the Cultural Heritage Management Plan	16
3.2 Notice of Intention to Prepare a CHMP	17
3.3 Location of the Activity Area and the Current Landowner	17
3.4 Sponsor for the CHMP	17
3.5 Name, Qualifications and Experience of the Heritage Advisor	18
3.6 Registered Aboriginal Party (RAP) with Responsibility for the Activity Area	18
4.0 Activity Description.....	21
5.0 Extent of the Activity Area Covered by the Cultural Heritage Management Plan	24
6.0 Documentation of Consultation	26
6.1 Consultation in Relation to the Assessment	28
6.2 Summary of Outcomes of Consultation.....	29
7.0 Aboriginal Cultural Heritage Assessment.....	30
7.1 Desktop Assessment	30
7.1.1 Search of the Victorian Aboriginal Heritage Register	30
7.1.2 The Geographic Region	30
7.1.3 Registered ACHPs in the Geographic Region	32
7.1.4 Previous Works in the Geographic Region Relevant to the Activity Area.....	33
7.1.5 Historical and Ethno-historical Accounts of the Geographic Region.....	36
7.1.6 The Landforms and Geomorphology of the Activity Area	39
7.1.7 The Environmental Determinants of the Activity Area.....	39
7.1.8 Land Use History Relevant to the Activity Area.....	41
7.1.9 Conclusions from the Desktop Assessment	44
7.2 Standard Assessment.....	46
7.2.1 Justification for Survey.....	46
7.2.2 Aims of Standard Assessment	46
7.2.3 Standard Assessment Methodology	46
7.2.4 Results of Standard Assessment.....	50
7.2.5 Standard Assessment Obstacles	50
7.2.6 Land Disturbance	50
7.2.7 Ground Surface Visibility and Effective Survey Coverage	50
7.2.8 Aboriginal Cultural Heritage Identified	51

ADVERTISED

7.2.9 Conclusions of the Standard Assessment	51
7.3 Complex Assessment	56
7.3.1 Justification for Sub-Surface Testing.....	56
7.3.2 The Sub-Surface Testing Aims	56
7.3.3 Sub-surface Testing Methodology.....	57
7.3.4 Results of the Sub-surface Testing.....	60
7.3.5 Complex Assessment Constraints and Limitations	67
7.3.6 Conclusions of the Sub-Surface Testing.....	67
8.0 Details of Aboriginal Cultural Heritage in the Activity Area	69
9.0 Consideration of Section 61 Matters	70
9.3 Cumulative Impact Statement.....	70
References	72
Appendices.....	75
Appendix 1: Notice of Intent to Prepare a Cultural Heritage Management Plan	76
Appendix 2: Response from the EMAC.....	79
Appendix 3: Glossary	80
Appendix 4: ACHP Listing Report for the Geographic Region Showing ACHP Components.....	84
Appendix 5: City of Warrnambool Planning Zone Schedules	85
Appendix 6: GDA 94/MGA 54 Co-ordinates.....	107
Maps	
Map 1: Activity Area Location: Regional View	19
Map 2: Activity Area Location: Local View.....	20
Map 3: Activity Area Location: Aerial	25
Map 4: Geographic Region	32
Map 5: Standard Assessment Map.....	49
Map 6: Sub-surface Testing Locations, Test Pits 1-7, Machine Transect Pits 1-24	59
Tables	
Table 1: Typical Activity Depths	21
Table 2: Documentation of Consultation.....	27
Table 3: Site types in the region of the Activity Area	33
Table 4: Auger Probes 1-2.....	46
Table 5: Standard Assessment Photographs.....	56
Table 6: Test Pits 1-7- Stratigraphic Detail.....	61
Table 7: Stratigraphic Details: Machine Transect Pits 1-24	65
Figures	
Figure 1: Indicative Development Plan – Industrial - Commercial 2 Zone (North and West).....	23
Plates	
Plate 1: Western and Central Victorian Aboriginal Languages (Clark 1990: 20).....	38
Plate 2: Belfast and Warrnambool Districts dated 1858, (Source: SLV 2022)	42
Plate 3: Photo of Auger Hole 1 after excavation showing stratigraphy (M. Barker 24/5/22)	47
Plate 4: Photo of Auger Hole 2 after excavation (M. Barker 24/5/22).....	48
Plate 5: View of Activity Area showing slope of rises (M. Barker 24/5/22) facing northwest.....	52
Plate 6: View of Activity Area from a rise (M. Barker 24/5/22) facing west.....	52
Plate 7: View of Activity Area from centre-south rise towards Morris Rd (M. Barker 24/5/22) facing east.....	53

ADVERTISED

Plate 8: View of Activity Area from centre-south rise showing crest and tall weeds (M. Barker 24/5/22) facing northeast.....	53
Plate 9: View of the exposed clay in the northeast of the Activity Area (M. Barker 24/5/22) facing north.....	54
Plate 10: View of exposed soil and fill on the western boundary of Activity Area (M. Barker 24/5/22) facing west.....	54
Plate 11: View showing fill piles in the southwest of the Activity Area (M. Barker 24/5/22) facing south.....	55
Plate 12: View of the 2m tall fennel growing in the centre of Activity Area (M. Barker 24/5/22) facing east.....	55
Plate 13: View of northern end of the Activity Area showing undulating land, possibly fill (M. Barker 24/5/22) facing northwest.....	56
Plate 14: Photo of Test Pit 1 after excavation showing stratigraphic profile (E. Threlfall 4/7/22) facing north.....	58
Plate 15: Photo of Test Pit 2 after excavation showing stratigraphic profile (E. Threlfall 4/7/22) facing west.....	58
Plate 16: Photo of Test Pit 3 after excavation showing stratigraphic profile (E. Threlfall 4/7/22) facing north.....	59
Plate 17: Photo of Test Pit 4 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north.....	59
Plate 18: Photo of Test Pit 5 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north.....	60
Plate 19: Photo of Test Pit 6 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north.....	60
Plate 20: Photo of Test Pit 7 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north.....	61

ADVERTISED**Part 1 -Cultural Heritage Management Conditions****1.0 Management Conditions**

These conditions become compliance requirements once the Cultural Heritage Management Plan is approved. Failure to comply with a condition is an offence under section 67A of the *Aboriginal Heritage Act 2006*.

The Cultural Heritage Management Plan must be readily accessible to the sponsor and their employees and contractors when carrying out the activity.

1.1 General Management Conditions

The following management conditions have been agreed to by the Sponsor, in consultation with Eastern Maar Aboriginal Corporation (EMAC) to manage cultural heritage within the activity area. The Sponsor of this Cultural Heritage Management Plan (CHMP) is responsible for undertaking all management conditions and contingencies as outlined below.

The Sponsor is responsible for ensuring that the activity undertaken as part of this CHMP, adheres to the activity description outlined in Section 4. The Sponsor is responsible for ensuring that no works as part of the activity as outlined in Section 4, are completed outside of the activity area as shown in [Map 1]. Any changes to the activity area, the activity description or the approved management conditions will require an amendment to the CHMP or the preparation of a new CHMP.

1.1.1 General Condition 1: Cultural Heritage Induction - Prior to the Activity

Prior to the commencement of the activity, a cultural heritage induction must be facilitated by a representative of (EMAC) and assisted by a Heritage Advisor. EMAC must be provided with at least two (2) weeks' notice of the intended date of the cultural heritage induction. A booking form must be completed to book a cultural heritage induction, which can be found on the EMAC website www.easternmaar.com.au. This induction will be organised and paid for by the Sponsor.

Prior to the commencement of the activity (or any works associated with the activity) a cultural heritage induction must be undertaken by all personnel involved in the activity (in particular ground disturbing works), including staff/supervisors working permanently within the activity area, and the Sponsor. An inducted Sponsor or supervisor may subsequently provide an in-house induction for additional contractors and staff after the initial induction. The induction will be conducted by a representative of the Eastern Maar Aboriginal Corporation (EMAC) and a Heritage Advisor. The induction will take place on site within the activity area.

A cultural heritage induction booklet will be produced by the Heritage Advisor and contain all relevant CHMP information, including a summary of the key conditions and contingencies outlined in Part 1 of the CHMP. The cultural heritage induction booklet must be kept with a hard copy of the CHMP as General Condition 3 and be used during the initial phase of any works associated with the activity.

The Sponsor/Heritage Advisor will keep a record of induction attendees (e.g., a sign-off sheet) and any induction materials, a copy of which will be made available to EMAC via email, up to no more than two (2) business days after the induction is held.

The induction will include:

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- brief background of the Aboriginal occupation of the activity Area and broader region;
- summary of the assessments conducted during the CHMP;
- specific details of all Aboriginal places located during the CHMP;
- explanation of the conditions and contingency plans contained within the CHMP; and
- the obligations of the Sponsor and all personnel under the Aboriginal Heritage Act 2006 (Vic).

An important focus of the cultural heritage induction is to present personnel with examples of Aboriginal cultural heritage that may occur in the activity area, and to explain the contingency procedures required by the CHMP, should unidentified Aboriginal cultural heritage be found during the conduct of the activity.

1.1.2 General Condition 2: Notification to EMAC of Commencement/Completion of the Activity - Prior to the Activity/After the Activity

The Sponsor must notify EMAC, via telephone call or email, at least ten (10) business days prior to the proposed start date of when the activity is expected to commence. The Sponsor must notify EMAC, via telephone call or email, up to no more than ten (10) business days after the activity has been completed.

EMAC is to ensure that there is an electronic means of confirmation of notification. Confirmation of telephone notification is to be confirmed by email within one (1) business day of the telephone call. During business hours the contact details for EMAC are as follows:

RAP Technical Specialist
Eastern Maar Aboriginal Corporation
Phone: 0452 350 728
Email: admin@easternmaar.com.au

1.1.3 General Condition 3: A Copy of the Approved CHMP to be Retained Onsite – Throughout Duration of the Activity

A hard copy of the approved CHMP must always be available and present onsite for the duration of the activity. The CHMP must be readily available to those undertaking the activity and the hard copy of the CHMP must be able to be provided upon request. The Sponsor is responsible for ensuring that all personnel undertaking the activity are aware of the onsite location of the hard copy of the CHMP.

1.1.4 General Condition 4: Protocols for Managing and Handling Sensitive Information Relating to Aboriginal Cultural Heritage within the Activity Area. – Throughout Duration of the Activity

This CHMP is to be used for the purpose of managing cultural heritage (Section 46 of the Aboriginal Heritage Act 2006) within the activity area defined in this CHMP and is not to be used by the Sponsor, Contractors, or Heritage Advisor for any other purpose.

EMAC reserves the right to have ownership, access, and control of the use of their Aboriginal cultural heritage, Traditional Knowledge, and Traditional Cultural Expressions within this CHMP– including but not limited to artefact descriptions and photos, locations of cultural heritage, oral histories and statements provided, tangible and intangible cultural heritage knowledge and information.

There shall be no communication, public release, or publishing of information within the CHMP, without the written permission of EMAC - including for academic and commercial use.

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- There shall be no communication, public release, or publishing of information concerning Aboriginal cultural heritage, without the written permission of EMAC – including academic and commercial use.
- No onsite photographs or information concerning Aboriginal cultural heritage, by a Sponsor, Contractor, or Heritage Advisor, is to be circulated to the media or via social media without the written permission of EMAC – including academic and commercial use.

1.1.5 General Condition 5: Compliance Inspections – Throughout Duration of the Activity

A minimum of one (1) Compliance Inspection must be completed by an Eastern Maar Aboriginal Corporation representative over the duration of the activity to review the progress of the activity, determine if any unexpected cultural heritage has been uncovered in the works area/s and check that each applicable condition and contingency contained within the approved CHMP is in effect. The inspection must occur following each stage of ground stripping within the activity area. All excavated soil must also be retained for inspection.

The requirement for additional inspections, up to the maximum of three (3) inspections must be determined in consultation with the Eastern Maar Aboriginal Corporation unit after completion of the first inspection.

An Eastern Maar representative must conduct the inspections. If the inspections reveal suspected non-compliance with the approved CHMP, then the procedure outlined in Contingency 3 must be initiated.

If Aboriginal cultural heritage is identified during the inspections, then the procedure outlined in Contingency 4 or 5 must be initiated accordingly. If the inspection reveals a suspected breach of the Victorian Aboriginal Heritage Act 2006 then this must be reported to First Peoples State Relations (FP-SR) immediately and an Authorised Officer or Aboriginal Heritage Officer may be called out and/or a Stop Order may be issued by FP-SR.

Eastern Maar Aboriginal Corporation must be notified at least four (4) weeks before the Inspections are required, prior to or during the activity

The procedures outlined in this condition must be organised and paid for by the Sponsor.

1.1.6 General Condition 6: Activity to occur within the Activity Area – Throughout Duration of the Activity

All works associated with the activity must be conducted within the area delineated within this approved CHMP as Maps 1-3 show.

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2.0 Contingency Arrangements



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EMAC COMMUNICATIONS MEMO – CHMP CONTINGENCY PLANS

The below contingencies must be presented in Part 1 of all CHMPs conducted within the Eastern Maar Aboriginal Corporation (EMAC), Registered Aboriginal Party (RAP) boundary area.

1. Contingency Plans

This section of the assessment contains contingency plans to facilitate appropriate heritage management during the proposed activity and to fulfil the requirements set out in Schedule 2 Clause 13 of the Aboriginal Heritage Regulations 2018.

At the time of approval of this CHMP, the Registered Aboriginal Party (RAP) for the activity area was the Eastern Maar Aboriginal Corporation (EMAC). All references to 'the RAP' throughout this section of the CHMP are references to the EMAC.

1.1. Contingency 1: Matters Referred to in Section 61 of the Act

This CHMP contains contingency plans that are specific to the activity and activity area (Part 2) as described within Section 4 (activity area) of this CHMP. If changes are made to the activity and/or activity area that require statutory authorisation, or which require changes to the management conditions, following the approval of the CHMP, the Sponsor will likely be required to undertake and submit a new CHMP or apply to amend the approved CHMP.

If Aboriginal cultural heritage is unexpectedly discovered during the activity, the following contingencies (which consider matters referred to in Section 61 of the *Aboriginal Heritage Act 2006* with regard to harm avoidance and minimisation) must be implemented by the Sponsor or the relevant delegate.

1.2. Contingency 2: Dispute Resolution

Clause 13 (1) Schedule 2 of the regulations requires that a CHMP must contain a contingency plan for the resolution of any disputes between the Sponsor and RAP or relevant Traditional Owner representatives, in relation to the implementation of an approved CHMP or the conduct of the activity. Disputes may occur at various stages during the activity. Procedures for dispute resolution aim to ensure that all parties are fully aware of their rights and obligations, that full and open communication between parties occurs, and that those parties conduct themselves in good faith.

If a dispute arises that may affect the conduct of the activity, resolution between parties using the following informal dispute resolution guidelines is recommended.

Informal Dispute Guidelines

- a) The party raising the dispute will complete a Notice of Dispute Form (included below) and email a copy to all parties listed in the Notification contingency in this CHMP.

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- b) All disputes will be jointly investigated and documented by both parties (RAP and Sponsor).
- c) Authorised representatives of each party (RAP and Sponsor) will attempt to negotiate a resolution to any dispute related to cultural heritage management of the activity area, within two (2) business days or written notice being received.
- d) Where a breach of the CHMP conditions has been identified, authorised representatives of both parties (RAP and Sponsor) must endeavour to agree upon the best method of correction or remediation.
- e) If the authorised representatives of both parties (RAP and Sponsor) cannot reach an agreement, then the authorised representatives of both parties (RAP and Sponsor) will negotiate a resolution to an agreed schedule.
- f) If the authorised representatives of both parties (RAP and Sponsor) fail to reach an agreement, an independent mediator should be initially sought to assist in resolving the dispute. Both parties (RAP and Sponsor) must agree upon a timeframe for the independent mediator.
- g) If an independent mediator cannot be agreed on or fails to resolve the dispute with the allowed timeframe, the Victorian Aboriginal Heritage Council may be approached for their willingness to act in resolving the dispute.
- h) If it is deemed that a cultural heritage audit is required, the Heritage Advisor will contact the Secretary of the process. A cultural heritage audit may also be ordered by the Minister under the *Aboriginal Heritage Act 2016*.

Regardless of the category of dispute, the informal dispute guidelines do not preclude:

- a) The parties seeking advice from First Peoples - State Relations to assist in resolution of the dispute; and
- b) Any legal recourse that is open to the parties (RAP and Sponsor) being undertaken, however, the parties must agree that the above resolution mechanism will be implemented before such recourse is made.

1.3. Contingency 3: Reviewing Compliance with the CHMP

Under the *Aboriginal Heritage Act 2006*, the conditions and contingency plans outlined within this approved CHMP must be complied with as written. Breaching the conditions and contingency plans contained within the approved CHMP is an offence under s.67A of the *Aboriginal Heritage Act 2006* and penalties apply.

To ensure compliance with the conditions and contingency plans outlined within this approved CHMP, the Sponsor should review the following checklist both prior to and throughout the course of the activity. Any negative responses to the following questions in the checklist may indicate that the conditions and contingency plans of the approved CHMP have been breached and remedial actions for non-compliance should be considered.

The RAP or relevant Traditional Owner representatives may undertake heritage inspections to monitor the progress of the activity and observe whether management conditions and contingency plans outlined within this CHMP have been complied with. A total of three (3) heritage inspections may be undertaken during the activity. The RAP or relevant Traditional Owner representatives must provide the Sponsor with at least three (3) business days' notice prior to the time they wish to enter the activity area. The Sponsor must ensure that the RAP or relevant Traditional Owner representatives are aware of any job safety restrictions or protocols. The RAP or relevant Traditional Owner representatives must comply with any job safety protocols required by the Sponsor and their contractors (if relevant).

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1.3.1. Remedying Non-Compliance within the CHMP.

The Sponsor is responsible for remedying non-compliance with the conditions and contingency plans outlined within this approved CHMP. A non-compliance may trigger the requirement for a cultural heritage audit under Part 6 of the *Aboriginal Heritage Act 2006*. All reasonable costs arising from the meeting and any agreed remedies must be borne by the Sponsor.

If non-compliance is identified the Sponsor must:

- Cease all works within the activity area.
- Notify the RAP or Traditional Owner representatives and notify First-Peoples State Relations at compliance.aboriginalvictoria@dpc.vic.gov.au
- Follow the contingency plans within this CHMP for discovery of Aboriginal Cultural Heritage during the activity.
- Prepare a programme of remedial action in consultation with the RAP or Traditional Owner representatives and a Heritage Advisor.

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Notice of Dispute

Notice issued to: _____

Notice issued by: _____

RAP: _____

Sponsor of CHMP: _____

Under contingency _____ of this CHMP, I/we give notice of the following dispute.

Description of the Dispute.

[Describe the dispute as you see it.]

Impact of the Dispute.

[Describe how the dispute has affected you.]

Proposed Solution as per Dispute Resolution Contingency.

To resolve this dispute, I/we would like *[describe what action/steps you believe would assist to resolve the dispute]*.

Who to Contact About This Notice.

Name: _____

Phone: _____

Email: _____

Postal Address: _____

Signed by:

(as the authorised representative for the party issuing this notice)

Signature: _____

Date: _____

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Compliance Checklist

Question	Yes [Date Completed]	No [Remedy/Comments]
Prior to the commencement of the activity		
Has the CHMP been approved?		
Has a Cultural Heritage Induction been completed?		
Has the RAP been notified of the commencement of the activity?		
Have the specific management conditions outlined in this CHMP, which are required to take place prior to the commencement of the activity been undertaken?		
During the course of the activity		
Have the specific management conditions outlined in this CHMP, which are required to take place during the course of the activity been undertaken?		
After the activity has been completed		
Has the RAP been notified of the completion of the activity?		
Have the specific management conditions outlined in this CHMP, which are required to take place after the activity has been completed been undertaken?		
Changes to the activity or activity area		
If required, has the approved CHMP been amended and approved?		
If required, and if the approved CHMP has not been amended and approved, has a new CHMP been prepared and approved?		
Have all relevant statutory approvals been obtained?		
If Aboriginal Cultural Heritage is discovered during the activity		
<i>As per the contingency:</i>		
Has the activity ceased within at least 10 meters of the discovery, and a stop works buffer implemented?		
Has the stop works buffer been fenced off?		
Has the site manager and/or Sponsor, RAP or Traditional Owner representatives and a HA been notified?		
Has HA been engaged within three business days of notification?		
Has the HA fully recorded and documented the Aboriginal cultural heritage?		

