

Mallacoota Kindergarten – Option 1 – Greer St

Complex Assessment Results 20/01/2021

Work completed: 1 1x1m hand-excavated test pit (TP), 1 50x50cm shovel test pit (STP)

Surface cultural heritage: 1 surface artefact

Subsurface cultural heritage: Present in TP and STP. Artefact analysis indicates stone artefacts between 100–550mm. The majority of artefacts were situated between 200–500mm in the TP. The final number of artefacts located during the subsurface testing was 210, with 202 of the artefacts found in the 1x1m test pit. Stone materials within the artefact assemblage primarily comprise silcrete and quartz, with six artefacts made from other stone (chert, crystal quartz and tachylite). Some possible ochre fragments as well. Artefacts were in natural soil deposits and were not associated with introduced fill. No evidence of shell material was present within the testing. There was no evidence of bone within the testing.

Heritage advisor recommendation: The artefact materials, artefact density and depths identified during this CHMP assessment at Greer St are consistent with previous assessments within the Aboriginal site that lies across this area. Almost every testing location from previous assessments has identified artefacts, with one test pit on the south western side of the existing kindergarten containing 122 artefacts. Previous surveys have also identified artefacts eroding from land cuts adjacent to and within the activity area. There is also a registered Aboriginal burial less than 200m to the east and another approximately 300m to the north.

One of the main purposes of the *Aboriginal Heritage Act 2006* is “to provide for the protection of Aboriginal cultural heritage and Aboriginal intangible heritage in Victoria”. Section 61 (a) to (c) of the Act outlines matters that must be considered in assessing whether a CHMP can 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;*

Consideration of Section 61 (a) and (b) indicates that the necessary construction activities will cause harm to artefact-bearing layers. Harm minimisation may be possible for some construction-related activities but would not be possible for the necessary deep impact components, based on my understanding of the engineering depth requirements. Under Section 61 (c), any parts of the proposed construction that would harm artefact-bearing layers would require prior salvage by a suitably qualified heritage advisor or archaeologist and representatives of the Traditional Owners. The extent of what would be required is unable to be determined at present but is likely to be extensive. Further consultation with the Traditional Owners regarding the significance of the Aboriginal site and the testing results is yet to occur. Their feedback must be considered during the drafting of the management conditions about the Aboriginal site.

In light of the consistent presence of artefacts across the kindergarten site and significant Aboriginal sites nearby, **I strongly recommend that no future ground disturbing impacts occur at this location and that the CHMP assessment be ‘discontinued’**. The required level of archaeological monitoring, excavation and future management that would be required to progress the CHMP at Greer St would be extensive and would not necessarily reach approval with Aboriginal Victoria and the Traditional Owners as the purpose of the *Aboriginal Heritage Act 2006* is to protect cultural heritage from harm and the VSBA is in the fortunate position to be able to avoid further harm to this Aboriginal Place by focussing the kindergarten preparation on the alternate location (i.e. the P-12 College).

Mallacoota Kindergarten – Option 2 – P-12 College

Complex Assessment Results 21/01/2021

Work completed: 1 1x1m hand-excavated test pit (TP), 1 50x50cm shovel test pit (STP).

Surface cultural heritage: None

Subsurface cultural heritage: None

Heritage advisor recommendation: The testing at this location identified no sensitivity for Aboriginal cultural heritage. The Traditional Owners were satisfied that the proposed kindergarten location would not impact on Aboriginal cultural heritage. However, the road easement along the southern boundary of the school reserve showed little evidence of disturbance from roadworks or utility installations. The Traditional Owners requested any ground disturbance/excavation works undertaken along the section of Hunter Road to the south of the proposed kindergarten be inspected when the ground disturbing works are undertaken. This was requested due to the lack of evidence for previous ground disturbance through this section of the road easement.