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National Australia Bank  
Property Development Group  
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Melbourne. Vic. 3000

To Whom it May Concern

**PRELIMINARY REVIEW, ABORIGINAL AND NON-ABORIGINAL HERITAGE ISSUES,  
SEAWARD DRIVE, CAPE PATERSON**

As requested by Mr Jim Watson of Wallis Watson Cape Paterson Pty Ltd, we have conducted a brief desktop review of Aboriginal and non-Aboriginal Heritage Issues on the property to the north of Seaward Drive, Cape Paterson. The review has found the following:

- The property has not previously been subject to an archaeological assessment. Therefore the Aboriginal and non-Aboriginal heritage values of the property have not been previously assessed by either a desktop or field assessment.
- There are currently no Aboriginal archaeological sites on the property which are registered with Aboriginal Affairs Victoria. The absence of registered Aboriginal sites on the property should not be taken as an indication that Aboriginal archaeological sites are absent on the

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subject land. The lack of registered sites may simply be due to the property having never been subject to an archaeological assessment.

- There are no historic archaeological sites, historic places or structures on the subject property, which are listed on the Victorian Heritage Inventory, the Register of the National Estate, the Register of the National Trust or Bass Coast Shire Heritage Overlay. It is likely that any historic buildings or structures on the property would have been identified in the local government heritage study, so the indications are that there would be no sites of this type on the land. However, land around Cape Paterson has been subject to grazing and coal mining since the 1840's, and because of this long history of post contact occupation and the lack of previous surveys, the possibility of historic archaeological sites occurring on the land cannot entirely be ruled out. As most of the early historic land use activity was based around the Cape Paterson coastline, however, the probability that historic archaeological sites will occur on the subject land is fairly low.
- There are nine previously registered Aboriginal archaeological sites along the south coast of Cape Paterson. All of these sites are situated between 1.1 – 1.2km south, south-west and south-east of the Seaward Drive property. The previously recorded archaeological sites are predominantly Aboriginal shell middens or more complex sites comprising shell middens and surface scatters of stone artefacts. All of these appear to be associated with past Aboriginal campsites at Cape Paterson. There has been one previous survey of the Cape Paterson Coastline (Edmonds et. al. 1999) and a second survey of inland dune systems behind the coastline (Rhodes, 2005).

The second survey (Rhodes, 2005) was carried out for a proposed Eco-village at Cape Paterson. The land surveyed was open undulating grazing land on Pleistocene dune systems and Pleistocene alluvial deposits, which are the same landforms and geology that are present on the Seaward Drive property. No Aboriginal archaeological sites were found during the field survey, but it was considered that linear dune ridges, in particular, on this property, had a high potential to contain buried archaeological sites that were not visible from the surface. Further sub-surface testing was recommended to investigate the potential for Aboriginal archaeological sites on the dune ridges, if the earthworks associated with the development occurred in these areas.

- The Seaward Drive property contains Pleistocene dunes, particularly in the north half of the site. There are also small ephemeral drainage lines through this area, which may have been potential sources of water for Aboriginal people in the past. A large freshwater swamp was also situated immediately outside the south-east corner of the property in the past and extends slightly into the eastern boundary of the property. The swamp would also have been a potential resource base for Aboriginal people accessing the land in the past. The Traditional Aboriginal Owners of the land in the region of the study area were the

*Yowengarra* clan of the *Boon wurrung* people. There has been no written or oral history obtained to date that indicates that Cape Paterson was a place of particular significance to the *Yowengarra* and *Boon wurrung* people, but there is also extremely limited historical information regarding the *Yowengarra*. Prominent landforms, such as Cape Schanck, were of particular significance to the *Boon wurrung* people; Cape Schanck is known as a significant men's ceremonial site and is also the site of Bunjil's Cave, a place strongly associated with *Boon wurrung* and wider Aboriginal creation myths. It is possible that Cape Paterson may have had a similar type of significance. The resources which were available to *Boon wurrung* people in the region of Cape Paterson would have also been significant.

Large shell deposits and stone artefact scatters have been found in association with linear inland dunes along the coastline between Wonthaggi and Tarwin Lower in previous assessments and the possibility that similar sites will be found on the Seaward Drive property cannot be discounted.

- The possibility that human burials may be found in soft sandy soils in the general region of the property cannot be discounted, although no human remains have been found in the immediate locality to date.
- The northern section of the property is within an area of Cultural Heritage Sensitivity defined in the *Aboriginal Heritage Regulations 2007*. Because the property is within an area of Cultural Heritage Sensitivity and because the proposed subdivision of the land is a high impact activity, as defined in the Regulations, the developers will be required to prepare a mandatory Cultural Heritage Management Plan (CHMP) for the property. The plan will need to be prepared to standards prescribed in the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2007*. The CHMP will not be required for the rezoning, unless desired by the developer, but will be required at planning approval stage.
- A survey for historic archaeological sites will also be required.
- As part of the CHMP, it is likely that some form of sub-surface testing (excavation) will be required to assess the likelihood of buried Aboriginal archaeological sites occurring on the property. The desktop assessment indicates that there is some likelihood that sites of this type will be found on the property but a more detailed assessment is required to determine this with any degree of certainty.
- The proposed development will be residential allotments with some open space allocations. Although there may be Aboriginal or historic archaeological sites found on the property during any future heritage assessment, Wallis Watson Cape Paterson have advised that there should be ample scope to preserve significant Aboriginal or historic archaeological sites on the property, in the event given the size of the allotments and the open space allocations. Significant Aboriginal sites

have frequently been retained within housing developments by alterations to urban design, that allow the archaeological sites to be retained within open space in association with some form of landscape interpretation. However, it should be noted that if harm cannot be avoided to any archaeological site on the property, some form of salvage may be necessary, depending on the type of site found and its contents.

If a historic archaeological site is located and the development impacts on that site, it will be necessary to obtain a permit from the Director of Heritage Victoria to disturb or remove that site, pursuant to the Victorian *Heritage Act 1995*. It is unlikely that a permit would be refused, unless the site is exceptionally significant, but some form of salvage would be required. As noted above, it is highly unlikely that any historic archaeological sites will be found on the property.

This is an indicative assessment only and not a detailed study of the site. It has been conducted for preliminary planning purposes and does not constitute a detailed assessment suitable for planning applications or a CHMP. It should be noted that the information in this document has not been compiled from a detailed field assessment and must be subject to verification by independent field investigation. Heritage Insight Pty Ltd and its employees do not accept any legal liability for the accuracy of this information, which is advisory in nature.

If you have any queries regarding any of the points raised above, please feel free to contact me on 9429 4930 or 0417 366 972.

Regards



David Rhodes  
Director  
Heritage Insight Pty Ltd

## **References**

Rhodes, David 2005 *An Archaeological Survey of a Proposed Eco-village, Cape Paterson, Victoria*. Report for Australian Ecosystems Pty Ltd.

Edmonds, Vanessa, Andrew Long and Petra Schell 999 *Coast Action/Coast Care Grant Applications: Port Phillip, Gippsland South and Gippsland East*

*Aboriginal Archaeological Impact Assessment.* Report to the Department of Natural Resources and Environment.