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Has the Sponsor made all reasonable attempts to avoid or minimise harm to the Aboriginal cultural heritage?		
If harm to the Aboriginal cultural heritage cannot be avoided or minimised, has an appropriate archaeological salvage been undertaken?		
Has a report detailing the results of the salvage been submitted to VAHR and the RAP or Traditional Owner representatives within six months?		
Have the removal, custody, curation, and management of the Aboriginal cultural heritage been undertaken in accordance with the relevant contingency plan?		
Have the Sponsor, Heritage Advisor and relevant RAP or Traditional Owner representatives agreed that no further action is warranted?		
<i>If Aboriginal Ancestral Remains are discovered during the activity</i>		
<i>As per the contingency:</i>		
Has the activity within at least 30 meters ceased of the discovery?		
Have the human remains been left in place and protected from harm?		
Have the State Coroner's Office and the Victorian Police been notified?		
If the human remains are confirmed to be Aboriginal Ancestral remains, has the VAHC and RAP been notified?		
Has the appropriate impact mitigation or salvage strategy been implemented?		
Have the Aboriginal Ancestral remains been treated in accordance with the directions of the VAHC?		
Has a suitably qualified and experienced archaeologist fully documented and clearly marked the reburial site(s) and provided all details to VAHR?		
Has this been done in consultation with the RAP?		
Have appropriate management measures been implemented to ensure that the remains are not disturbed in the future?		

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1.4. Contingencies in Relation to the Discovery of Aboriginal Cultural Heritage During the Activity

1.4.1. Contingency 4: Unexpected Discovery of Aboriginal Cultural Heritage (Excluding Human Remains)

Secret/Sacred Objects

As per Section 4 of the *Aboriginal Heritage Act 2006* a Secret or sacred object includes an Aboriginal object directly associated with a traditional Aboriginal burial

- I. Any suspected Secret / Sacred Objects must be reported to the Victorian Aboriginal Heritage Council, as per Part 2, Division 3 (Sections 21-2) of the *Aboriginal Heritage Act 2006*.
- II. All works must stop within at least 10 metres of the objects
- III. The Victorian Aboriginal Heritage Council will transfer the object/s to an Aboriginal person that the Victorian Aboriginal Heritage Council is satisfied is entitled to and willing to take possession, custody, or control of the object/s, or otherwise deals with the object/s as the Victorian Aboriginal Heritage Council thinks appropriate, as per section 21B of the *Aboriginal Heritage Act 2006*.

Aboriginal Cultural Heritage

If suspected Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains) is uncovered or identified during the activity, the following contingency plan must be followed:

Discovery

- i. The activity must cease within at least 10 metres of the suspected Aboriginal cultural heritage, and a stop works buffer must be implemented. Works may continue in the remainder of the activity area.
- ii. The stop works area around the suspected Aboriginal cultural heritage must be fenced off using appropriate temporary fencing (chain wire fence panels with concentric base feet) to protect the suspected Aboriginal cultural heritage from further disturbance. No-go zone signage must be attached to the fencing and be clearly visible.
- iii. The suspected Aboriginal cultural heritage must not be picked up or removed from the stop works area.

Notification

- i. The individual who uncovered or identified the suspected Aboriginal cultural heritage must notify the site manager and/or Sponsor of the discovery immediately.
- ii. The Sponsor must notify the relevant RAP or Traditional Owner representatives and a Heritage Advisor within one business day of the discovery of the suspected Aboriginal cultural heritage.

Assessment

- i. An appropriately qualified Heritage Advisor must be engaged to inspect the suspected Aboriginal cultural heritage within three business days of notification.
- ii. Relevant RAP or Traditional Owner representatives must be provided the opportunity to participate in the inspection.

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- iii. The Heritage Advisor will consult with the relevant RAP or Traditional Owner representatives regarding the management, collecting and recording of the cultural material. The Heritage Advisor will notify the Secretary of the discovery and any agreements.
- iv. If the suspected Aboriginal cultural heritage is assessed by the Heritage Advisor to be Aboriginal cultural heritage, then the Heritage Advisor must fully record and document the Aboriginal cultural heritage, and the following site protection, impact mitigations or salvage conditions must be completed.

Impact Mitigation or Salvage

- i. It is the obligation of the Sponsor to ensure that all reasonable attempts to avoid or minimise harm to the Aboriginal cultural heritage have been undertaken, in consultation with the RAP or Traditional Owner representatives.
- ii. If the Aboriginal cultural heritage is determined to be significant (for example, an intact cultural deposit), site protection or impact mitigation conditions may be required. If site protection or impact mitigation measures are not possible a salvage excavation of part or all of the Aboriginal place may be required prior to the activity proceeding.
- iii. In the situation where a salvage excavation is required the following process must be adhered to:
 - a) The extent and methodology of the salvage program will be determined by the RAP or relevant Traditional Owner representatives, in consultation with the Heritage Advisor and Sponsor.
 - b) Any salvage program must be undertaken in accordance with First Peoples - State Relations' Practice Note: Salvage Excavations, by a suitably qualified archaeologist/Heritage Advisor with assistance from the RAP or relevant Traditional Owner representatives.
 - c) The Heritage Advisor must update or complete the relevant Victorian Aboriginal Heritage Register (VAHR) place and component forms, including the object collection form, and submit the documentation to the VAHR within fourteen (14) business days of the assessment. The Heritage Advisor must notify the RAP or relevant Traditional Owner representatives, via email, once the VAHR has been updated.
 - d) An archaeological report meeting the Secretary standards and detailing the methods, analysis and results of the salvage program must be submitted to the VAHR, the Sponsor and the RAP or relevant Traditional Owner representatives no later than six (6) months after the salvage excavation has been completed.
 - e) At the completion of analysis, any Aboriginal cultural heritage collected during the salvage program must be managed as outlined in the removal, custody, curation, and management of Aboriginal Cultural Heritage contingency in this CHMP.

Commencement of the activity

- i. The activity may recommence in the stop works area once:
 - a) The Aboriginal cultural heritage material has been identified, fully documented, and assessed, including the collection and analysis of any artefacts by a Heritage Advisor.
 - b) All reasonable attempts to avoid harm and appropriately protect the Aboriginal cultural heritage has been made by the Sponsor in consultation with the RAP or relevant Traditional Owner representatives.
 - c) If harm to the Aboriginal cultural heritage cannot be avoided, then an appropriate archaeological salvage program, meeting the minimum standards as outlined above, has taken place.

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- d) The Heritage Advisor has updated or completed VAHR place and component form(s), submitted the forms to the VAHR within fourteen (14) business days of the assessment, and the forms have been approved.
- e) The Sponsor, Heritage Advisor and the RAP or relevant Traditional Owner representatives have agreed that no further action is warranted.

Dispute Resolution

If all parties fail to reach an agreement under this contingency plan, this will be classified as a dispute. Any dispute that may arise from this process must be dealt with under the Dispute Resolution contingency as outlined in this CHMP.

1.4.2. Contingency 5: Unexpected Discovery of Human and Aboriginal Ancestral Remains

If suspected human remains are discovered, you must contact the Victoria Police and the State Coroner's Office immediately. If there are reasonable grounds to believe that the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be contacted on 1300 888 544.

Any such discovery at the activity area must follow these steps.

Discovery

- a) If suspected human remains are discovered, all activity within at least 30 metres must cease immediately.
- b) The remains must be left in place and protected from harm or damage.
- c) Do not contact the media; do not take any photographs of the remains other than those requested by the relevant authorities below.

Notification

- a) If suspected human remains have been found, the State Coroner's Office (**1300 309 519**) and the Victoria Police (**000**) must be notified immediately.
- b) If there are reasonable grounds to believe the remains are Aboriginal Ancestral Remains, the Coronial Admissions and Enquiries hotline must be immediately notified on **1300 309 519**.
- c) If the human remains are confirmed by State Coroner's Office to be Aboriginal Ancestral Remains, the person responsible for the activity must report the existence of them to the Victorian Aboriginal Heritage Council in accordance with section 17 of the *Aboriginal Heritage Act 2006* (<https://www.aboriginalheritagecouncil.vic.gov.au/report-ancestral-remains-submit>).
- d) If the remains are confirmed to be Aboriginal Ancestral Remains, the RAP or relevant Traditional Owner representatives must be notified immediately as listed in the Notification contingency in this CHMP.
- e) All details of the location and nature of the human remains must be provided to the relevant authorities.

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Impact Mitigation or Salvage

- a) The Victorian Aboriginal Heritage Council, after taking reasonable steps to consult the RAP or relevant Traditional Owner representatives, will determine the appropriate course of action as required by section 18(2)(b) of the *Aboriginal Heritage Act 2006*
- b) An appropriate impact mitigation or salvage strategy as determined by the Victorian Aboriginal Heritage Council must be implemented by the Sponsor. All costs associated with this will be the responsibility of the Sponsor.

Curation and Further Analysis

- a) The treatment of salvaged Aboriginal Ancestral Remains must be in accordance with the direction of the Victorian Aboriginal Heritage Council.

Reburial

- a) Reburial to occur in consultation with the relevant RAP or relevant Traditional Owner representatives.
- b) Any reburial site(s) must be fully documented by an experienced and qualified archaeologist and all relevant details provided to VAHR.
- c) Appropriate management measures must be implemented to ensure the Aboriginal Ancestral Remains are not disturbed in the future.

1.5. Contingency 6: Removal, Custody, Curation, and Management of Aboriginal Cultural Heritage

This contingency relates to the removal, custody, curation, and management of unexpected Aboriginal cultural heritage (excluding Human and Aboriginal Ancestral Remains) discovered during the activity. For management of known Aboriginal cultural heritage see the relevant condition as outlined within this approved CHMP.

Removal

No Aboriginal cultural heritage must be picked up or removed from the activity area, except by a Heritage Advisor during salvage.

Custody

Aboriginal cultural heritage collected during the salvage program can be temporarily stored by the Heritage Advisor until the scientific analysis has been completed. Once the salvage and scientific analysis of the Aboriginal cultural heritage has been completed, the Aboriginal cultural heritage must be repatriated to the RAP (no later than six (6) months after the salvage excavation has been completed).

The custody of Aboriginal cultural heritage (excluding Aboriginal Ancestral Remains, or Secret or Sacred Objects) discovered during or after an activity must comply with the requirements of the *Aboriginal Heritage Act 2006* and be assigned according to the following order of priority, as appropriate:

- a) any relevant Registered Aboriginal Party for the land from which the Aboriginal cultural heritage is salvaged (as outlined above and in the relevant contingency plans)

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Where there is no Registered Aboriginal Party:

- b) any relevant registered native title holder for the land from which the Aboriginal cultural heritage is salvaged
- c) any relevant native title party (as defined in the Aboriginal Heritage Act 2006) for the land from which the Aboriginal cultural heritage is salvaged
- d) any relevant Traditional Owner or Owners of the land from which the Aboriginal cultural heritage is salvaged
- e) any relevant Aboriginal body or organisation which has historical or contemporary interests in Aboriginal cultural heritage relating to the land from which the Aboriginal cultural heritage is salvaged
- f) the owner of the land from which the Aboriginal cultural heritage is salvaged
- g) Museum Victoria

Curation and Management (Reburial)

The RAP will be the caretakers of the Aboriginal cultural heritage and may choose to rebury the artefacts within an agreed location, safe from future development and disturbance. The reburial of the Aboriginal cultural heritage will be organised and paid for by the Sponsor. Sponsors must consider the willingness and the capacity of the proposed custodian to adequately, and appropriately, manage salvaged Aboriginal cultural heritage material.

Access to Activity Area

If the RAP wishes to enter the activity area at any stage during the activity, this must be facilitated by the Sponsor. The RAP must provide the Sponsor with at least three (3) business days' notice prior to the time they wish to enter the activity area. The Sponsor must ensure that the RAP is aware of any job safety restrictions or protocols. The RAP must comply with any job safety protocols required by the Sponsor and their contractors (if relevant). The RAP reserves the right to inspect the location of reburied Aboriginal cultural heritage, once the activity has been completed.

1.6. Contingency 7: Notification

The Sponsor is to ensure that sufficient time is given for written correspondence to reach parties (as tabled below) and for a response to be composed and sent. Notification in email form must be provided in accordance with the timeframes outlined within the relevant contingency plan/s. Email and telephone is the preferred method of communication and notification. Written correspondence in letter/mail form is not preferred, but if this is required, then sufficient time for delivery needs to be considered and a phone call should made to notify of the posting of the letter/mail.

Response to communication must occur by either party (RAP and Sponsor) within three (3) business days or receipt of the communication, unless otherwise agreed by all parties.

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Key Contacts:

Role	Name	Organization	Contact
CHMP Contacts			
Registered Aboriginal Party	RAP Technical Specialist	EMAC	admin@easternmaar.com.au 0452 350 728
Registered Aboriginal Party	Cultural Heritage and NRM Manager	EMAC	craig.edwards@easternmaar.com.au 0475 310 509
Sponsor	Mick Hollingsworth	TW. Hollingsworth Estate	mickh@photosigns.com.au 0418 523 678
Project Manager			
Emergency Contacts			
State Coroner's Office	Coronial Admissions and Enquiries Line		1300 309 519
Victorian Police			000 (Triple 0)
Victorian Aboriginal Heritage Council	Report Ancestral Remains		Ancestral.Remains.Unit@dpc.vic.gov.au
Victorian Aboriginal Heritage Register			VAHR@dpc.vic.gov.au
Compliance			compliance.aboriginalvictoria@dpc.vic.gov.au

1.7. Contingency 8: Subdivision

Schedule 2, Clause 13 (2) of the *Aboriginal Heritage Regulations 2018* states -If the activity is a subdivision referred to in Regulation 49, the contingency plans must address:

- how each lot is intended to be used or developed by the sponsor; or
- if a lot is not intended to be used or developed by the sponsor, the use or development of the lot permitted by the relevant planning scheme.

The Sponsor intends to undertake a residential and industrial subdivision. The activity area is zoned General Residential Zone 1 (East) and Commercial 2 Zone (North and West) and the subdivision will be developed in accordance with the permitted uses for General Residential Zone 1 and Commercial 2 Zone as stated in the [City of Warrnambool Planning Scheme] (Appendix 5).

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ADVERTISED**Part 2 - Assessment****3.0 Introduction**

This Cultural Heritage Management Plan (CHMP) has been prepared for the proposed residential subdivision at 191 - 201 Morriss Road and 56 Carmut Road, Warrnambool; herein referred to as the Activity Area (see Maps 1-2).

The purpose of the CHMP is to identify and assess the nature, extent, and significance of Aboriginal Cultural Heritage Places within the Activity Area. The CHMP provides mitigation, protection, and contingency procedures for the management of cultural heritage values before, during and after development of the land.

3.1 Reasons for Preparing the Cultural Heritage Management Plan

This CHMP is mandatory as the following conditions have been triggered under the *Aboriginal Heritage Regulations 2018* (r.7);

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

Specifically, the Activity Area is located within an area of cultural heritage sensitivity which, in accordance with the *Aboriginal Heritage Regulations 2018*, (37), is defined as:

r37: Volcanic cones of western Victoria

- (1) Subject to subregulation (2), the volcanic cones of western Victoria are areas of cultural heritage sensitivity.
- (2) If part of the volcanic cones of western Victoria has been subject to significant ground disturbance, that part is not an area of cultural heritage sensitivity.

And

The proposed activity is defined as a high impact activity in accordance with the *Aboriginal Heritage Regulations 2018*, 49 (1)

r49 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 or may be used for a dwelling subject to the grant of a permit; and
- (b) the area of each of at least 3 of the lots is less than 8 hectares.

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(2) The subdivision of land into 2 or more lots in an industrial zone is a high impact activity.

(3) In this regulation, industrial zone has the same meaning as in the VPP.

And

The proposed activity is defined as a high impact activity in accordance with the *Aboriginal Heritage Regulations 2018*, Division 5, 46(1) (a&b) (xxix) as:

(1) The construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works—

(a) would result in significant ground disturbance; and

(b) (b) is for, or associated with, the use of the land for any one or more of the following purposes—

(xxix) a warehouse.

3.2 Notice of Intention to Prepare a CHMP

A Notice of Intent (NOI) to prepare this CHMP, as required by Section 54 of the Act was submitted to the Secretary, First Persons- State Relations (FPSR) on the 29th of March 2022. A copy of the NOI is attached as Appendix 1. FPSR replied to the NOI on the 29th of March 2022 and allocated this project with the CHMP Number 18740.

The RAP with responsibility for the Activity Area is the Eastern Maar Aboriginal Corporation (EMAC). A copy of the NOI was sent to the EMAC on the 29th of March 2022. The EMAC responded in writing on the 30th of March 2022 to the Notice of Intent outlining their intentions to evaluate the CHMP (Appendix 2).

3.3 Location of the Activity Area and the Current Landowner

This CHMP has been prepared for the proposed subdivision at 191 -201 Morriss Road and 56 Carmut Road, Warrnambool, in the City of Warrnambool, being Lot 1 TP961748, Lot P PS814852 and Lot H PS546634, herein referred to as the Activity Area. The Activity Area is located in MGA Zone 54. All coordinates presented in this CHMP are referenced to GDA94/MGA54. The Activity Area is 6.5ha in size and is situated within Warrnambool, which lies approximately 220km south-west of the Melbourne CBD.

The Activity Area is located in MGA Zone 54. All coordinates presented in this CHMP are with reference to GDA94/MGA Zone 54. A more detailed description of the location and extent of the Activity Area, including cadastral details, is included in Section 5 of this CHMP.

The property is owned by TW. Hollingsworth Estate (ABN 33 624 829 469).

3.4 Sponsor for the CHMP

The Sponsor for this CHMP is TW. Hollingsworth Estate (ABN 33 624 829 469).

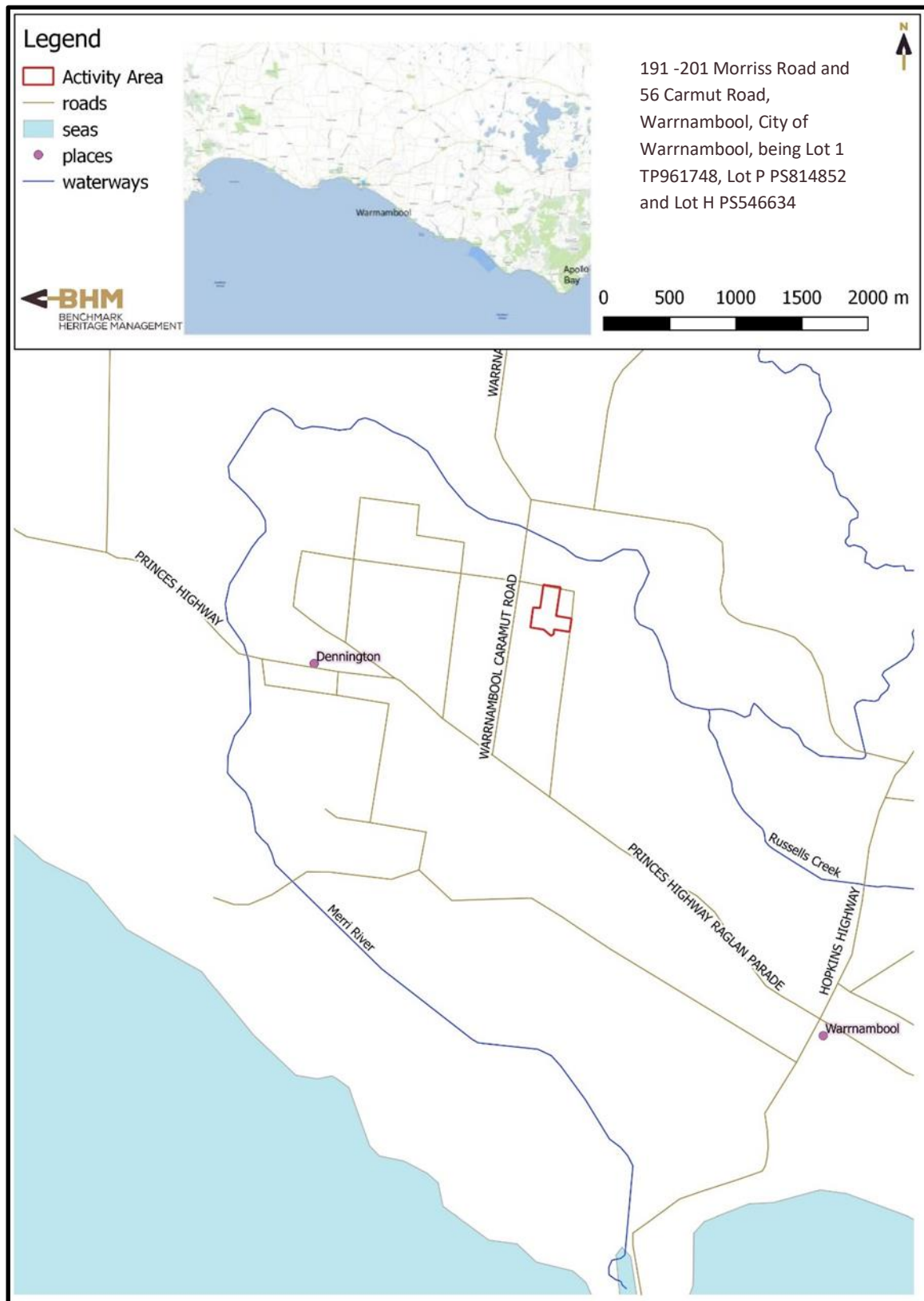
ADVERTISED**3.5 Name, Qualifications and Experience of the Heritage Advisor**

The Heritage Advisor (HA) who has undertaken this CHMP is Matthew Barker. Matthew (supervisor) has a Bachelor of Archaeology (2004) with Honours (2005) in Archaeology from La Trobe University and has been working in the field of Aboriginal archaeology for fourteen years. Matthew was assisted in the field by Emma Threlfall who has a Masters in Archaeology (2022) from the University of New England and has three years working in the field of archaeology.

3.6 Registered Aboriginal Party (RAP) with Responsibility for the Activity Area

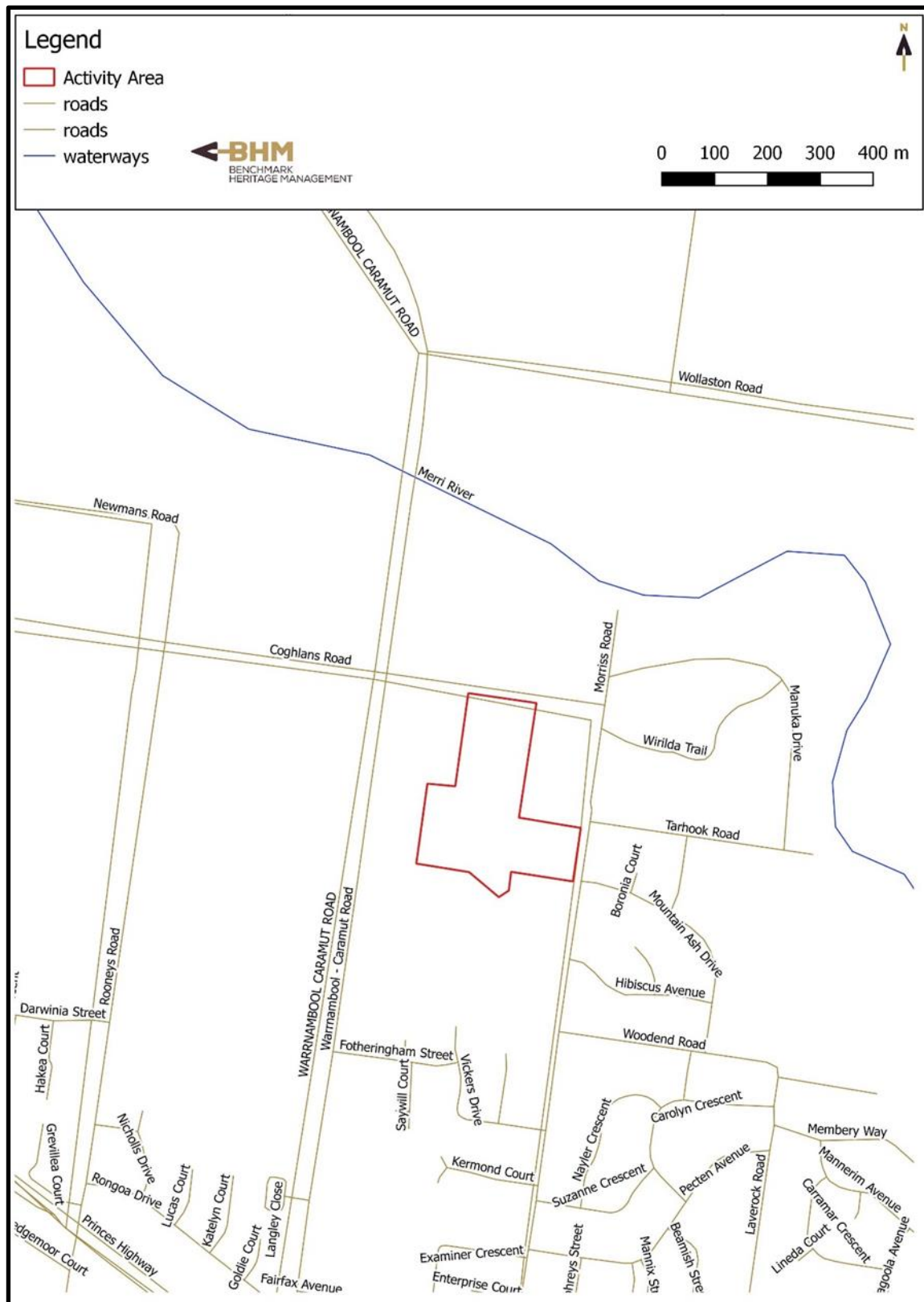
The RAP with responsibility for the Activity Area is the EMAC.

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Map 1: Activity Area Location: Regional View

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Map 2: Activity Area Location: Local View

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4.0 Activity Description

The proposed activity is a residential and industrial subdivision (see Figure 1). The relevant planning scheme (in accordance with Clauses 6 (2) and 10, Schedule 2 of the Aboriginal Heritage Regulations 2018) is the City of Warrnambool Planning Scheme under which the Activity Area is zoned General Residential Zone 1 (East) and Commercial 2 Zone (North and West), and the subdivision will be developed in accordance with the permitted uses for General Residential Zone 1 and Commercial 2 Zone as stated in the City of Warrnambool Planning Scheme (Appendix 5).

Likely Impact on the Surface of the Land

The activities below will involve the removal of topsoil and, for some activities (i.e. any activity involving excavation) the removal and disturbance of buried land soils. The proposed activities would therefore have the potential to harm Aboriginal cultural heritage if it were found to exist within the Activity Area.

The sequence of activities which will occur during the course of any subsequent development is likely to be as follows:

1. Grass and vegetation removal comprising impacts on the ground surface to the upper 100mm.
2. Removal of fill piles.
3. Installation of drainage, utilising heavy machinery through the excavation of open cut trenches, only to depths of 600mm. The top surface of the existing stripped ground 1.0m to either side of the trench may be disturbed during this work.
4. Installation of services (electricity, telecommunications, gas, water) utilising heavy machinery to depths of 300-600mm. As the trench excavations are likely to be relatively shallow and narrow, disturbance either side of the trench is of minimal impact. Excavators and ditchwitches will be used for these narrow trenches.
5. Where possible, shared trenching or common works areas will be used.
6. Excavation for driveways 400mm in depth using a backhoe.
7. Excavation of foundations to 500mm in depth using a backhoe in accordance with the design of the individual purchasers.
8. Construction will then take place in accordance with the design of the Sponsor/individual purchasers.
9. Landscaping works will also occur according to the design of the Sponsor.

A summary of typical trench widths and depths of excavation of each construction activity is provided below in Table 1:

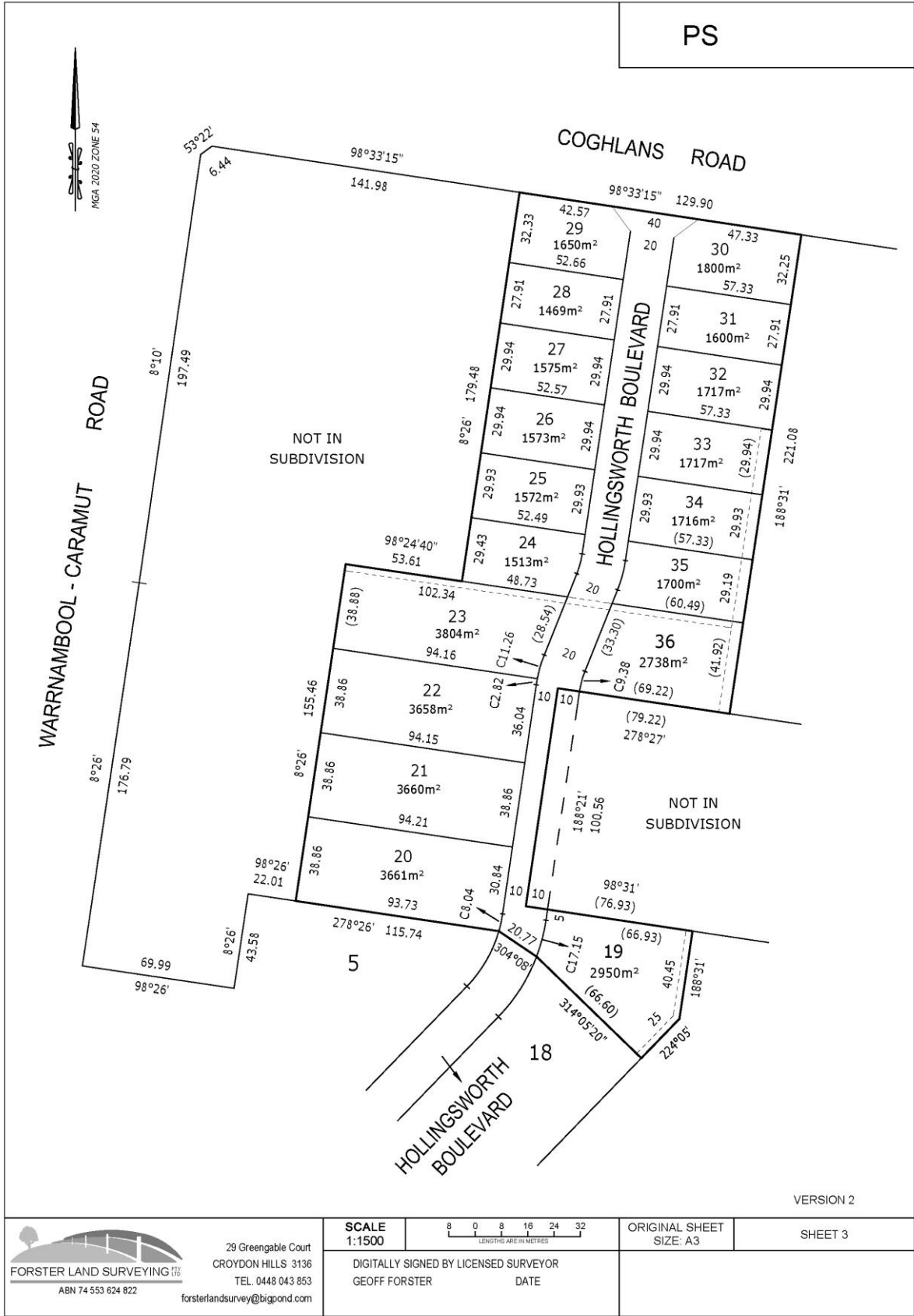
Table 1: Typical Activity Depths

Activity	Width of Trench (m)	Depth Range (m)
Drainage	0.5-1.0	0.6
Grass/vegetation removal	n/a	0.1
Foundations	10.0-30.0	0.5
Driveways	4.0	0.4
Sewer reticulation	0.5-1.0	0.6
Water reticulation	0.3 – 0.5	0.4-0.6
Electricity	0.1-0.3	0.6

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Telecommunications	0.1-0.3	0.3
Gas	0.1-0.3	0.6

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5.0 Extent of the Activity Area Covered by the Cultural Heritage Management Plan

This CHMP has been prepared for the proposed subdivision at 191 -201 Morriss Road and 56 Carmut Road, Warrnambool, herein referred to as the Activity Area. The Activity Area is located in MGA Zone 54. All coordinates presented in this CHMP are referenced to GDA94/MGA54. The Activity Area is 6.5ha in size and is situated within Warrnambool, which lies approximately 220km south-west of the Melbourne CBD.

The existing conditions of the Activity Area are shown in Map 3. The east of the Activity Area comprises densely grassed low rise and hollows. The centre west and southwest are covered in large piles of fill. The north is relatively flat and densely grassed and a large stand of fennel has grown in depression in the centre. There are no structures within the Activity Area. The Activity Area is bordered by houses in the south and east, industrial buildings to the west with Morriss Road to the east and Coghlan's Road to the north.

The Activity Area is located in MGA Zone 54. All coordinates presented in this CHMP are with reference to GDA94/MGA Zone 54.

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Map 3: Activity Area Location: Aerial

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6.0 Documentation of Consultation

This section outlines the consultation which was undertaken in relation to this CHMP and includes references to all relevant documentation submitted for this project.

Consultation was undertaken by BHM P/L on behalf of the Sponsor and comprised:

- 1: A project inception meeting.
- 2: A Standard Assessment results meeting
- 2: A Complex Assessment results; and Management Conditions meeting.

Names and Functions of Representatives Appointed by the RAP

Nathalia Guimaraes - RAP Cultural Heritage Manager
Craig Edwards - On Country Operations Manager
Emily Corris – RAP Technical Specialist
John Clarke - General Manager Bio-cultural Landscapes
Davina Taylor – Strategic Liaison Officer
Kane Clark – Field Representative
Tamika Clark – Field Representative
Fid Chatfield – Field Representative
Jyran Chatfield – Field Representative
Phillip Chatfield – Field Representative
Jindara Chatfield – Field Representative

Documentation of consultation is shown in Table 2.

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Name and Organisation	Participants	Date	Type of Communication	Discussion
BHM P/L	Matthew Barker: BHM P/L	29 th of March 2022	Email	Submission of Notice of Intent to Prepare a CHMP
First Peoples - State Relations		29 th of March 2022	Email	FP-SR replied to the Notice of Intent to Prepare a CHMP and assigned the project number 18740.
BHM P/L	Matthew Barker: BHM P/L	29 th of March 2022	Email	Forward the NOI to the EMAC.
EMAC	Nathalia Guimaraes: EMAC	30 th of March 2022	Email	EMAC response to the NOI
BHM P/L / EMAC/ Inception Planning	Matthew Barker: BHM P/L Davina Taylor, John Clarke, Craig Edwards, Nathalia Guimaraes: EMAC Leah Clark: Inception Planning	4 th of May 2022	Meeting	Inception meeting with the EMAC
EMAC/ BHM P/L	Matthew Barker: BHM P/L Kane Clark and Tamika Clark: EMAC	24 th of May 2022	Standard Assessments and onsite discussion	Standard Assessment onsite including two auger holes, and plan for a Complex Assessment discussed
EMAC/ BHM P/L/ Inception Planning	Matthew Barker: BHM P/L Nathalia Guimaraes, Emily Corris, Craig Edwards: EMAC Steph Durant: Inception Planning	1 st June 2022	Standard Assessment Results Meeting	Results of Standard Assessment discussed and methodology for a Complex Assessment agreed upon
EMAC/ BHM P/L	Matthew Barker, Emma Threlfall: BHM P/L Fid Chatfield, Jyran Chatfield, Phillip Chatfield, Jindara Chatfield: EMAC	4 th -8 th July 11 th -13 th July 2022	Complex Assessment	Complex Assessment completed as per the agreed methodology
BHM P/L / EMAC	Matthew Barker BHM P/L, Nathalia Guimaraes, John Clarke & Emily Corris EMAC, Steph Durant: Inception Planning	9 th of August 2022	Results Meeting	Results of Complex Assessments; Management Conditions

Table 2: Documentation of Consultation

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6.1 Consultation in Relation to the Assessment

The Standard Assessment was undertaken by Matthew Barker of Benchmark Heritage Management P/L on the 24th of May 2022, with EMAC representatives Kane Clark and Tamika Clark; who participated in the survey (Standard Assessment) and excavation of the auger probes, and were consulted in regard to the findings of the Standard Assessment.

The Complex Assessment was conducted on the 4th-8th, 11th-13th of July 2022 and undertaken by Matthew Barker (Supervisor) and Emma Threlfall from Benchmark Heritage, and with EMAC field representatives Fid Chatfield, Jyran Chatfield, Phillip Chatfield and Jindara Chatfield who participated in the excavation of seven 1x1 Test Pits and twenty four 2x1 Machine Test Pits. The EMAC representatives were consulted in regard to the findings of the Standard Assessment.

1. Project Inception Meeting

A project inception meeting was held for this CHMP on the 4th of May 2022. The meeting was attended by Matthew Barker (BHM P/L) Davina Taylor, John Clarke, Craig Edwards, and Nathalia Guimaraes (EMAC) and Leah Clark (Inception Planning).

At the meeting Matthew Barker asked if there was any known oral history in relation to the current Activity Area. In response the EMAC representatives stated that there wasn't.

The purpose of this meeting was to address:

1. Proposed Activity;
2. Current conditions within the Activity Area;
3. ACHPs and reports within the geographic region;
4. Cultural heritage likely to be found within the Activity Area; and
5. Proposed Standard Assessment methodology.

2. Standard Assessment

The Standard Assessment was conducted on the 24th of May 2022 and undertaken by Matthew Barker from Benchmark Heritage, and with EMAC field representatives Kane Clark and Tamika Clark. Effective ground surface coverage was estimated to be less than 1% due to grass, vegetation, and fill mounds. Two auger probes were dug to assess the subsurface disturbance. No ACHPs were located during Standard Assessment.

3. Standard Assessment Results

A results Meeting for the Standard Assessment was held on the 1st of June and attended by Matthew Barker (BHM P/L), Nathalia Guimaraes, Emily Corris and Craig Edwards from EMAC with Steph Durant from Inception Planning. The EMAC representatives requested that a Complex Assessment be undertaken in the Activity Area comprising a series of two 1x1m Test Pits on each landform and 2x1m Machine Transects at 30m spacings on the rises and 60m spacings elsewhere depending on the placement of the fill.

4. Complex Assessment

The Complex Assessment was conducted on the 4th-8th, 11th-13th of July 2022 and undertaken by Matthew Barker (Supervisor) and Emma Threlfall from Benchmark Heritage, and with EMAC field

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representatives Fid Chatfield, Jyran Chatfield, Phillip Chatfield and Jindara Chatfield. It included the excavation of seven 1x1 Test Pits and twenty four 2x1 Machine Test Pits.

The excavations yielded no Aboriginal cultural heritage.

5. Complex Assessment Results and Conditions

A results and Management Conditions meeting was held for this CHMP on the 9th of August 2022. The meeting was attended by Matthew Barker (BHM P/L), Nathalia Guimaraes, John Clarke & Emily Corris (EMAC) and Steph Durant (Inception Planning). The following conditions were proposed by (EMAC) on the.

- Standard EMAC conditions and contingency plans.

EMAC also requested that the Sponsor discuss street naming with EMAC.

6.2 Summary of Outcomes of Consultation

- Three meetings were held between BHM P/L and the EMAC.
- The EMAC provided input regarding the background information, excavation results and conditions contained in this CHMP.

7.0 Aboriginal Cultural Heritage Assessment

7.1 Desktop Assessment

The aim of the Desktop Assessment was to produce an ACHP prediction model, which would assist in the design of the fieldwork, the interpretation of the fieldwork results, the assessment of cultural significance and the design of the Management Conditions. The Desktop Assessment involved a review of:

- Standard ethnographic sources to identify the likely traditional owners and a review of any written and oral local history regarding Aboriginal people in the geographic area;
- Environmental resources available to Aboriginal people within the region of the Activity Area;
- The Victorian Aboriginal Heritage Register (VAHR) at First Peoples – State Relations (FPSR) and previous archaeological studies, to identify any previously registered ACHPs either within or surrounding the Activity Area and the results of previous archaeological assessments;
- The land-use history of the Activity Area, particularly evidence for the extent and nature of past land disturbance; and
- The landforms or geomorphology of the Activity Area and identification and determination of the geographic region of which the Activity Area forms a part that is relevant to the Aboriginal cultural heritage that may be present in the Activity Area.

This information was used to produce an ACHP prediction model (Section 7.1.10). The site prediction model assists in determining the type of ACHPs which may potentially occur within the Activity Area, the possible contents of these sites, the possible past use of the landscape by Aboriginal people and the likely extent of ground disturbance to ACHPs. The information provided by the site prediction model is used constructively in designing the survey strategy, by, for example, allowing the field team to target areas which have a high probability of containing ACHPs. No obstacles were encountered during the preparation of this Desktop Assessment.

7.1.1 Search of the Victorian Aboriginal Heritage Register

The VAHR on-line database maintained by First Peoples – State Relations was searched to identify any previously registered Aboriginal Cultural Heritage Places (ACHPs) within the Activity Area and surrounding geographic region, as well as the results of previous archaeological assessments. The Victorian Aboriginal Heritage Register was searched on 31st of March 2022 by Matthew Barker.

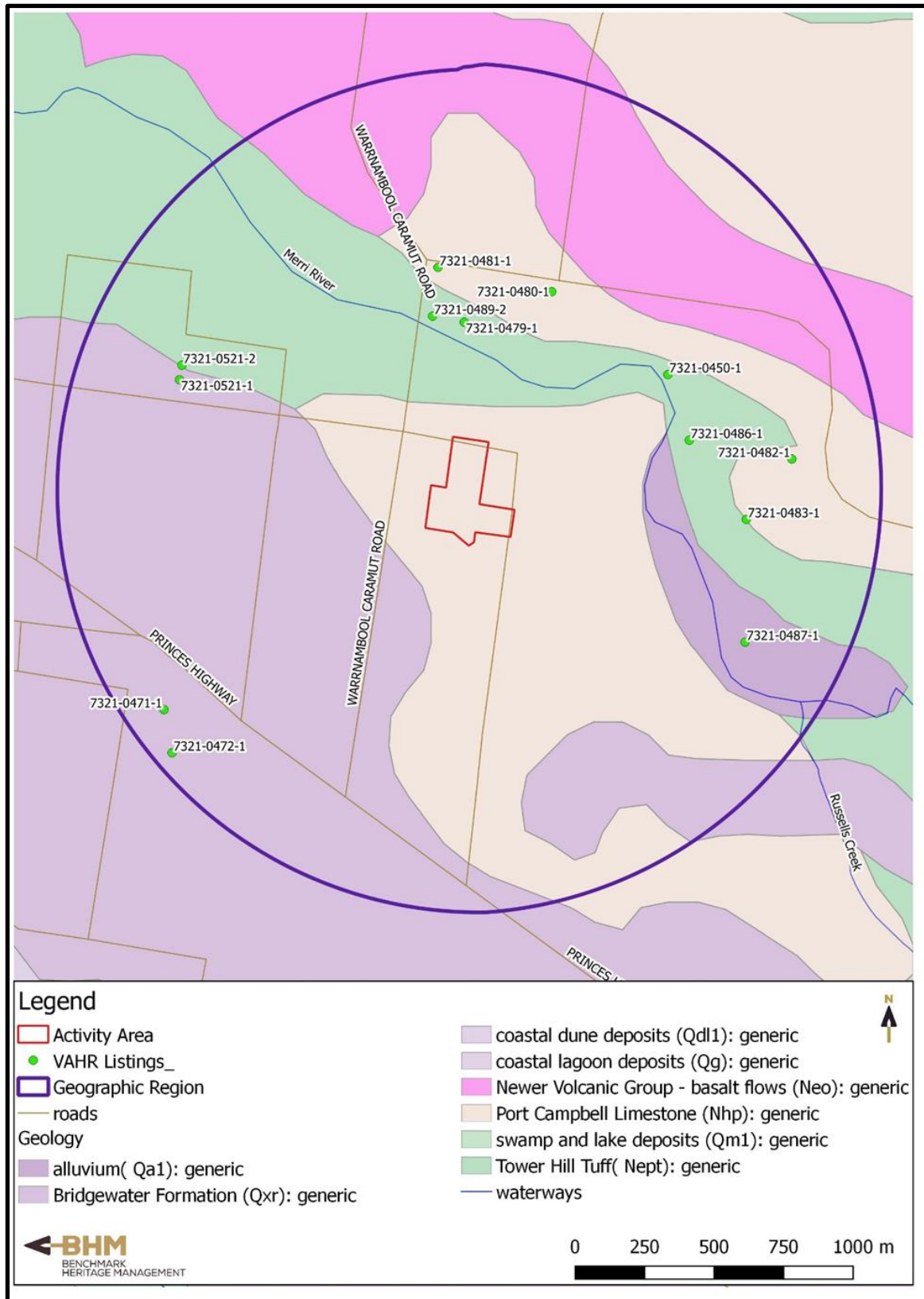
There has been no previous archaeological assessment of the Activity Area. The search indicated that there are no previously recorded ACHPs within 200m of the Activity Area.

7.1.2 The Geographic Region

The geographic region in which the Activity Area is located is defined for the purposes of this Cultural Heritage Management Plan (CHMP) as an area with 1.5km of the Activity Area (Map 4). This area has been identified as the geographic region for the purposes of this CHMP as it is considered to be of relevance to predicting the nature, extent and significance of any Aboriginal cultural heritage located in the Activity Area. Specifically, the geographic region as defined samples a variety of landforms,

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environmental determinants and resources that likely influenced Aboriginal occupation of, and near to, the Activity Area. The geographic region as defined can be considered a microcosm of the broader region and damp sands herb-rich woodlands whilst excluding the coastal environs that are not of relevance to the current Activity Area. The geographic region contains land that has been subject to a similar land-use history to the Activity Area including pastoral/agricultural practices, industrial and residential development, and the construction of infrastructure i.e., roads.

ADVERTISED**Map 4: Geographic Region****7.1.3 Registered ACHPs in the Geographic Region**

No ACHPs are in the Activity Area; however, a small number of ACHPs have been recorded in the geographic region as defined for the purposes of this CHMP. A total of 12 previously registered ACHPs,

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comprising 13 components are located within the geographic region as defined for the purposes of this CHMP. The 12 previously registered ACHPs comprise 11 artefact scatters, and one Low Density Artefact Distributions (LDADs) (see Table 3, Appendix 4). There are no Aboriginal Historic Places within the geographic region.

As evidenced by the discussion above and the details of the ACHPs in the geographic region shown in Table 3, the location of ACHPs in the geographic region is strongly correlated to proximity to the Merri River. ACHPs in the geographic region are located on the geomorphological units, geological formations and landforms that are present in the Activity Area. The majority of ACHPs (n=6) in the geographic region have been located on unnamed swamp and lake deposits on the floodplain of the Merri River. The remainder were located the plain and rises of Port Campbell Limestone (n=3), the Bridgewater Formation n=1) and unnamed alluvium (n=1).

Table 3: Site types in the region of the Activity Area

Site Type	Frequency (No)
Artefact Scatter	11
Low Density Artefact Distribution (LDAD)	1 (with 2 components)

There are no Aboriginal Cultural Heritage Places within 200m of the Activity Area.

7.1.4 Previous Works in the Geographic Region Relevant to the Activity Area

A summary of these works offers a basis on which to form a site prediction model for the current Activity Area by providing an indication of the most sensitive landforms and soils in the region. The information garnered from past studies also assists in focusing the methodology for the Standard and Complex Assessments. Overall, the studies suggest that rises overlooking creeks and the presence of silty and alluvial soils comprise the areas which are most sensitive to the presence of Aboriginal sites. The studies which are most relevant to the Activity Area are outlined and summarised below.

Paynter and Rhodes (2005) prepared an archaeological assessment for Wollaston Road, Warrnambool located 744m northeast of the current activity area. This survey was constrained by the participants not being allowed access to all properties in the study area. Aerial photographs were used to identify areas of potential ground visibility and the desktop assessment indicated sensitive zones. In areas where access was constrained, a windscreen survey from roads was conducted; in other areas pedestrian surveys were carried out. The majority of the areas inspected on foot were densely vegetated paddocks with extremely poor surface visibility. Two Aboriginal places were located, including an isolated silcrete artefact (VAHR 7321-0450) and three silcrete artefacts (7321-0451). Both places were located near Merri River. This study also identified two historic archaeological sites; Merri River hut site (H7321-0033) and Wollaston Road Quarries (H7321-0032). Fieldwork identified various areas of high archaeological potential and noted that the most likely site types to be located within the activity area were stone artefact scatters, multiple feature sites and mounts. The site prediction model suggests that along the Merri River, floodplains, bank terraces, ridgelines, hill slopes and dunes are the areas of highest archaeological potential. The study noted that Aboriginal sites are unlikely to be located in surface contexts due to prior ground disturbance, but that the potential for intact subsurface deposits remains high. Sub-surface investigations were not carried out as part of this assessment.

Dugay-Grist and McAlister (2010) produced a CHMP for Harrington Road Drainage Basin Warrnambool (CHMP 11321). This activity area is located approximately 1.1km southwest of the current activity area. The desktop assessment established that the absence of a permanent waterway within the activity area decreased the potential sensitivity of the area, however its location within the

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Bridgewater dune formation meant the area had some archaeological potential. The Standard Assessment confirmed the presence of landforms of moderate to high Aboriginal cultural heritage, being the rise across the central northern and south-eastern section of the activity area. The entire activity area is considered to have moderate to high potential for the location of Aboriginal cultural heritage places in areas that have not been subject to prior disturbance, due to its location on the Bridgewater Dune landform. On this basis a Complex Assessment was deemed necessary. Two new Aboriginal archaeological places were identified in the central northern activity area (Harrington Road 1 VAHR 7321-0471) and in the south-east (Harrington Road 2 VAHR 7321-0472). Both places were identified within a small excavation area and were not identified as extending beyond the original excavation area when additional STPs were excavated at cardinal points surrounding both TP01; Harrington Road 1 VAHR 7321-0471 comprising one crystal quartz fragment and one small shell fragment in upper, disturbed deposits and STP 17; Harrington Road 2 VAHR 7321-0472 comprising 2 crystal quartz artefacts and a coastal flint artefact. No Aboriginal cultural heritage materials, features or potentially sensitive deposits were identified in any of the other excavation areas within the activity area. The sites were very low density, possibly reflecting the nature of prior Aboriginal occupation of the activity area. The activity area is located within the Bridgewater Sand landform; however it is approximately 1 km from the closest permanent water source, the Merri River to the south. The coastline currently also lies a further 3 km to the south of the activity area. There are no potable water sources available within or adjacent to the activity area and it is therefore likely that more favourable locations were utilised for more permanent camping locations than the current activity area. The density of previously registered Aboriginal places close to the Merri River and the coastline to the south indicate more intensive utilisation of these parts of the region. It is likely that the activity area was used in a transitory and less intensive fashion, leaving fewer material cultural remains.

O'Reilly & McAlister (2011) undertook a CHMP for the Wollaston Road, Warrnambool: Housing Subdivision (CHMP 11662) located 494m northeast of the current Activity Area. The desktop assessment noted that due to its close proximity to Merri River, the activity area contained the potential to locate Aboriginal cultural material. The desktop assessment also noted that the activity area had undergone disturbance in the form of vegetation clearance, ploughing and grazing. The standard assessment noted poor ground surface visibility; however, it was suggested that the entirety of the activity area was considered to have moderate to high Aboriginal cultural heritage potential in areas not previously subjected to prior disturbance. The complex assessment included the excavation of 11 1m² test pits and 257 shovel test pits. The excavation base level was identified across the activity area as clay deposits. A maximum basal depth of approximately 800mm was reached. Eleven shovel test pits were excavated within the current activity area. Shovel test pits were excavated within the northwestern corner and southern portion of the current activity area. The soil profile within the test pits comprised black friable clayey silt overlying a black compact clay to a maximum depth of approximately 400mm. Five Aboriginal Places were identified during the complex assessment, comprising two isolated artefact finds and three medium density artefact scatters. VAHR 7321-0486 comprised four stone artefacts made of silcrete (2) and quartz (2) located at depths of 0–400mm in clayey silt deposits (17 additional artefacts were found during later investigations). VAHR 7321-0482 was an isolated silcrete flake located at depths of 200–300mm in clayey silt. VAHR 7321-0483 was an isolated silcrete flake located at a depth of 100–200mm in silty sand, and VAHR 7321-0487 comprises six quartz stone artefacts retrieved from depths of 0–200mm in silty clay soils, while VAHR 7321-0450 comprised 1 silcrete stone artefact retrieved from depths of 0–400mm in silty clay soils. All five Aboriginal Places were located on the flood plain and elevated volcanic plains landforms within the western portion of the activity area.

In 2012 O'Reilly undertook a CHMP (12329) for the proposed Wollaston Road Development Infrastructure Works: Pipeline, Warrnambool located 1.025km east of the current activity area. The activity area comprised a linear alignment within a road reserve and a section comprising an open

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paddock. It was also noted that the activity area had been subject to previous archaeological survey in 2005 (Paynter & Rhodes 2005). The desktop assessment noted that, further inland from the coastline, Aboriginal Places were predominantly located within close proximity to Merri River and other water sources such as swampland. The activity area was considered to be of low archaeological sensitivity due to its location 500m from Merri River. The desktop assessment discussed prior land-use disturbances, which included initial land clearance, ploughing, grazing and road construction. Due to these land-use disturbances and the location of the activity area more than 500m away from Merri River, further assessment was deemed unnecessary.

In 2019 Dugay undertook a CHMP (15752) for a proposed sewer line extending along the road reserve from Shaw Street to Wollaston Road, Warrnambool. The desktop assessment noted that the activity area had undergone previous disturbance relating to road construction, grazing and other agricultural activities. Due to its location within close proximity to Merri River, the activity area was considered to be of moderate sensitivity for Aboriginal cultural heritage material such as stone artefact scatters and low density artefact distributions. These would most likely be located in surface and shallow subsurface contexts. The standard assessment was hampered by very poor ground surface visibility and a complex assessment was recommended. The soil profiles within the single 1m² test pit and six shovel test pits comprised shallow sticky clay to an approximate depth of 300mm. The complex assessment testing highlighted the shallow nature of the soil deposits and confirmed that the activity area was unlikely to contain any Aboriginal cultural material due to the flat, flood plain landform. High levels of disturbance were also noted across the activity area. No Aboriginal cultural heritage material was located.

In 2020 Mitchell completed a CHMP (16869) for the proposed construction of a sewer pump station at 391 Wollaston Road located 325m north of the current Activity Area. A desktop and complex assessment were completed as part of this CHMP. The desktop confirmed that one previously registered Aboriginal Place, Wollaston Road 4 (VAHR 7321-0489) was located within the activity area. The desktop also noted that some ground disturbance as a result of agricultural activities had occurred within the activity area. The desktop concluded that the activity area contained high potential for the location of Aboriginal cultural heritage material. Two 1m² test pits and 11 50x50cm shovel test pits were excavated during the complex assessment. The complex assessment located three additional quartz stone artefacts associated with VAHR 7321-0489. Testing revealed shallow deposits of black, silty clay overlying damp, compact clay. Previously recorded Wollaston Road 4 (VAHR 7321-0489), additional material was located during the complex assessment. Subsurface artefacts were retrieved from an approximate depth of 100–400mm. In total VAHR 7321-0489 comprising 63 chert stone artefacts and 9 artefacts registered as being made from flint/quartz.

In 2020 James completed a CHMP (16695) for a residential development on Wollaston Road, Warrnambool located 689m west of the current Activity Area. The Desktop Assessment identified one previously recorded Aboriginal Place within the activity area, VAHR 7321-0486 (Wollaston Road 3AS), a very low density, dispersed sub-surface artefact scatter located on a low rise on the eastern bank of the Merri River. Twenty one artefacts were retrieved from a silty clay soil profile and included a range of artefact types including complete and broken flakes, complete and broken blades, angular and one small multidirectional core. The artefacts were manufactured on a range of raw materials including quartz, silcrete, coastal flint and quartzite. The Complex Assessment included the excavation of a 2 x 1m test pit in a previously undisturbed location within the extent of the existing Aboriginal Place on a low rise. The mechanical pit was excavated to 1.5m to test the full depth of possible disturbance. No further Aboriginal cultural heritage was located during the excavation.

In 2021 Burch et al completed a CHMP (17797) for a proposed Residential Subdivision at 130 Coghlan's Road, 270-274 Russell Street and 195-207 Harrington Road, Dennington, Victoria located 982m west

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of the current Activity Area. A Desktop, Standard and Complex Assessment were undertaken, and although two areas of Aboriginal archaeological sensitivity were identified no Aboriginal cultural heritage was located during the excavation.

In 2021 Strickland et al completed a CHMP (17211) for a water main installation on Harrington Road, Shannon Road and Russell Street, Dennington, all within 1km of the current Activity Area. The standard assessment concluded that the slope gradient within the mid slope would not have been a favourable location for short or long-term campsites. However, the lower slope was considered to have some archaeological potential, as it consisted of a gentler gradient and would have been slightly elevated land overlooking the alluvial flats/floodplain. However, it is noted that the lower slope of the sedimentary dune rise is located within approximately 480m of the Merri River that may lower the archaeological potential of this landform. The results of the complex assessment did not corroborate the conclusions of the standard assessment. Aboriginal cultural heritage material (VAHR 7321-0521 Dennington LDAD) was identified at depths between 700 mm - 800 mm and comprises 1 chert and 1 quartz stone artefact, in a deposit of sandy silt (Munsell 7.5YR 3/4, pH 5.5) overlying volcanic ash on the mid slopes of the sedimentary dune rise. The artefacts likely represent discard material of people passing through the landscape from the adjacent ridgeline to the Merri River.

A moderate amount of archaeological work has been conducted within the geographic region, with the majority of these assessments focussing along land immediately adjacent to Merri Creek. Currently, little is known of the archaeological potential of land further afield from Merri River. Only one CHMP (O'Reilly 2012) has been conducted further afield (approximately 500m) from Merri River. The review of previous research has shown that the majority of archaeological investigations within the geographic region have been conducted for service installations and residential developments. Currently, eight CHMPs and archaeological reports have been completed within the geographic region, six of which have located Aboriginal cultural heritage (O'Reilly & McAlister 2011; Mitchel 2020, Paynter and Rhodes 2005, Dugay-Grist and McAlister 2010, James 2020 and Strickland 2021). Excavation carried out as part of these CHMPs have revealed both deeper natural and disturbed topsoil soil profiles. The majority of the activity areas for these CHMPs were disturbed due to past land-use activities including land clearance, market gardening and ploughing. A small number of surface and subsurface artefact scatters have been located during archaeological surveys and excavations carried out within the geographic region. This confirms standard archaeological theory that land adjacent rivers and creeks contains archaeological potential. The Aboriginal Places identified during previous studies were of low density and were located within both disturbed and natural surface and subsurface contexts. Stone artefacts found in the region are manufactured from a range of raw materials including quartz, silcrete, chert, crystal quartz and coastal flint. Artefact types included flakes, cores, and backed implements. These artefact types are representative of the Australian Small Tool Tradition, associated with the mid to late Holocene period.

7.1.5 Historical and Ethno-historical Accounts of the Geographic Region

No specific oral history has been provided in relation to the Activity Area from the EMAC.

The Desktop Assessment must include a review of historical and ethnohistorical accounts of Aboriginal occupation in the geographic region (*r.61 (1) (d)*). Therefore, a review of the historical and ethnohistorical accounts of Aboriginal occupation within the geographic region has been undertaken.

This section provides a review of documentation relevant too Aboriginal historical and ethno-historical accounts related to the Activity Area and surrounding region. An examination of lifeways provides an additional tool in the prediction of locating Aboriginal cultural heritage in specific regions. This is achieved through a broad analysis of the ways in which Aboriginal people utilised landscapes and resources (such as watercourses, flora, fauna, and stone). The following is intended as a basic review

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of resources and should be treated cautiously as the information is based primarily on accounts written just after the point of contact with Europeans (Coutts, Witter & Parsons 1977).

No specific references to Aboriginal use of the Activity Area have been found in published sources. A brief review of Aboriginal history in the region of the Activity Area is set out below. No oral testimony concerning the Activity Area has been received from the EMAC.

The information used to establish pre-settlement Aboriginal spatial organization is mostly based on observations made by Europeans during the initial period of contact and subsequent settlement of the Activity Area (Presland 1994; Goulding 1988: 14-32; Barwick 1984; Clark 1990).

The traditional language group associated with the area is the *Dhauwurd Wurrung*. The *Dhauwurd Wurrung* territories extended over an estimated 7000km² (Plate 1) and was bounded by Caramut and Hamilton to the north, the Hopkins River to the east, the coastline to the south and Cape Bridgewater to the west (Clark 1990: 54). The boundary of Dhauwurd wurrung speaking Aboriginal people extended from the Glenelg River and the Bass Strait coast to the west and south, Eumeralla River to the east and land south of Crawford River and Camp creek to the north (Clark 1990: 54-55). The Hopkins River formed the boundary between the Dhauwurd wurrung and the Girai wurrung to the east (Clark 1990: 54). The exact meaning of the name Dhauwurd wurrung is unknown, however wurrung translates to “tongue, lip, speech or language” (Clark 1990: 31).

The Dhauwurd wurrung were divided into 59 clans, each with a distinct area of land or estate. The clan related to the land surrounding the activity area were the Yarrer gundidj. Their land extended between the Merri River and the Hopkins River. The clan name ‘Yarrer’ referred to salt water between the Merri River and the Hopkins River (Clark 1990: 88).

European settlement in the region had a devastating effect on local Aboriginal populations. Steep declines in population were recorded soon after European settlement in 1844, with introduced diseases heavily impacting the Dhauwurd wurrung people. A census in 1850 taken by the Commissioner of Crown Lands for Portland Bay, William Grey, indicates there was a population of 422 Dhauwurd wurrung people. By 1862 this had dropped to just 157, a decrease of 73% in only 13 years. In 1839 the Aboriginal protectorate scheme was introduced in Victoria. A Chief Protector, Robinson, was appointed and supported by four Assistant Protectors. The role of the protectorates was to provide food, shelter and medical supplies, record cultural and population information and to indoctrinate Aboriginal peoples into European cultural and economic systems. The Assistant Protector assigned to the western district was C. W. Sievwright, who established his headquarters at Thomsons Keilambete run near Terang in February 1841. The Aboriginal protectorate scheme was disbanded in 1949 (Clark 1990: 194- 195). In the 1850s Dhauwurd wurrung people were living on a number of pastoral stations in the district. In 1861 3,500 acres of land on the Hopkins River was reserved by the government for the exclusive use of Aboriginal people (Clark 1990: 197). Responsibility for the mission, Framlingham Aboriginal Station, was given to the Church of England in 1865, however, most Aboriginal groups from the Portland area refused to live on the mission despite sharing a common language with some of the groups settled there (Clark 1990: 48). The Church only managed the site for a year before handing it back to the Central Board for Protection of Aborigines. In 1867 the Board decided to close Framlingham and moved the 73 residents to Lake Condah Mission (Koorie Records Unit 2018).

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Plate 1: Western and Central Victorian Aboriginal Languages (Clark 1990: 20)

Research indicates that the Aboriginal language groups of the area were mobile hunters and gatherers whose clans occupied a specific range over which they moved according to subsistence requirements, trading, and social obligations. Foods that were seasonally abundant, such as eels, would have been important as they allowed for the coalescing of large numbers of people during which social obligations could be met.

Dawson (1881:11) implies that the peoples of the Eastern Maar group residing around the Warrnambool area lived more settled lives than those of other regions. Robinson (in Clark, 2000, 157-158) portrays everyday life in the following statement of the people residing near Lake Pertobe, Victoria;

‘...there were plenty of Aboriginals camping around Pertrobe Lake in Mais-Mais and utilising the fishing resources from the swamps behind the dunes. These dunes were already covered in verdure in 1837, and the first sheep were already grazing on them...go where you would, you could always see or hear them or their cooee, from the Hopkins River to Port Fairy.’

From early ethnographic accounts and contemporary research, it is known that the Aboriginal people of the South West Victoria hunted, fished, or trapped a wide variety of fauna. This dependence on local flora and fauna demanded extensive knowledge of variations in seasonal availability and ecology (Coutts, 1981). The animals hunted throughout Western Victorian Plains included kangaroo,

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emus, possum, bandicoot, koala, echidna, wombat, and a variety of reptiles and smaller marsupials (Bunce, 1859). Birds were caught in nets, traps or by hand. Fishing by trap or spear and eel harvesting were also widely used modes of food procurement throughout south-eastern Australia (Bunce, 1859; Coutts, 1981).

Aboriginal people also placed great reliance upon the procurement of plant foods from their clan estates. While hunting activities often receive priority in contemporary accounts of prehistoric ways of life, the procurement and processing of various plant taxa was of vital economic importance (Gott, 1982: 59-67). The ethnobotanist Gott (2005:1204) estimated that vegetable foods, with 550 species available, gathered from the areas surrounding Western Victorian Plains approximated half of the diet of the Aboriginal population of the region.

Certain plant foods are regarded as having been staples in Aboriginal diets prior to European settlement. The 'Yam Daisy' (Frankel, 1982: 43-45) or 'Murnong' -*Microseris lanceolata*- is particularly noted as having been a staple food throughout the region, and indeed many parts of Victoria. Other plants contributed to nutritional requirements, as well as having medicinal uses or a more utilitarian function in the manufacture of utensils, string, baskets, or clothing (Gott, 1982: 59-67).

7.1.6 The Landforms and Geomorphology of the Activity Area

The activity area is situated within the Western Plains geomorphological unit of the Warrnambool Plain bioregion (DEDJTR 2022a). The Warrnambool Plain bioregion is characterised by a distinctive cliffed coastline and low calcareous dune formations, and is dissected by rivers, inlets, and swamplands.

The activity area is characterised by one distinct geomorphological unit; namely 'Terraces, floodplains and lakes, swamps and lunettes and their deposits (Lough Culvert, Lower Woody Yallock River, Chain of Ponds, Condah Swamp, Lake Murdeduke & lunette)' (Geomorphological unit 6.1.5). This geomorphological unit is a subunit of the Western Plains and is characterised by alluvial terraces and floodplains that formed shallow seaways during the last interglacial period (approximately 125,000 years ago) and the Holocene maximum (approximately 6,000 years ago) (DEDJTR 2022a).

The activity area is characterised by Port Campbell Limestone (Nhp). The Port Campbell Limestone geological formation was laid down during the Miocene epoch of the Neogene period (23.03 - 5.33 million years ago). This geological unit is dominated by Calcarene, with minor inclusions of fine grained calcilutite, clay and sand. Inclusions of bryozoan, mollusc, echinoid, and brachiopod fragments are present, as are minor coarse grained inclusions of calcarenite, quartz sands and clayey silt. These deposits are weakly cemented, moderately bedded continental shelf deposits (DEDJTR 2022b).

The natural soils of the Warrnambool Plain bioregion typically consist of Cainozoic sediments and volcanic deposits (Calcarosols, Tenosols and Podisols) in areas comprising sandy soils, namely along areas characterised by dunes and cliff lines. Brown earths and texture contrast soils (Dermosols and Sodosols) typify the flat plain landscapes, and texture contrast soils and fertile peats (Hydrosols) comprise the swamplands.

7.1.7 The Environmental Determinants of the Activity Area

The Desktop Assessment included a review of the physical context and natural resources present within the geographic region. These environmental variables can determine how people used the landscape in the past. This information is used to gain an understanding of past human behaviours and provides an indication of where ACHPs and heritage places may be located within the landscape. These environmental factors are summarised below.

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- **Climate**

Temperature averages indicate Warrnambool has a cold to hot maximum average of 13.3°C in July to 22.3°C in February. Minimum average temperatures throughout the year range from 6.2°C in July to 13.3°C in February. The annual average rainfall for the area is 743.1mm. These climate conditions would have placed no restrictions on Indigenous or European occupation of the area (LCC 1991).

In the past however, the climatic conditions have fluctuated considerably. The late Pleistocene and early Holocene environment within the geographic region was one of gradual and continuous change (Murphy 2011). The changing environmental conditions provided different sets of resources (access to freshwater, flora, and fauna) for the Aboriginal populations inhabiting the region. During the Pleistocene, sea levels were in general much lower than present. A broad model of climatic change in the region is as follows (Dodson, Fullager & Head 1992, following Murphy 2011):

- 20,000 – 15,000 years ago the climate was cooler, drier, and windier than present. There was reduced vegetation and less water;
- 15,000 – 12,000 years ago the climate was more arid, but temperatures were warmer;
- 12,000 – 8,000 years ago the climate was becoming wetter and milder;
- 8,000 – 5,000 years ago the climate was warmer and moister than present;
- 5,000 years ago, to present, the temperatures have cooled, and conditions are drier.

- **Water Sources**

The Merri River is 286m north of the Activity Area and a small section of Russell Creek is located 1200m southeast. These watercourses would have supported a number of food resources for Aboriginal people, such as freshwater fish and shellfish species and water birds, as well as animal resources on the adjacent plains. A number of minor or ephemeral watercourses located in the geographic region that 8-12kya would likely have been a reliable source of fresh water, at least in the wetter months, given the climate was wetter and milder than it is today.

- **Description of Existing and Pre-Contact Vegetation**

The Activity Area lies within a single Ecological Vegetation Community (EVC) within the Activity Area prior to 1750; Damp sands herb-rich woodlands EVC 0713 (NatureKit 2022, 1750 EVC's).

Damp sands herb-rich woodlands (EVC 0713) is described as a low, grassy, or bracken-dominated eucalypt forest or open woodland to 15 m tall with a large shrub layer and ground layer rich in herbs, grasses, and orchids. Occurs mainly on flat or undulating areas on moderately fertile, relatively well-drained, deep sandy or loamy topsoils over heavier subsoils (duplex soils)

The overstorey averages 15m in height and is dominated by eucalyptus forest with an understorey dominated by a low, grassy or bracken layer, or open woodlands with an understorey of large shrub layer and ground layer rich in herbs, grasses, and orchids.

This EVC occurs on exposed aspects and ridgetops in areas where rainfall is less than 1000mm p.a. Characteristic overstorey species include Manna Gum and Swamp Gum. Blackwood, Silver Banksia is a

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common and usually dominant feature in the understorey tree layer. The understorey comprises of mainly Tall Rush and Reed Bent-Grass. It is unlikely that the overstorey species of this EVC were utilised for Aboriginal scarring – both the Manna Gum and Swamp Gum regularly shed bark and the Swamp Gum, Blackwood and Silver Banksia are medium-sized trees.

Graminoids are generally sparse in Damp sands herb-rich woodlands with Kangaroo Grass (*Themeda triandra*), Silvertop Wallaby-grass (*Joycea pallida*), Grey Tussock-grass (*Poa sieberiana*), Wattle Mat-rush (*Lomandra filiformis*), and Tasman Flax-lily (*Dianella tasmanica*) being some of the more frequently occurring species.

Plant foods were extensively exploited and included berries, fungi, roots, tubers, bulbs, leaves, and pith from fleshy plants, seeds, and sap. Gum was also collected from the wattle and stored in known locations for seasons when food was less abundant (Thomas cited in Sullivan 1981: 25).

- **Information on Fauna and Flora Within the Region of the Activity Area**

Birds, such as emu and bustards, were also eaten, as were bird eggs. Birds were caught with throwing sticks or in traps. Fish and eels were important resources and were speared in rivers or caught in nets (Thomas cited in Sullivan 1981: 24). Although use of the hook and line was observed, it is likely that this was a practice resulting from contact with sealers (Sullivan 1981: 24). However, with the extensive presence of fish/eel traps in the geographical region this is more likely to have been the preferred method of collection (Williams 1987).

A number of animals would have been present within the Activity Area and are likely to have been hunted by traditional owners. These include the Eastern Grey Kangaroo (*Macropus giganteus*), Common Brushtail Possum (*Trichosurus vulpecula*), Common Ringtail Possum (*Pseudocheirus peregrinus*), Short Beaked Echidna (*Tachyglossus aculeatus*) and the Wombat (*Vomatus Ursinus*). Birds, bird eggs and reptiles may have also been utilised.

- **Stone Resources**

No stone resources and outcrops suitable for the manufacture of stone tools are found within the Activity Area.

7.1.8 Land Use History Relevant to the Activity Area

The activity area itself lies within the boundary of the 'St Marys' pastoral run and the settled district. The St Marys pastoral run was a 16,000-acre run originally held by Thomas Augustus Strong and Henry Forster from 1842. St Marys was gazetted on 23 February 1849 and by 29 January 1851, was held solely by Henry Forster (Spreadborough and Anderson 1983: 276).

In 1847 the settlement at Lady Bay was officially surveyed and land sales in the region commenced the following year. A school was established in 1849 and a jetty was constructed to aid in the transportation of goods to and from Lady Bay. Over the next twenty years, lighthouses, churches, hotels, shops, a courthouse, police station and post office were constructed at Lady Bay, and a network of bridges and ferries was established to facilitate produce transportation over the Merri and Hopkins Rivers, and further east to Allansford. Despite Warrnambool initially relying on water transport in and out of the port at Lady Bay, exposure to unfavourable winds and a breakwater causing excess silt build-up in the bay hindered the efficiency of the port (Victorian Places 2022).

The Victorian gold rush of the 1850s created growth for the agricultural industry as demand for a steady food supply to gold rush towns increased. Wheat, potatoes and wool production dominated

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the agricultural industry until the 1890s. Consequently, Warrnambool continued to grow and was made a municipality on 7 December 1855 (Victorian Places 2022).

Although the port was still used for the shipping of potatoes, wheat and wool until the early 20th century, road and rail quickly became the principal means of transportation. On 4 February 1890, the Warrnambool Railway Station was opened, opening access to the final section of the Melbourne-Dennington railway line (Terang to Dennington) to passengers (Victorian Places 2022, VicSig 2022). The extension of the railway facilitated more development in the area, and a coffee palace and town hall were also established. Around this time, dairying emerged as the dominant industry and by 1890 four butter and cheese factories had been established in the Warrnambool area (Victorian Places 2022). By the turn of the century Warrnambool's population had reached 6000, and the agricultural industry continued to thrive into the 20th century with three major dairying factories having been established by 1910, helping to establish the town's strong industrial base. These factories remained a key employer during World War II. Despite unfavourable maritime conditions and the effective rail system, shipping continued to operate in and out of Warrnambool until 1942, at which time the port was permanently closed (Victorian Places 2022). Following World War II, Warrnambool was known for its many family-owned clothing and textile stores, which remained well established into the 1970s until larger chain companies moved into the area. Following this, several large shopping centres emerged, in addition to the establishment of Deakin University's Warrnambool Campus. Warrnambool also became increasingly popular with tourists in the latter half of the 20th century (Victorian Places 2022).

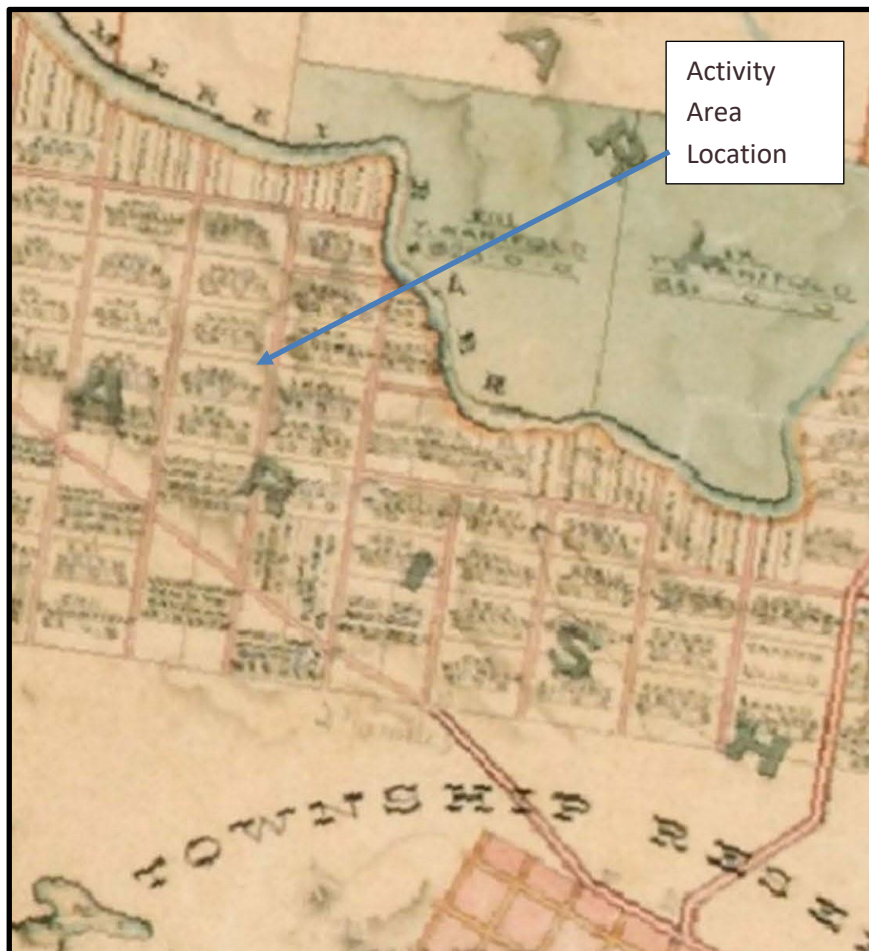


Plate 2: Belfast and Warrnambool Districts dated 1858, (Source: SLV 2022)

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Historical records of the activity area itself are not well documented, however; a plan of the Belfast and Warrnambool Districts dated 1858 shows that at this time, Coghlan's Road and Morris Road had been established (Plate 2). It is likely that the activity area used for grazing purposes at this time.

Specific Land Use History

The land use history of the Activity Area shows that the Activity Area has been subject to previous ground disturbance to some degree and includes:

- Removal of native vegetation. As the Activity Area was in an EVC in which eucalypts were the dominant species, the removal of this native vegetation would have caused a great deal of ground disturbance. Impacts to the land will have involved burning, clearing, and grubbing of the original vegetation.
- Agricultural activity.

Figure 2 shows the activity area in 1957 and indicates that the activity area was cleared of vegetation and was part of a larger agricultural property.



Figure 2: 1957 Aerial Photograph (Mapshare 2022)

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7.1.9 Conclusions from the Desktop Assessment

The desktop assessment for the activity area has allowed a site prediction model to be developed. A site prediction model is intended for use as an indication of the types of Aboriginal archaeological sites that may occur in a given area. The site prediction model can later be tested against the results of the field survey and/or subsurface testing. A review of the environmental data relevant to human settlement and the ethnographic and archaeological data relevant to the local area has indicated that:

- The activity area is located close to Merri River. Merri River would have been a key waterway used as a source of a wide range of animal and plant resources, as well as providing fresh water and a route through the landscape;
- There are 12 registered Aboriginal Places within the geographic region, comprising 13 components. These Places comprise artefact scatters (11) and low density artefact distributions (1). The majority of these Places are located in association with the flood plains, alluvial terraces, and elevated ridgelines along Merri River. Currently, there have been very few Aboriginal Places located on the open undulating plains landform further afield from Merri River;
- Stone artefacts throughout the geographic region are most likely to be manufactured from raw materials such as quartz, silcrete, chert, crystal quartz and coastal flint;
- A moderate amount of CHMPs and reports have been carried out in the geographic region, however these investigations have focussed on the land immediately adjacent Merri River rather than further inland. Approximately half of these investigations have located Aboriginal cultural material in both disturbed and natural soil profiles;
- The closest registered Aboriginal Places are located approximately 400-800m to the north, west and southwest of the activity area. These Places are all registered as artefact scatters located on the Merri River flood plain;
- The activity area is located within an open plain landform. Previous archaeological research on the open plain landform suggests it contains low archaeological potential for the discovery of low densities of stone artefacts in disturbed contexts;
- The activity area has been subject to previous ground disturbance in the form of vegetation clearance and use of the area for agricultural purposes such as grazing;
- The Aboriginal Place types most likely to be located within the activity area are low densities of stone artefacts within disturbed surface and subsurface contexts; and
- There is little or no potential for culturally scarred trees due to broad scale native vegetation clearance

Site Prediction Model

The most likely Aboriginal Place type to occur in the Activity Area are low density artefact scatters, isolated artefacts, or Low Density Artefact Distributions (LDADs).

It is not considered likely that scarred trees will occur as a result of the vegetation clearance that the Activity Area has been subject. Aboriginal Place types such as shell middens, mounds and quarries are not considered likely to occur as they have not been identified in the geographic region previously and had they been present in the Activity Area would likely have been destroyed as a result of the ground disturbance to which the Activity Area has been subject due to its prior and current land-use.

R.62 of the Aboriginal Heritage Regulations 2018 states that a Standard Assessment is required if the results of a Desktop Assessment show that it is reasonably possible that Aboriginal cultural heritage is present in the Activity Area. As the results of the Desktop Assessment show that it is reasonably

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possible that Aboriginal cultural heritage is located in the Activity Area it was necessary to proceed to a Standard Assessment.

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7.2 Standard Assessment

7.2.1 Justification for Survey

R.62 of the *Aboriginal Heritage Regulations 2018* states that a Standard Assessment is required if the results of a Desktop Assessment show that it is reasonably possible that Aboriginal cultural heritage is present in the Activity Area. As the results of the Desktop Assessment show that it is likely that Aboriginal cultural heritage is located in the Activity Area it was necessary to proceed to a Standard Assessment.

7.2.2 Aims of Standard Assessment

The aims of the Standard Assessment (archaeological survey) were to:

- Attempt to identify Aboriginal cultural heritage;
- Undertake consultation with representatives of the EMAC;
- Identify any areas of potential archaeological sensitivity deposit (that may require sub-surface testing) and;
- Document the extent of significant ground disturbance in the Activity Area.

7.2.3 Standard Assessment Methodology

The Standard Assessment was undertaken by Matthew Barker of Benchmark Heritage Management P/L, with Kane Clark and Tamika Clark from the EMAC on the 24th of May 2022.

Owing to the dense grass coverage and vegetation observed upon arrival the decision was made, in consultation with the EMAC representatives, to survey the Activity Area on an opportunistic basis rather than walking linear transects (see Map 5).

Focus was concentrated on areas of high ground surface visibility. All mature trees were inspected to determine if they were culturally scarred. Areas of potential archaeological sensitivity/deposits (PAS and PAD) and significant ground disturbance were recorded. Ground surface visibility and surface exposure was recorded in order to determine the effective ground survey coverage. A measure with 20cm increments was included in all photographs (Plates 5-13).


Two Auger Holes were dug on the Activity Area to assess the sub-surface disturbance (Table 4, Plates 3-4). One was placed on a rise, and the other on a low-lying area between the rises. Both showed a stratigraphy of:

- Context 1: reddish brown loams
- Context 2: Brown silty loams
- Context 3: Reddish brown clay base with limestone inclusions

Table 4: Auger Probes 1-2

AUGER PROBE 1	
GDA94/MGA54 Co-ordinates	628010.8579e, 5753738.602n

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Stratigraphy	Context 1: 0-150mm: reddish brown loams Context 2: 150-280mm: Brown silty loam Context 3: 280mm+: Reddish brown clay with limestone inclusions
Depth	280mm
Plate 3: Photo of Auger Hole 1 after excavation showing stratigraphy (M. Barker 24/5/22)	
Cultural Heritage Found	No
AUGER PROBE 2	
GDA94/MGA54 Co-ordinates	627950.4059e, 5753794.99n
Stratigraphy	Context 1: 0-100mm: Reddish brown loams Context 2: 100-180mm: Brown silty loams Context 3: 180mm+: Reddish brown clay with limestone inclusions
Depth	180mm

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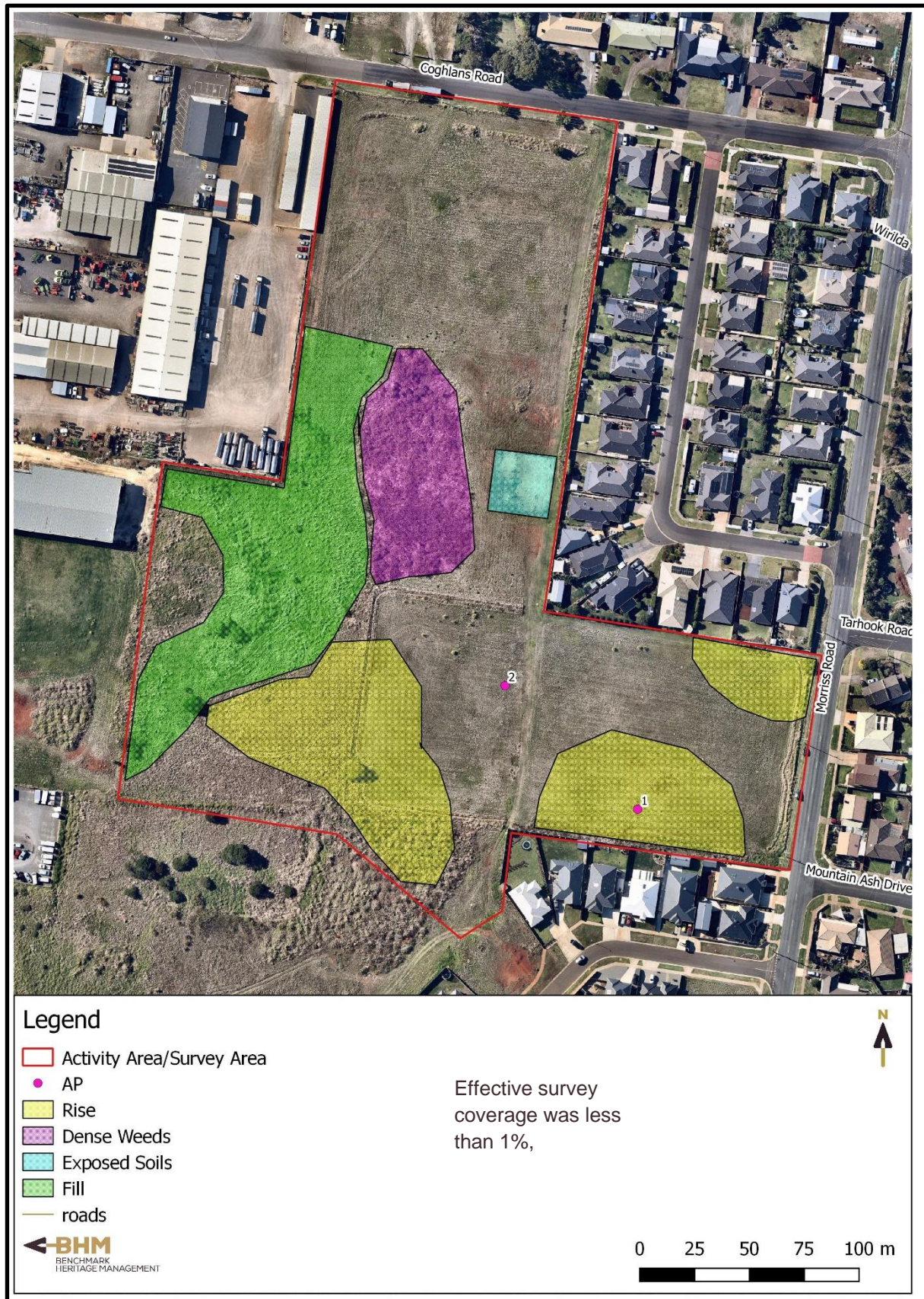
**Plate 4: Photo of
Auger Hole 2
after excavation
(M. Barker
24/5/22)**



**Cultural Heritage
Found**

No

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Map 5: Standard Assessment Map showing Features and Auger Probe Locations

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7.2.4 Results of Standard Assessment

The Activity Area had the following characteristics (Plates 5-13, Table 5):

- The Activity Area comprises flat plain with three rises in the centre and far east (Plates 5-13). The rises were assessed as being areas of higher potential sensitivity for buried deposits of Aboriginal cultural material than the surrounding plain.
- Exposed soils comprised compact clay along the north-east boundary, and the western boundary (Plate 9-10). These areas were the only areas of good ground surface visibility comprising 100% and 50% respectively.
- A large section of the southwest of the Activity Area is covered in fill piles and uneven ground coverage (Plate 11)
- Large growth of fennel standing 2m tall in the centre of the Activity Area (Plate 12)
- The property is accessed by gates on Coghans Road and Morriss Road.

No ACHPs were identified during the Standard Assessment (this includes artefact scatters, scarred trees, or rock shelters). No caves or cave entrances were noted within the Activity Area. The absence of any evidence for Aboriginal cultural sites is likely due to dense grass coverage and resulting low ground surface visibility that characterised the majority of the Activity Area.

7.2.5 Standard Assessment Obstacles

Obstacles were encountered during the Standard Assessment comprising:

- The Activity Area was almost entirely covered by grass, vegetation and fill piles resulting in an average ground surface visibility of less than 1%. The grass, vegetation and fill piles prevented effective archaeological assessment.

7.2.6 Land Disturbance

The evidence for ground disturbance in the Activity Area appears to be the fill piles in the southwest. It is also likely ground disturbance within the Activity Area has included:

- Vegetation clearance in either the 19th Century for lime burning/agriculture or in the mid-20th Century for residential subdivision would have contributed to soil erosion and the movement of any Aboriginal cultural material that may have existed on the ground surface; thus, the removal of topsoils and the destruction of any surface or near surface Aboriginal cultural materials. Vegetation clearance is not considered to be significant ground disturbance.

7.2.7 Ground Surface Visibility and Effective Survey Coverage

Effective coverage is quantified to account for ground surface visibility and exposure limitations to survey coverage and gives a good estimate of the actual proportion of the Activity Area investigated.

Ground surface visibility is a measure of factors which may obscure archaeological materials and can be defined as how much of the surface is visible and what other factors (such as vegetation, gravels, or leaf litter) may limit the detection of archaeological materials (Burke and Smith 2004). The higher the level of ground surface visibility, the more likely it is that Aboriginal cultural material can be identified; therefore, a good level of ground surface visibility enables a better representation of places than areas where the ground surface is obscured (Ellender and Weaver 1994).

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Ellender and Weaver (1994) attempted to quantify ground surface visibility for a 1m² area:

- 0-5%: Unable to see soil;
- 5-10%: Occasional glimpse of soil;
- 10-20%: Occasional patch of bare ground;
- 20-50%: Frequent patches of bare ground;
- 50-70%: About half the ground bare; and
- 75-100%: More than half the bare ground; ploughed fields.

Ground surface visibility (Plates 5-13) was low (0-1%) across the Activity Area; therefore, there was a low possibility of identifying Aboriginal cultural heritage on the surface. It is estimated that the effective survey coverage was less than 1%, due to poor ground surface visibility, and it is not considered adequate for effective field assessment.

7.2.8 Aboriginal Cultural Heritage Identified

No ACHPs were identified within the Activity Area during the field investigation (this includes artefact scatters, scarred trees, or rock shelters). No caves or cave entrances were noted within the Activity Area. The absence of any evidence for ACHPs is likely due to dense grass coverage and resulting low ground surface visibility that characterised the majority of the Activity Area.

7.2.9 Conclusions of the Standard Assessment

The EMAC representatives considered it possible that buried former ground surfaces may be present within the Activity Area.

The field representatives of the EMAC agreed that the Activity Area was of potential archaeological sensitivity and agreed to establish the potential for Aboriginal cultural heritage by Complex Assessment to test the ACHP prediction model.

Due to a lack of ground surface visibility and the potential for buried ACHPs within the Activity Area, the Standard Assessment has determined that there is a requirement to undertake a further Complex Assessment for this activity, prior to the preparation of a CHMP document. In accordance with *r.64*, it was decided that a Complex Assessment of the Activity Area was required and was therefore undertaken.

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Plate 5: View of Activity Area showing slope of rises (M. Barker 24/5/22) facing northwest.



Plate 6: View of Activity Area from a rise (M. Barker 24/5/22) facing west.



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Plate 7: View of Activity Area from centre-south rise towards Morris Rd (M. Barker 24/5/22) facing east



Plate 8: View of Activity Area from centre-south rise showing crest and tall weeds (M. Barker 24/5/22) facing northeast



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Plate 9: View of the exposed clay in the northeast of the Activity Area (M. Barker 24/5/22) facing north.



Plate 10: View of exposed soil and fill on the western boundary of Activity Area (M. Barker 24/5/22) facing west.



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Plate 11: View showing fill piles in the southwest of the Activity Area (M. Barker 24/5/22) facing south



Plate 12: View of the 2m tall fennel growing in the centre of Activity Area (M. Barker 24/5/22) facing east



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Plate 13: View of northern end of the Activity Area showing undulating land, possibly fill (M. Barker 24/5/22) facing northwest



Table 5: Standard Assessment Photographs

7.3 Complex Assessment

7.3.1 Justification for Sub-Surface Testing

R.64 of the Aboriginal Heritage Regulations 2018 states that a Complex Assessment is required if the Desktop Assessment or Standard Assessment shows that Aboriginal cultural heritage is, or is likely to be, present in the Activity Area; and it is not possible to identify the extent, nature, and significance of the Aboriginal cultural heritage in the Activity Area unless a Complex Assessment is carried out.

7.3.2 The Sub-Surface Testing Aims

The aims of the Complex Assessment were to:

- Determine if Aboriginal cultural heritage is located in the Activity Area and if so, establish the extent, nature, and significance of said Aboriginal cultural heritage;
- Test the ACHP prediction model developed in the Desktop Assessment and refined in the Standard Assessment;
- Record the sub-surface stratigraphic composition of the landform and investigate a representative sample of sub-surface sediments;
- Identify any undisturbed (in-situ) sub-surface deposits; and
- Enable an accurate scientific significance assessment to be made.

A Complex Assessment comprising hand and machine excavation was carried out as part of this CHMP. The aim of the sub-surface testing/excavation was to establish if the proposed activity is likely to cause harm to Aboriginal cultural heritage. The Complex Assessment was conducted on the 4th-8th, 11th-13th July 2022 and was undertaken by Matthew Barker (supervisor) and Emma Threlfall of Benchmark

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Heritage Management P/L, with Fid Chatfield, Jyran Chatfield, Phillip Chatfield and Jindara Chatfield from the EMAC.

7.3.3 Sub-surface Testing Methodology

Excavation of Test Pits

As required by the *Aboriginal Heritage Regulations 2018 r65(4)*, a Test Pit was first excavated to determine the soil stratigraphy (see Map 6, Table 6).

Test Pit 1-7 were excavated in order to examine the soil stratigraphy within the property and determine whether there were sub-surface deposits of cultural materials.

Controlled excavation was undertaken in accordance with the guidelines set out in Burke and Smith (2004). The Test Pits were excavated by context using a flat edged shovel with a 30cm blade, trowels and 30cm hand shovels. Excavation was undertaken on a stratigraphic basis by context and ceased when a new soil layer was encountered. Hand excavated deposits were initially excavated in arbitrary 10cm spits. As clear stratigraphic units became apparent, excavation continued according to the stratigraphic unit (context).

The depth of each context is shown in Table 6. A soil section was drawn of the northern section of the Test Pits once excavation was completed. A photographic record of the surface, base of each context and the soil section was made. Measures with increments of 1cm was included in all photographs of excavation. Soil descriptions and other natural and cultural features were recorded on Standard excavation forms. pH levels were taken of each context and a Munsell Chart was consulted to provide soil colour descriptions.

All of the excavated soil was passed through a sieve with 5mm mesh. In the event that any cultural material was recovered, the procedure was to place the artefacts in bags with labels identifying the context of the artefacts, and that, with agreement with the EMAC representatives, any artefacts recovered from the excavation were to be retained for later analysis at the office of BHM P/L.

The centre of each Test Pit was spatially recorded using a Topcon GRS-1 DGPS.

The excavated Test Pits location is shown in Map 6. A stratigraphic section of Test Pit 1-7 is shown in Table 6. GDA94/MGA54 co-ordinates are shown in Appendix 6.

Excavation of Machine Transect Pits

The excavation of twenty four 2x1m Machine Transect Pits (MTPs) was undertaken during sub-surface testing (Table 7, Map 6). MTPs were undertaken to examine the general stratigraphy; changes in stratigraphy and presence/absence of Aboriginal cultural heritage within the Activity Area.

MTPs were dug using an excavator on rubber tracks, with a 1000mm flat-edged mud bucket. Initially, the surface soil was stripped off each transect to a depth of approximately 50mm. Soil along the length of each transect was then excavated in increments of 100mm until the basal clay was reached. All soil was placed in a mechanical sieve with 5mm mesh. The soil from each cut along the transects was sieved. Mechanical excavation ceased while the soils from each cut was sieved. Once 100% of the soils were sieved, excavation continued, and the process repeated until a basal clay layer was reached. The centre of each Machine Transect Pit was spatially recorded using a Topcon GRS-1 DGPS with sub one metre accuracy.

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A soil section was drawn once excavation of each pit was completed. A photographic record of the surface, base of each context and the soil section was made. A range pole(s) with increments of 20cm was included in all photographs of excavation. Soil descriptions and other natural and cultural features were recorded on standard excavation forms. PH levels were taken of each context and a Munsell Chart was consulted to provide soil colour descriptions.

The co-ordinates for the start and end points of each MT are shown in Appendix 6.

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Map 6: Sub-surface Testing Locations, Test Pits 1-7, Machine Transect Pits 1-24

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7.3.4 Results of the Sub-surface Testing

Excavation of Test Pit 1-7

As required by the *Aboriginal Heritage Regulations 2018*, a Test Pit was initially excavated to determine the soil stratigraphy (see Plates 14-20, Map 6, and Table 6).

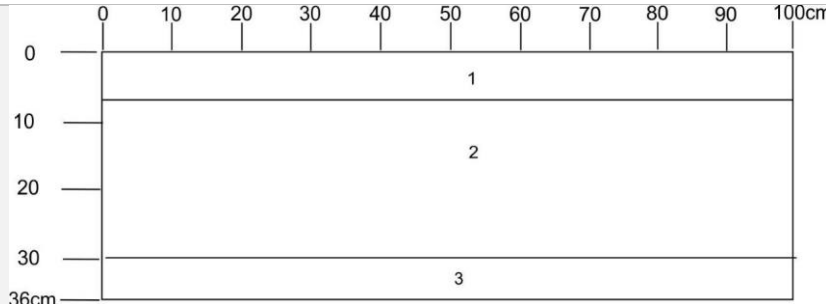

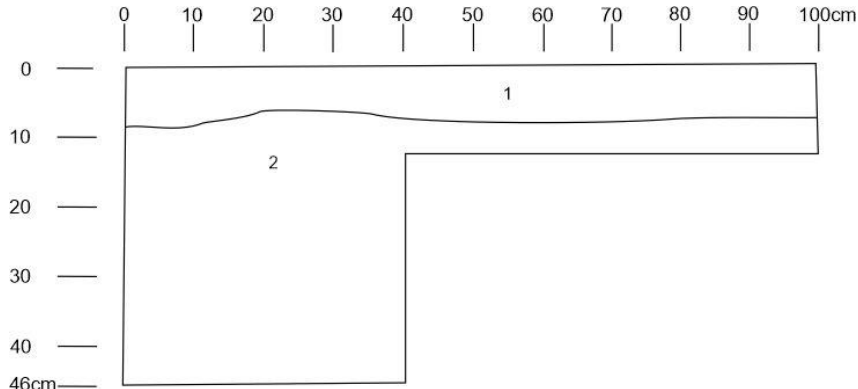

Test Pit 1 was located at the east end of the Activity Area, in the low-lying area between rises. Test Pits 2, 4-6 were located on the rises throughout the Activity Area. Test Pit 3 was located in the north section of the Activity Area near the fennel growth, and Test Pit 7 was located near the exposed clay on the northeast boundary of the Activity Area.

No Aboriginal cultural heritage was identified in Test Pits 1-7. No dating samples of cultural deposits and or stratigraphic layers were obtained due to the lack of Aboriginal cultural heritage located in Test Pits 1-7. The provenance and stratigraphic data from the Test Pits is contained in Table 6. The location of the Test Pit can be found in Map 6. A photograph of Test Pits 1-7 is shown in Plate 14-20.

The soil profile of each differed from the profile seen in the Standard Assessment. All members of the field team agreed that the base was a natural clay base and an archaeologically sterile deposit and agreed excavation could cease.

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Table 6: Test Pits 1-7- Stratigraphic Detail

Test Pit	Size	Stratigraphy	Inclusions	Artefacts	Section Drawing	Photograph
1	1x1	<p>Context 1: 0-80mm: Damp weak very dark brown silty loam (10YR 2/2) pH6.5</p> <p>Context 2: 80-300mm: Damp brown silt (7.5YR 5/4)</p> <p>Context 3: 300-360+mm: Damp firm very dark brown clay base (10YR 2/2) pH6</p>	None. glass, gravel, and brick. Roots	None	 <p>Section Drawing: North Wall</p>	
2	1x1	<p>Context 1: 0-70/90mm: Damp weak brown silty loam (7.5YR 4/4) with modern glass inclusions pH6</p> <p>Context 2: 70/90-460mm: Damp firm strong brown clay (7.5YR 4/6) pH6</p>	None	None	 <p>Section Drawing: West Wall</p>	

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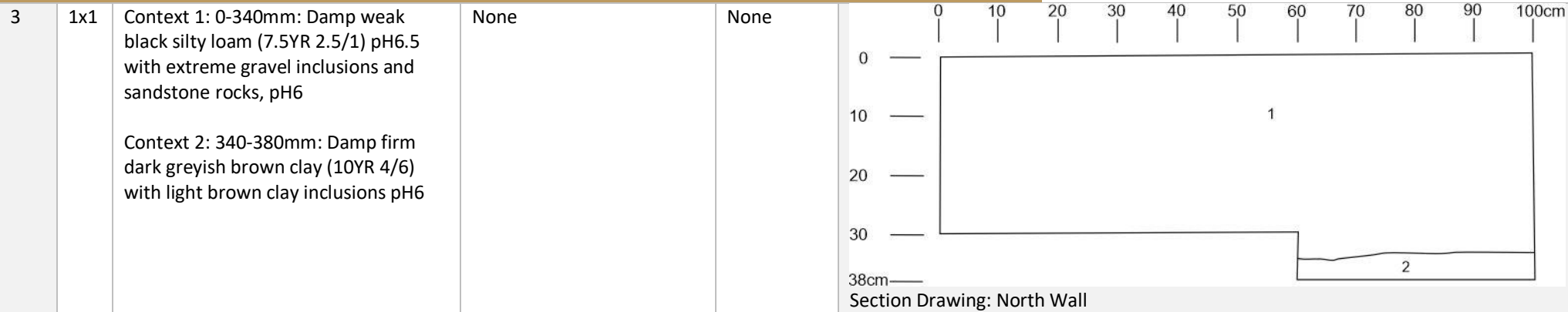


Plate 16: Photo of Test Pit 3 after excavation showing stratigraphic profile (E. Threlfall 4/7/22) facing north

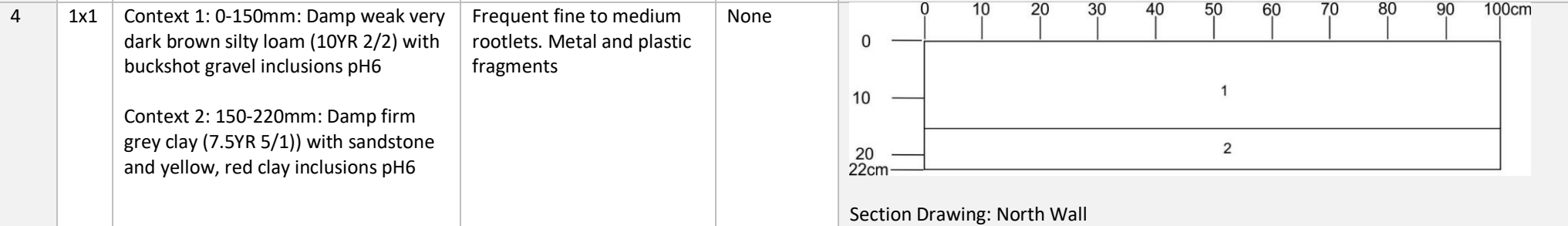


Plate 17: Photo of Test Pit 4 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north

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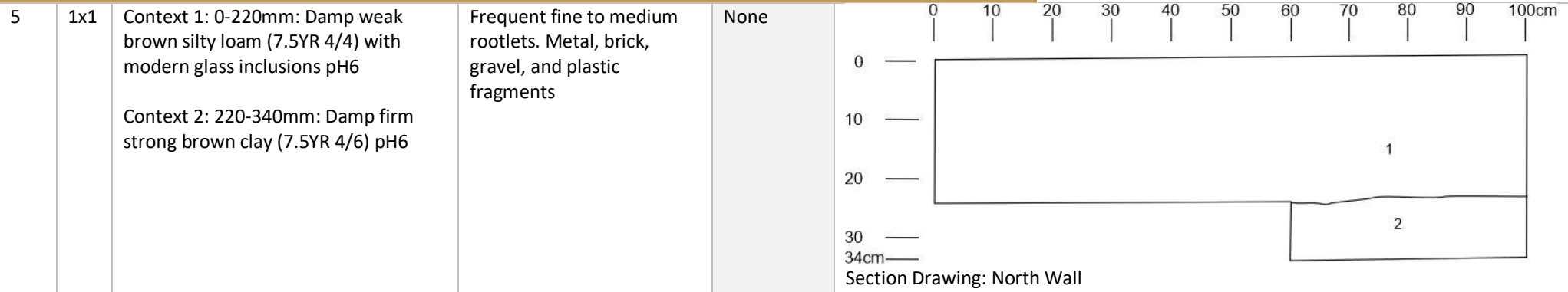


Plate 18: Photo of Test Pit 5 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north

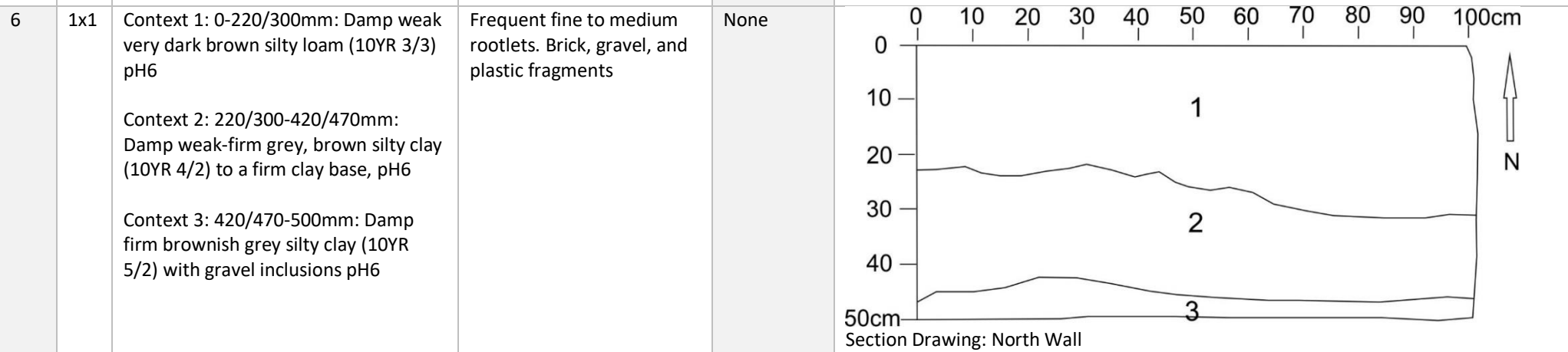


Plate 19: Photo of Test Pit 6 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north

7	1x1	Context 1: 0-90mm: Disturbed dark brown clay (10YR 3/3) with sandstone gravel and concrete inclusions.	Frequent fine to medium rootlets. Metal fragments	None	<div><div><div>0102030405060708090100cm</div><div>0</div><div>9cm</div><div>1</div></div><div>Section Drawing: North Wall</div></div>
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Plate 20: Photo of Test Pit 7 after excavation showing stratigraphic profile (E. Threlfall 5/7/22) facing north

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Machine Transect Pits

Twenty four 2x1m Machine Transect Pits were excavated (Map 6, Table 7). Machine Transect Pits were excavated to:

1. Further assess the likelihood of Aboriginal cultural material being located within the Activity Area.
2. To determine the extent of ground disturbance caused by land clearance.

Table 7: Stratigraphic Details: Machine Transect Pits 1-24

MTP	Stratigraphy	Presence of Cultural Material
1	Context 1: 0-150mm: weak brown silty loam (10YR 4/3) with limestone and brownish yellow clay inclusions. And modern ceramic and glass, pH6 Context 2: 150-180+mm: firm dark brown clay (7.5 YR 3/2) pH6	No
2	Context 1: 0-80mm: weak brown silty loam (7.5YR 4/2) pH6 Context 2: 80-250mm: weak-firm brown silty loam (7.5YR 4/2) with gravel and concrete inclusions pH6 Context 3: 250-300mm: firm brown clay base (7.5YR 5/4) with brownish yellow, reddish yellow and light grey clay inclusions. pH6.5	No
3	Context 1: 0-140mm: weak very dark grey silty clay (10YR 3/1) pH6. Metal, brick, gravel, and plastic fragments Context 2: 140-160+mm: firm very dark grey clay (10YR 3/1) pH6	No
4	Context 1: 0-180mm: weak very dark grey silty loam and silty clay (10YR 3/1) pH6. Gravel and plastic fragments Context 2: 180-200+mm: firm very dark grey clay (10YR 3/1) with silty clay inclusions pH6	No
5	Context 1: 0-140mm: disturbed fill consisting of brown silty loam with modern construction materials and gravel inclusions Context 2: 140-240mm: base not reached, uneven ground and the large pieces of concrete in the fill became too unsafe for the excavator to continue	No
6	Context 1: 0-150mm: weak brown silty loam (7.5YR 4/3) with modern construction materials and clay inclusions pH6 Context 2: 150+mm: firm brown clay base (7.5YR 4/3) with silty clay inclusions pH6	No
7	Context 1: 0-180mm: weak brown silty loam-clay (7.5YR 4/3) with modern ceramics inclusions pH6 Context 2: 180+mm: firm brown clay base (7.5YR 4/3) pH6	No
8	Context 1: 0-250mm: weak dark yellowish brown silty loam (10YR 3/1) pH6. Metal, brick, gravel, and plastic fragments. Context 2: 250-350mm: weak-firm very dark greyish brown silty clay (10YR 3/2) with rock inclusions pH6 Context 3: 350-360mm: firm dark yellowish brown clay base (10YR 3/2) with rock inclusions. pH6.5	No

9	Context 1: 0-300mm: weak-firm dark yellowish brown silty clay (10YR 3/2) with modern glass and twine in first 100mm and large limestones 100-300, and rock inclusions between 250-300mm, pH6.5 Context 2: 300-400mm: firm brown clay (10YR 4/3) with grey brown and light brown inclusions, pH6	No
10	Context 1: 0-380mm: weak very dark brown silty loam (10YR 2/8) with modern glass in 0-100mm, pH6 Context 2: 380-450mm: weak-firm very dark brown silty clay (10YR 2/8) pH6 Context 3: 450-480mm: firm brown clay (10YR 4/3) with rock inclusions. pH6	No
11	Context 1: 0-50mm: weak brown silty loam (7.5YR 4/3) pH6 Context 2: 50-200mm: weak-firm brown silty loam (7.5YR 4/3) with gravel inclusions pH6 Context 3: 200-240mm: firm brown clay (7.5YR 4/4) pH6	No
12	Context 1: 0-160mm: firm strong brown silty clay (7.5YR 4/6) with gravel inclusions pH6 Context 2: 160+mm: firm strong brown silty clay base (7.5YR 4/6) pH6	No
13	Context 1: 0-100mm: firm strong brown silty clay (7.5YR 4/6) with gravel and limestone inclusions pH6 Context 2: 100+mm: firm strong brown silty clay base (7.5YR 4/6) pH6	No
14	Context 1: 0-400mm: disturbed fill of multi coloured clay and gravel and limestones inclusions pH6 Context 2: 400-700mm: firm strong brown silty clay (7.5YR 4/6) with large sandstone and limestone rocks and concrete inclusions as well as sections of degraded/ crumbled limestone and sandstone pH6 Context 3: 700+mm: firm strong brown clay base (7.5YR 4/6) with sandstone and limestone inclusions. pH6.5	No
15	Context 1: 0-250mm: weak-firm dark brown silty clay (7.5YR 3/3) pH6 Context 2: 250-300+mm: firm brown clay (7.5YR 4/4) with yellowish brown inclusions pH6	No
16	Context 1: 0-200mm: weak brown silty loam (7.5YR 4/2) with gravel inclusions, pH6 Context 2: 200-650mm: weak-firm yellowish brown silty clay (10YR 5/8) with gravel inclusions pH6 Context 3: 650-700+mm: firm reddish yellow clay base (7.5YR 6/8) with gravel inclusions. pH6	No
17	Context 1: 0-250mm: weak yellowish brown silty loam (10YR 5/4) with gravel inclusions pH6 Context 2: 250-300mm: firm yellowish brown clay (10YR 5/8) pH6	No
18	Context 1: 0-240mm: weak brown silty loam (7.5YR 4/4) with gravel inclusions pH6 Context 2: 240-260mm: firm brown clay (7.5YR 5/4) pH6	No
19	Context 1: 0-250mm: disturbed combination of greyish brown, yellowish brown, and grey clay, pH6.5 Context 2: 250-300mm: firm greyish brown clay (10YR 5/2) with dark grey inclusions, pH6	No
20	Context 1: 0-180mm: weak brown silty loam (7.5YR 4/3) with excessive gravel inclusions, pH6. Gravel and plastic fragments. Context 2: 180-200mm: firm strong brown clay (7.5YR 4/6) pH6	No

21	Context 1: 0-150mm: weak brown silty loam (7.5YR 4/3) with sandstone (rocks and degraded), grey clay and excessive gravel inclusions, pH6 Context 2: 150-200mm: firm strong brown clay (7.5YR 4/6) pH6	No
22	Context 1: 0-280mm: weak brown silty loam (7.5YR 4/3) with excessive gravel inclusions, pH6 Context 2: 280-300mm: firm strong brown clay (7.5YR 4/6) pH6	No
23	Context 1: 0-180mm: weak brown silty loam (7.5YR 4/3) with excessive gravel inclusions, pH6 Context 2: 180-200mm: firm strong brown clay (7.5YR 4/6) pH6	No
24	Context 1: 0-180mm: weak brown silty loam (7.5YR 4/3) with excessive gravel inclusions, pH6 Context 2: 180-200mm: firm strong brown clay (7.5YR 4/6) pH6	No

7.3.5 Complex Assessment Constraints and Limitations

The major constraints encountered during the Complex Assessment comprised:

- The large fennel growth on the centre of the Activity Area which could not be assessed.
- The large sections of fill piles comprising concrete and industrial debris meant some areas could not be assessed.

7.3.6 Conclusions of the Sub-Surface Testing

Seven 1x1m Test Pits and twenty-four 1x2m Machine Transect Pits were excavated, to establish the soil stratigraphy of the Activity Area and to assess the likelihood of Aboriginal cultural material being located within the Activity Area.

No Aboriginal cultural heritage was identified in Test Pits 1-7 or Machine Transect Pits 1-24. No dating samples of cultural deposits or stratigraphic layers were obtained due to the absence of Aboriginal cultural heritage in Test Pits 1-7 or Machine Transect Pits 1-24. In general, the Complex Assessment has revealed that the Activity Area is of low potential sensitivity for Aboriginal cultural deposits.

Possible reasons for the absence of Aboriginal cultural material in the Activity Area include:

- Vegetation clearance;
- Disturbance from the building of modern infrastructure on the boundaries of the Activity Area; and
- The Activity Area may not have been a favourable location to camp.

The excavation results indicated the following:

- Soil types located within the Activity Area did vary greatly depending on the section of the Activity Area, but generally comprised an organic layer of a disturbed brown silty loam, with gravel inclusions, overlaying a strong brown clay base.

Comparison with the Aboriginal Heritage Place Prediction Model

The archaeological research undertaken in preparation of the CHMP was comprehensive and has resulted in an overall understanding of the nature of Aboriginal cultural heritage within the Activity Area.

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The Aboriginal heritage place prediction model stated that the most likely Aboriginal Place type to occur in the Activity Area are low density artefact scatters, isolated artefacts, or Low Density Artefact Distributions (LDADs). It is considered that the results of the standard and complex assessments are not consistent with the Aboriginal heritage place prediction model stated in Section 7.1.10.

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8.0 Details of Aboriginal Cultural Heritage in the Activity Area

No Aboriginal cultural heritage was identified in the standard and complex assessments..

9.0 Consideration of Section 61 Matters

Section 61 Matters

Section 3(a) of the *Aboriginal Heritage Act 2006* states that the principal objective of the legislation is to recognise, protect and conserve Aboriginal cultural heritage in Victoria.

This section discusses the effects that the proposed activity will have on any Aboriginal cultural heritage located within the Activity Area, and whether or not the Sponsor has addressed measures to avoid or minimise harm.

Section 61 of the *Aboriginal Heritage Act 2006* states that the following matters are to be considered in assessing whether a CHMP relating to an activity is to be approved—

- a) whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage;
- b) if it does not appear to be possible to conduct the activity in a way that avoids harm to Aboriginal cultural heritage, whether the activity will be conducted in a way that minimises harm to Aboriginal cultural heritage;
- c) any specific measures required for the management of Aboriginal cultural heritage likely to be affected by the activity, both during and after the activity;
- d) any contingency plans required in relation to disputes, delays and other obstacles that may affect the conduct of the activity; and
- e) requirements relating to the custody and management of Aboriginal cultural heritage during the course of the activity.

No Aboriginal cultural heritage was found and therefore there is no requirement to address Section 61 (a-c).

9.1 Are there particular Contingency Plans that might be necessary?

There are several contingency plans that may be necessary during the project. In particular, it is necessary to have a contingency in place for the unexpected discovery of cultural material and for the unexpected discovery of a burial. These and other contingency plans are discussed in detail in Section 2.

9.2 What Custody and Management Arrangements might be needed?

As no Aboriginal cultural heritage was identified during the assessment for this Cultural Heritage Management Plan there is no requirement at present for consideration of custody and management of Aboriginal cultural heritage. The custody and management of Aboriginal cultural heritage identified during the activity is dealt with in Section 2.

9.3 Cumulative Impact Statement

This section outlines the cumulative impacts of the activity on cultural heritage within the Activity Area and the wider region. The proposed activity will not impact on any known Aboriginal cultural heritage. Management Conditions as developed in Section 1 of this CHMP will become compliance requirements once the CHMP has been approved. This section considers the magnitude of cumulative

impacts and the significance of cumulative effects of the proposed development on Aboriginal cultural heritage. The cumulative impacts of Aboriginal cultural heritage have been calculated based on the combination of the overall impact of development within the geographic region, and how this development has impacted Aboriginal cultural heritage.

It is difficult to determine the cumulative impact of the proposed activity on Aboriginal cultural heritage within the geographic region as:

- So much of what was likely once present has been impacted, and was impacted prior to the introduction of the *Aboriginal Heritage Act 2006* by land clearance, agriculture; and the large scale development of residential and commercial precincts and associated infrastructure.
- There was a paucity of archaeological assessment in the geographic region prior to the introduction of the *Aboriginal Heritage Act 2006*.
- No region (however defined) has been the subject of a comprehensive and systematic survey in which base data of how many ACHPs are/were present can be absolutely defined. Subsequently, the base datum for assessment can only be Aboriginal cultural heritage material that has been identified and recorded, and preferably preserved in-situ, in order to determine a calculation of loss.
- There are no agreed criteria or explicit guidance on a method for assessing potential cumulative effects on cultural heritage material.

It is therefore considered difficult to establish a reference point from which to assess cumulative impact.

Whilst archaeological assessment of the geographic region has increased in recent years - post-introduction of the *Aboriginal Heritage Act 2006*, this has resulted in the identification of large numbers of ACHPs and highlights the fact that much impact to Aboriginal cultural heritage likely occurred prior to the introduction of the *Aboriginal Heritage Act 2006*.

It is highly likely that a large number of ACHPs have been subject to disturbance and/or destruction from the mid-nineteenth century onwards from land clearance; agricultural activity and construction of the modern urban environment; representing several ACHP types including artefacts scatters, scarred trees, ceremonial ACHPs and burials. The cumulative impact of past land clearance is therefore considered to be high.

Whilst it is likely that much of the geographic region has been subject to disturbance as a result of the establishment of Warrnambool due to land clearance, agriculture, commercial and residential development, much of the geographic region has not been subject to archaeological assessment; therefore, it is likely that there are a large number of as yet unidentified ACHPs located within the geographic region.

The development of this CHMP is the overarching measure that will assist in the identification of ACHPs, determination of heritage significance, avoidance, and minimisation of harm, if possible, mitigation and management of impacts, and carrying out consultation with Traditional Owner stakeholders. The contingency arrangements included in Section 2 of this CHMP deal with any unknown Aboriginal cultural heritage located during the construction phase of the activity.

Cumulative impacts to the known archaeological record of ACHPs in the geographic region as a direct result of the proposed activity are considered to be high. As stated above, these figures must be considered with respect to the fact that much of the geographic region has not been subject to archaeological assessment and likely contains a large number of ACHPs that are yet to be identified and registered.

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Appendices

Appendix 1: Notice of Intent to Prepare a Cultural Heritage Management PlanPremier
and Cabinet

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

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

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

SECTION 1 - Sponsor information

Sponsor: TW. Hollingsworth Estate
 ABN/ACN: 33 624 829 469
 Contact Name: Mick Hollingsworth
 Postal Address: 120 Fairbairn Road, Sunshine West, Vic 3020
 Business Number: 0418 523 678 Mobile: _____
 Email Address: mickh@photosigns.com.au

Sponsor's agent (if relevant)

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

SECTION 2 - Description of proposed activity and location

Project Name: Proposed Industrial Subdivision at 191 -201 Morriss Road and 56 Carmut Road, Warrnambool
 Municipal district: Warrnambool City Council

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

Subdivision

SECTION 3 - Cultural Heritage Advisor

Matthew Barker Benchmark Heritage Management matthew@benchmarkheritage.com.au
 Name Company Email address

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

Start Date: 29-Mar-2022 Finish Date: 30-Nov-2022

Submitted on: 29 Mar 2022

Premier
and Cabinet**SECTION 5 - Why are you preparing this cultural heritage management plan?**

- ☒ A cultural heritage management plan is required by the Aboriginal Heritage Regulations 2007
What is the high Impact Activity as it is listed in the regulations?

Is any part of the activity an area of cultural heritage sensitivity, as listed in the regulations? 1

- ☐ Other Reasons (Voluntary)
- ☐ An Environment Effects Statement is required
- ☐ A Cultural Heritage Management Plan is required by the Minister for Aboriginal Affairs.
- ☐ An Impact Management Plan or Comprehensive Impact Statement is required for the activity

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

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

EASTERN MAAR Aboriginal Corporation RNTBC

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

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

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

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

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

The plan is to be evaluated by:

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

SECTION 9 – Preliminary Aboriginal Heritage Tests (PAHTs)

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

SECTION 10 - Notification checklist

Submitted on: 29 Mar 2022

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Premier
and Cabinet

Ensure that any relevant registered Aboriginal party/ies is also notified. A copy of this notice with a map attached may be used for this purpose.

(A registered Aboriginal party is allowed up to 14 days to provide a written response to a notification specifying whether or not it intends to evaluate the management plan.)

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

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

Submitted on: 29 Mar 2022

Appendix 2: Response from the EMAC



Eastern Maar
Aboriginal Corporation

PO Box 546
Warrnambool VIC 3280



Wednesday, 30 March 2022

Mick Hollingsworth
TW. Hollingsworth Estate
120 Fairbairn Road, Sunshine West, VIC 3020

Ngatanwarr Mick,

EASTERN MAAR ELECTS TO EVALUATE CHMP 18740 – PROPOSED INDUSTRIAL SUBDIVISION AT 191 -201 MORRISS ROAD AND 56 CARAMUT ROAD, WARRNAMBOOL (s55).

I refer to your notice of intent to prepare a cultural heritage management plan (CHMP), received on 30/03/2022, for Proposed Industrial Subdivision at 191 -201 Morriss Road and 56 Caramut Road, Warrnambool. The Eastern Maar Aboriginal Corporation, as the Registered Aboriginal Party (RAP) for the area, Elects to evaluate the CHMP.

As part of the CHMP process, Eastern Maar Aboriginal Corporation expects that Sponsors and Heritage Advisors will make reasonable efforts to consult with us before the design phase and during the preparation of the CHMP (s.59(2) of the Act). Eastern Maar Aboriginal Corporation expect consultation to take place in the form of cultural heritage meetings, typically three meetings, which will allow us to discuss assessment methodology, reburial and repatriation of artefacts, Aboriginal Place registration, CHMP conditions, and most importantly harm avoidance or minimisation of harm to cultural heritage values.

Please contact Nathalia Guimaraes (nathalia.guimaraes@easternmaar.com.au) to arrange an initial inception meeting (Tuesday and Wednesday Only), using the booking form attached, no sooner than two weeks after providing a copy of the completed desktop assessment and relevant mapping.

To book field representatives please complete the booking form attached and forward to Craig.Edwards@easternmaar.com.au with your preferences. Note that assessments can only be undertaken once consultation has occurred.

A copy of the Eastern Maar Aboriginal Corporation schedule of fees is attached for your reference.

I look forward to consulting with you to protect our Aboriginal cultural landscape as an integral part of your project.

Yours sincerely,

Nathalia Guimaraes
RAP Technical Coordinator
Eastern Maar Aboriginal Corporation
Phone: 0452 350 728
Email: nathalia.guimaraes@easternmaar.com.au
Website: www.easternmaar.com.au

Attached: Booking Form and Schedule of Fees

Appendix 3: Glossary

A

Angular fragment: A piece of stone that is blocky or angular, not flake-like.

Archaeology: The study of the remains of past human activity.

Area of Archaeological Sensitivity: A part of the landscape that contains demonstrated occurrences of cultural material. The precise level of sensitivity will depend on the density and significance of the material.

Artefact scatter: A surface scatter of cultural material. Aboriginal artefact scatters are defined as being the occurrence of five or more items of cultural material within an area of about 100m² (Aboriginal Victoria 1997). Artefact scatters are often the only physical remains of places where people have lived camped, prepared, and eaten meals and worked.

B

BP: Before Present. The present is defined as 1950.

Backed blade (geometric microlith): Backing is the process by which one or more margins contain consistent retouch opposite to the sharp working edge. A backed blade is a blade flake that has been abruptly retouched along one or more margins opposite the sharp working edge. Backed pieces include backed blades and geometric microliths. Backed blades are a feature of the Australian Small Tool Tradition dating from between 5,000 and 1,000 years ago in southern Australia (Mulvaney 1975).

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

Burial: Usually a sub-surface pit containing human remains and sometimes associated artefacts.

C

Core: A stone piece from which a flake has been removed by percussion (striking it) or by pressure. It is identified by the presence of flake scars showing the negative attributes of flakes, from where flakes have been removed.

E

Ethnography: The scientific description of living cultures.

Exposure: Refers to the degree to which the sub-surface of the land can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by land use practices, such as ploughing or grading. It is generally expressed in terms of the percentage of the sub-surface visible for an observer on foot.

F

Flake: A stone piece removed from a core by percussion (striking it) or by pressure. It is identified by the presence of a striking platform and bulb of percussion, not usually found on a naturally shattered stone.

Formal tool: An artefact that has been shaped by flaking, including retouch, or grinding to a predetermined form for use as a tool. Formal tools include scrapers, backed pieces and axes.

G

GDA94 or Geocentric Datum of Australia 1994: A system of latitudes and longitudes, or east and north coordinates centred at the centre of the earth's mass. GDA94 is compatible with modern positioning techniques such as the Global Positioning System (GPS). It supersedes older coordinate systems (AGD66, AGD84). GDA94 is based on a global framework, the IERS Terrestrial Reference Frame (ITRF), but is fixed to a number of reference points in Australia. GDA94 is the Victorian Government Standard and spatial coordinates for excavations, transects and places in CHMP documents.

H

Hearth: an organic sub-surface feature; it indicates a place where Aboriginal people cooked food. The remains of a hearth are usually identifiable by the presence of charcoal and sometimes clay balls (like brick fragments) and hearth stones. Remains of burnt bone or shell are sometimes preserved within a hearth.

Holocene, recent, or postglacial period: The time from the end of the Pleistocene Ice Age (c. 10,300 BP) to the present day.

I

In-situ: A description of any cultural material that lies undisturbed in its original point of deposition.

L

Land System: Description for an area of land based on an assessment of a series of environmental characteristics including geology, geomorphology, climate, soils, and vegetation

M

Midden: Shell middens vary widely in size composition and Complexity. Deposits vary in complexity, they range from being homogenous to finely stratified deposits. Material which may be found in middens includes different shell species, stone artefacts, hearths, and animal bones.

Q

Quarry (stone/ochre source): A place where stone or ochre is exposed and has been extracted by Aboriginal people. The rock types most commonly quarried for artefact manufacture in Victoria include silcrete, quartz, quartzite, chert and fine-grained volcanics such as greenstone.

Quartz: A mineral composed of silica with an irregular fracture pattern. Quartz used in artefact manufacture is generally semi-translucent, although it varies from milky white to glassy. Glassy quartz can be used for conchoidal flaking, but poorer quality material is more commonly used for block fracturing techniques. Quartz can be derived from waterworn pebble, crystalline or vein.

P

Pleistocene: The dates for the beginning and end of the Pleistocene generally correspond with the last Ice Age. That is from 3.5 to 1.3 million years ago. The period ends with the gradual retreat of the ice sheets, which reached their present conditions around 10,300 BP.

Pre-contact: Before contact with non-Aboriginal people.

Post-contact: After contact with non-Aboriginal people.

R

Raw material: Organic or inorganic matter that has not been processed by people.

Registered Aboriginal Cultural Heritage Places: These are Aboriginal sites registered on the Victorian Aboriginal Heritage Register (VAHR).

Regolith: The mantle of unconsolidated soil/sediments/weathered rock materials forming the surface of the land that rests upon the bedrock.

S

Scarred trees: Aboriginal derived scars are distinct from naturally occurring scars by their oval or symmetrical shape and occasional presence of steel, or more rarely, stone axe marks on the scar's surface. Other types of scarring include toeholds cut in the trunks or branches of trees for climbing purposes and removal of bark to indicate the presence of burials in the area. Generally, scars occur on River red gums (*Eucalyptus camaldulensis*) or grey box (*E. microcarpa*) trees. River red gums are usually found along the margins of rivers, creeks, and swamps with grey box on near and far floodplains. Size and shape of the scar depended on the use for which the bark was intended. For example, bark was used for a variety of dishes and containers, shields, canoes and construction of huts.

Significance: The importance of a heritage place or place for aesthetic, historic, scientific, or social values for past, present, or future generations.

Silcrete: Soil, clay or sand sediments that have silicified under basalt through groundwater percolation. It ranges in texture from very fine grained to coarse grained. At one extreme it is cryptocrystalline with very few clasts. It generally has characteristic yellow streaks of titanium oxide that occur within a grey and less commonly reddish background. Used for flaked stone artefacts.

Spit: Refers to an arbitrarily defined strata of soil removed during excavation.

Stratification: The way in which soil forms in layers.

Stratified deposit: Material that has been laid down, over time, in distinguishable layers.

Stratigraphy: The study of soil stratification (layers) and deposition.

Stone Artefact: A piece of stone that has been formed by Aboriginal people to be used as a tool or is a by-product of Aboriginal stone tool manufacturing activities. Stone artefacts can be flaked such as points and scrapers or ground such as axes and grinding stones.

T

Tool: A stone flake that has undergone secondary flaking or retouch.

Transect: A fixed path along which one excavates or records archaeological remains.

V

Victorian Aboriginal Heritage Register: A list of all registered Aboriginal cultural heritage places (Aboriginal Places) in Victoria.

Visibility: Refers to the degree to which the surface of the ground can be observed. This may be influenced by natural processes such as wind erosion or the character of the native vegetation, and by land use practices, such as ploughing or grading. It is generally expressed in terms of the percentage of the ground surface visible for an observer on foot.

REFERENCES

Aboriginal Victoria 1997 *Guidelines for Conducting and Reporting upon Archaeological Surveys in Victoria*. AV, Melbourne.

Mulvaney, D. J. 1975 *The Prehistory of Australia*. Harmondsworth, Penguin.

Appendix 4: ACHP Listing Report for the Geographic Region Showing ACHP Components

Place Number	Name	Number	Type
7321-0450	WOLLASTON ROAD 1	7321-0450-1	Artefact Scatter
7321-0471	HARRINGTON ROAD 1	7321-0471-1	Artefact Scatter
7321-0472	HARRINGTON ROAD 2	7321-0472-1	Artefact Scatter
7321-0479	Wollaston Rd 1	7321-0479-1	Artefact Scatter
7321-0480	Wollaston Rd 2	7321-0480-1	Artefact Scatter
7321-0481	Wollaston Rd 3	7321-0481-1	Artefact Scatter
7321-0482	Wollaston Road 4 IA	7321-0482-1	Artefact Scatter
7321-0483	Wollaston Road 5 IA	7321-0483-1	Artefact Scatter
7321-0486	Wollaston Road 3 AS	7321-0486-1	Artefact Scatter
7321-0487	Wollaston Road 6 AS	7321-0487-1	Artefact Scatter
7321-0489	Wollaston Rd 4	7321-0489-2	Artefact Scatter
7321-0521	Dennington LDAD 1	7321-0521-1	Low Density Artefact Distribution
7321-0521	Dennington LDAD 1	7321-0521-2	Low Density Artefact Distribution

ADVERTISED

Appendix 5: City of Warrnambool Planning Zone Schedules

WARRNAMBOOL PLANNING SCHEME

32.08
31/07/2018
VC148

GENERAL RESIDENTIAL ZONE

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

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

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

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

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

32.08-1
27/03/2017
VC110

Neighbourhood character objectives

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

32.08-2
20/01/2022
VC205

Table of uses**Section 1 - Permit not required**

Use	Condition
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Dependent person's unit	Must be the only dependent person's unit on the lot.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

WARRNAMBOOL PLANNING SCHEME

Use	Condition
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Section 2 - Permit required	
Use	Condition
Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.

WARRNAMBOOL PLANNING SCHEME

Use	Condition
Food and drink premises (other than Convenience restaurant and Take away food premises) Grazing animal production Leisure and recreation (other than Informal outdoor recreation and Motor racing track) Market Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship) Plant nursery	
Service station	<p>The site must either:</p> <ul style="list-style-type: none"> • Adjoin a commercial zone or industrial zone. • Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. <p>The site must not exceed either:</p> <ul style="list-style-type: none"> • 3000 square metres. • 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	
Section 3 – Prohibited	
Use	

WARRNAMBOOL PLANNING SCHEME

Section 3 – Prohibited

Use

Amusement parlour
 Animal production (other than Grazing animal production)
 Animal training
 Brothel
 Cinema based entertainment facility
 Domestic animal boarding
 Extractive industry
 Horse husbandry
 Industry (other than Car wash)
 Motor racing track
 Nightclub
 Office (other than Medical centre)
 Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
 Saleyard
 Transport terminal
 Warehouse (other than Store)

32.08-3
 31/07/2018
 VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

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

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

WARRNAMBOOL PLANNING SCHEME

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. Has started lawfully. 	Clause 59.02

WARRNAMBOOL PLANNING SCHEME

Class of application

Information
requirements and
decision guidelines

- The subdivision does not create a vacant lot.

32.08-4
15/05/2018
VC143**Construction or extension of a dwelling or residential building****Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
 - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

32.08-5
31/07/2018
VC148**Construction and extension of one dwelling on a lot****Permit requirement**

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

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

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

- The fence is associated with one dwelling on:
 - A lot of less than 300 square metres, or
 - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and

WARRNAMBOOL PLANNING SCHEME

- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct an outbuilding or extend a dwelling if the development:</p> <p>Meets the minimum garden area requirement of Clause 32.08-4.</p> <ul style="list-style-type: none"> • Does not exceed a building height of 5 metres. • Is not visible from the street (other than a lane) or a public park. • Meets the requirements in the following standards of Clause 54: <ul style="list-style-type: none"> • A10 Side and rear setbacks. • A11 Walls on boundaries. • A12 Daylight to existing windows. • A13 North-facing windows. • A14 Overshadowing open space. • A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.14</p>
<p>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</p>	<p>Clause 59.03</p>

WARRNAMBOOL PLANNING SCHEME

32.08-6
20/12/2021
VC174

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

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

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

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

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

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment

WARRNAMBOOL PLANNING SCHEME

VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-7

27/03/2017
VC110

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

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

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

32.08-8

26/10/2018
VC152

Residential aged care facility**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-9

04/12/2020
VC180

Buildings and works associated with a Section 2 use

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works where:	Clause 59.04
<ul style="list-style-type: none"> • The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or • The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and • The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: <ul style="list-style-type: none"> • A10 Side and rear setbacks. 	

WARRNAMBOOL PLANNING SCHEME

Class of application	Information requirements and decision guidelines
<ul style="list-style-type: none"> • A11 Walls on boundaries. • A12 Daylight to existing windows. • A13 North-facing windows. • A14 Overshadowing open space. • A15 Overlooking. <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	
<p>32.08-10 26/10/2018 VC152</p> <p>Maximum building height requirement for a dwelling or residential building</p> <p>A building must not be constructed for use as a dwelling or a residential building that:</p> <ul style="list-style-type: none"> • exceeds the maximum building height specified in a schedule to this zone; or • contains more than the maximum number of storeys specified in a schedule to this zone. <p>If no maximum building height or maximum number of storeys is specified in a schedule to this zone:</p> <ul style="list-style-type: none"> • the building height must not exceed 11 metres; and • the building must contain no more than 3 storeys at any point. <p>A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:</p> <ul style="list-style-type: none"> • It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building. • There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments. • It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments. • It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision. <p>An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.</p> <p>A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.</p>	

WARRNAMBOOL PLANNING SCHEME

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-11 Application requirements

26/10/2018
VC152

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

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.
 - Adjacent buildings and uses.
 - The building form and scale.
 - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

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

32.08-12 Exemption from notice and review

26/10/2018
VC152

Subdivision

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

32.08-13 Decision guidelines

24/01/2020
VC160

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

General

- The Municipal Planning Strategy and the Planning Policy Framework.

WARRNAMBOOL PLANNING SCHEME

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

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

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 58.

Non-residential use and development

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

32.08-14
26/10/2018
VC152

Signs

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

32.08-15
26/10/2018
VC152

Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
- A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.

WARRNAMBOOL PLANNING SCHEME

- A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
- A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

WARRNAMBOOL PLANNING SCHEME

34.02
31/07/2018
VC148

COMMERCIAL 2 ZONE

Shown on the planning scheme map as **B3Z**, **B4Z** or **C2Z**.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

34.02-1
20/01/2022
VC205

Table of uses**Section 1 - Permit not required**

Use	Condition
Art and craft centre	
Art gallery	
Cinema Cinema based entertainment facility	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Food and drink premises	The leasable floor area must not exceed 100 square metres.
Industry (other than Materials recycling and Transfer station)	<p>Must not be a purpose listed in the table to Clause 53.10 with no threshold specified.</p> <p>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</p> <ul style="list-style-type: none"> The threshold distance, for a purpose listed in the table to Clause 53.10. 30 metres, for a purpose not listed in the table to Clause 53.10. <p>Must not:</p> <ul style="list-style-type: none"> Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. Require a notification under the Occupational Health and Safety Regulations 2017. Require a licence under the Dangerous Goods (Explosives) Regulations 2011.

WARRNAMBOOL PLANNING SCHEME

Use	Condition
	<ul style="list-style-type: none"> Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Informal outdoor recreation Mail centre Museum Office Postal agency Railway Restricted retail premises	
Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)	<p>Must adjoin, or be on the same land as, a supermarket when the use commences.</p> <p>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</p> <p>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.</p>
Supermarket	<p>The leasable floor area must not exceed 1800 square metres.</p> <p>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.</p> <p>Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</p>
Trade supplies Tramway	
Warehouse (other than Mail centre)	<p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p> <p>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or corrective institution:</p> <ul style="list-style-type: none"> The threshold distance, for a purpose listed in the table to Clause 53.10. 30 metres, for a purpose not listed in the table to Clause 53.10.

WARRNAMBOOL PLANNING SCHEME

Use	Condition
	<p>Must not:</p> <ul style="list-style-type: none"> Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. Require a notification under the Occupational Health and Safety Regulations 2017. Require a licence under the Dangerous Goods (Explosives) Regulations 2011. Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture)	
Caretaker's house	
Education centre	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Materials recycling	
Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)	
Residential hotel	
Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)	

WARRNAMBOOL PLANNING SCHEME

Use	Condition
Supermarket – if the Section 1 conditions are not met	<p>The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</p> <p>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.</p>
Transfer station	<p>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</p>
Utility installation (other than Minor utility installation and Telecommunications facility) Any other use not in Section 1 or 3	
Section 3 - Prohibited	
Use	
Accommodation (other than Caretaker's house and Residential hotel) Animal production (other than Grazing animal production) Hospital Major sports and recreation facility Motor racing track	
34.02-2 15/07/2013 VC100	Use of land <p>A use must not detrimentally affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> • Transport of materials, goods or commodities to or from the land. • Appearance of any building, works or materials. • Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
34.02-3 31/07/2018 VC148	Subdivision <p>A permit is required to subdivide land.</p> <p>VicSmart applications</p> <p>Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a</p>

WARRNAMBOOL PLANNING SCHEME

class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where:	Clause 59.01
<ul style="list-style-type: none"> The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change. 	
Subdivide land into lots each containing an existing building or car parking space where:	Clause 59.02
<ul style="list-style-type: none"> The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	
Subdivide land into 2 lots if:	Clause 59.02
<ul style="list-style-type: none"> The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. Has started lawfully. The subdivision does not create a vacant lot. 	

34.02-4
31/07/2018
VC148

Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

WARRNAMBOOL PLANNING SCHEME

Class of application	Information requirements and decision guidelines
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Construct a building or construct or carry out works with an estimated cost of up to \$500,000 where the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
- Used for a purpose listed in the table to Clause 53.10.
- Used for a Brothel or Adult sex product shop.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.02-5
01/07/2021
VC203

Application requirements**Use**

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Building and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.

WARRNAMBOOL PLANNING SCHEME

- All driveway, car parking and loading areas.
- Proposed landscape areas.
- All external storage and waste treatment areas.
- Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

34.02-631/07/2018
VC148**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.02-731/07/2018
VC148**Decision guidelines****General**

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

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

Building and works

WARRNAMBOOL PLANNING SCHEME

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

34.02-8
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.

Appendix 6: GDA 94/MGA 54 Co-ordinates

Excavated Pit ID	Easting GDA 94/MGA 54	Northing GDA 94/MGA 54
Test Pits		
1	628054.728	5753775.688
2	627899.288	5753788.606
3	627919.708	5753946.13
4	627993.469	5753755.685
5	628028.474	5753737.349
6	628078.898	5753796.524
7	627965.965	5753869.868
Machine Transects		
A: Start b: End		
1a	627973.7025	5754032.633
1b	627975.7047	5754032.651
2a	627908.1725	5754036.542
2b	627910.1747	5754036.532
3a	627965.4038	5753969.121
3b	627967.4061	5753969.139
4a	627901.2291	5753974.417
4b	627903.2234	5753974.37
5a	627889.0332	5753914.969
5b	627891.0374	5753914.926
6a	627938.1484	5753890.754
6b	627940.1407	5753890.744
7a	627942.2005	5753820.936
7b	627944.2028	5753820.971
8a	627999.2672	5753803.378
8b	628001.2734	5753803.37
9a	628052.6092	5753807.408
9b	628054.6074	5753807.408
10a	628067.1765	5753737.177
10b	628069.1787	5753737.159
11a	628023.4845	5753762.409
11b	628025.4828	5753762.405
12a	627988.2598	5753733.117
12b	627990.2581	5753733.06
13a	627959.4785	5753734.137
13b	627961.4787	5753734.103
14a	627957.7838	5753760.007
14b	627959.7801	5753759.999
15a	627930.8618	5753764.093
15b	627932.8601	5753764.071

16a	627895.8098	5753763.557
16b	627897.8061	5753763.544
17a	627907.4918	5753796.472
17b	627909.4921	5753796.425
18a	627909.8592	5753825.053
18b	627911.8634	5753825.035
19a	627879.0299	5753823.386
19b	627881.0461	5753823.327
20a	627869.9038	5753791.67
20b	627871.9001	5753791.644
21a	627848.0558	5753793.575
21b	627850.06	5753793.527
22a	627852.7112	5753759.68
22b	627854.7134	5753759.638
23a	627809.7157	5753776.579
23b	627811.708	5753776.567
24a	627836.2885	5753772.59
24b	627838.2828	5753772.529

ADVERTISED

CHMP 18740: Proposed Residential and Industrial Zoning in a 1911-201 Morris Road and 51 Canby Road, Warrnambool

ADVERTISED

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

Page 1 of 1

VOLUME 12307 FOLIO 923

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LAND DESCRIPTION

Lot 1 on Title Plan 961748Q.
PARENT TITLE Volume 11838 Folio 871
Created by Application No. 144946E 01/06/2021

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
ELMSTONE INVESTMENTS PTY LTD of SUITE 1 106-108 LYDIARD STREET SOUTH
BALLARAT VIC 3350
AV366519J 24/02/2022

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 set out under DIAGRAM LOCATION below.

Warning as to Dimensions

Any dimension and connecting distance shown is based on the description of the land as contained in the General Law Title and is not based on survey information which has been investigated by the Registrar of Titles.

DIAGRAM LOCATION

SEE TP961748Q 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: 191-201 MORRISS ROAD WARRNAMBOOL VIC 3280

ADMINISTRATIVE NOTICES

NIL

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TITLE PLAN		ED TO L 1		TP961748Q	
LOCATION OF LAND PARISH: WANGOOM TOWNSHIP: SECTION: CROWN ALLOTMENT: 73 (PT) CROWN PORTION: LAST PLAN REFERENCE: DERIVED FROM: DEPTH LIMITATION: NIL			NOTATIONS WARNING AS TO DIMENSIONS: ANY DIMENSION AND CONNECTING DISTANCE SHOWN IS BASED ON THE DESCRIPTION OF THE LAND CONTAINED IN THE GENERAL LAW TITLE AND IS NOT BASED ON SURVEY INFORMATION WHICH HAS BEEN INVESTIGATED BY THE REGISTRAR OF TITLES.		
EASEMENT INFORMATION E - ENCUMBERING EASEMENT. R - ENCUMBERING EASEMENT (ROAD). A - APPURTENANT EASEMENT.					THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES Checked by: AJC Date: 01/12/2016 Assistant Registrar of Titles
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefited / In favour of	
LENGTHS ARE IN METRES	SCALE —	DEALING / FILE No: AP136887P		DEALING CODE: 23	
		GOVERNMENT GAZETTE No:		SHEET 1 OF 1	