



## Historical Cultural Heritage Assessment

Goschen Mineral Sands Project, Lalbert, Victoria

Prepared for  
**VHM Exploration Pty Ltd**

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## Abbreviations

Abbreviation	Description
ACHRIS	Aboriginal Cultural Heritage Research and Information System
AV	Aboriginal Victoria
Cwth	Commonwealth
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwth)
CHMP	Cultural Heritage Management Plan
HV	Heritage Victoria
LGA	Local Government Area
RAP	Registered Aboriginal Party
RNE	Register of the National Estate
VHI	Victorian Heritage Inventory
VHM	VHM Exploration Pty Ltd
VHR	Victorian Heritage Register
Vic	Victoria

## Key terms

Term	Description
Geographic region	The area within a 30km radius of the centre of the study area
Study area	EL 5520 and EL 6419 combined

# Executive Summary

VHM Exploration Pty Ltd (VHM) is exploring for mineral sands in the Loddon Mallee Region near the city of Swan Hill in north-western Victoria, within exploration licenses EL 5520 and EL 6419.

Eco Logical Australia has been commissioned to undertake a preliminary assessment of EL 5520 and EL 6419 to determine the nature and extent of non-Aboriginal historical heritage values that may be located within them, and identify the associated regulatory implications.

The assessment involved a desktop review of all relevant Commonwealth, State and Local Government historical heritage databases.

The assessment drew the following conclusions:

- Eight heritage places listed on Commonwealth and State heritage databases are situated within EL 5520 and EL 6419. Two listings relate to places with natural heritage value (Register of the National Estate [RNE] ID 100418 and HO209) and six listings relate to places with historical heritage value, including:
  - Victorian Heritage Inventory – D7526-0001, H7526-0002, H7526-0004 and H7526-0005
  - Victorian War Heritage Inventory – HERMES Numbers 125897 and 189023.
- H7526-0002, H7526-0004 and H7526-0005 are protected under provisions of the *Heritage Act 2017* (Vic). A Consent to Excavate and/or a Consent to Damage must be issued by Heritage Victoria for each place prior to the commencement of Project-related activities at these locations.
- D7526-0001 is a de-listed historical heritage place and does not require a Consent to Excavate or a Consent to Damage from Heritage Victoria. However, Heritage Victoria must be notified of any works that may disturb the registered location of this site.
- The Victorian War Heritage Inventory is a non-statutory register, and on this basis HERMES Numbers 125897 and 189023 are not protected under the *Heritage Act 2017*, nor are they protected under Commonwealth heritage legislation or relevant Local Planning Schemes.
- The RNE is a non-statutory register, and on this basis RNE ID 100418 is not protected under any heritage legislation. However, it may be protected under other State environmental protection legislation or relevant Local Planning Schemes based on its ecological values.
- HO209 is a *Eucalyptus diptera* (Two-Winged Gimlet) tree and is included on the Rural City of Swan Hill Heritage Overlay as a heritage place to which tree controls apply. On this basis, a permit to remove, destroy or lop HO209 will be required from the Rural City of Swan Hill prior to the commencement of Project-related activities which may affect the tree in any of these prescribed ways.
- None of the heritage places situated within EL 5520 and EL 6419 represent Matters of National Environmental Significance protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth). Referral and assessment under the *Environment Protection and Biodiversity Conservation Act 1999* is therefore not required in relation to historical heritage matters.

# 1 Introduction

## 1.1 Project Background

VHM Exploration Pty Ltd (VHM) is exploring for mineral sands in the Loddon Mallee Region near the city of Swan Hill in north-western Victoria. VHM's tenure is located approximately 280 km north-west of Melbourne and 20 km south of Swan Hill, and includes exploration licenses EL 5520 and EL 6419 (Figure 1). The exploration licences are located within the Rural City of Swan Hill, Buloke Shire and Gannawarra Shire.

VHM is investigating opportunities to develop the Goschen Mineral Sands Project (the Project) and is currently undertaking a Pre-Feasibility Study. This includes the preparation of a range of mining and environmental studies to evaluate the potential to develop a minerals sands and rare earth mine. Studies include:

- Geological modelling to inform engineering studies and to identify drilling target areas.
- Metallurgical test work to identify potential products and determine ore processing options.
- Engineering studies to identify target mineralisation areas and develop an infrastructure design.
- Environmental studies (flora, fauna, surface water and groundwater).
- Heritage assessments (Aboriginal and non-Aboriginal).

Eco Logical Australia was engaged by VHM to provide specialist cultural heritage advice to support the preparation of the Pre-Feasibility Study and a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth) (EPBC Act). The objectives of the requested services were to:

- Undertake an Aboriginal heritage desktop assessment of EL 5520 and EL 6419.
- Undertake a Native Title desktop assessment for EL 5520 and EL 6419.
- Undertake a non-Aboriginal historical cultural heritage desktop assessment for EL 5520 and EL 6419.
- Develop a consultation program with key stakeholders in relation to Aboriginal heritage.

This report includes a preliminary assessment of the non-Aboriginal historical cultural heritage values associated with EL 5520 and EL 6419, and a constraints analysis in relation to any identified values that may be impacted by the proposed Project.

An assessment of the Aboriginal cultural heritage values associated with EL 5520 and EL 6419 and matters relating to Native Title and the identification of relevant Aboriginal Traditional Owners will be presented in a separate report.

## 1.2 Scope of works

The following tasks formed the scope of works for the present study:

- Review relevant online databases, including:
  - Australian Heritage Database
  - Australian Heritage Places Inventory
  - Victorian Heritage Database.
- Review relevant Local Government Area (LGA) Planning Scheme heritage overlays.

- Review the requirements of the *Heritage Act 2017* (Vic) to determine whether there are any implications for the proposed mining project within EL 5520 and EL 6419, which may include activities with a potential to harm non-Aboriginal historical cultural heritage.

### **1.3 Study area**

The study area investigated for the present study was confined to EL 5520 (314 km<sup>2</sup>) and EL 6419 (443 km<sup>2</sup>), which combined comprises a total area of 757 km<sup>2</sup>.



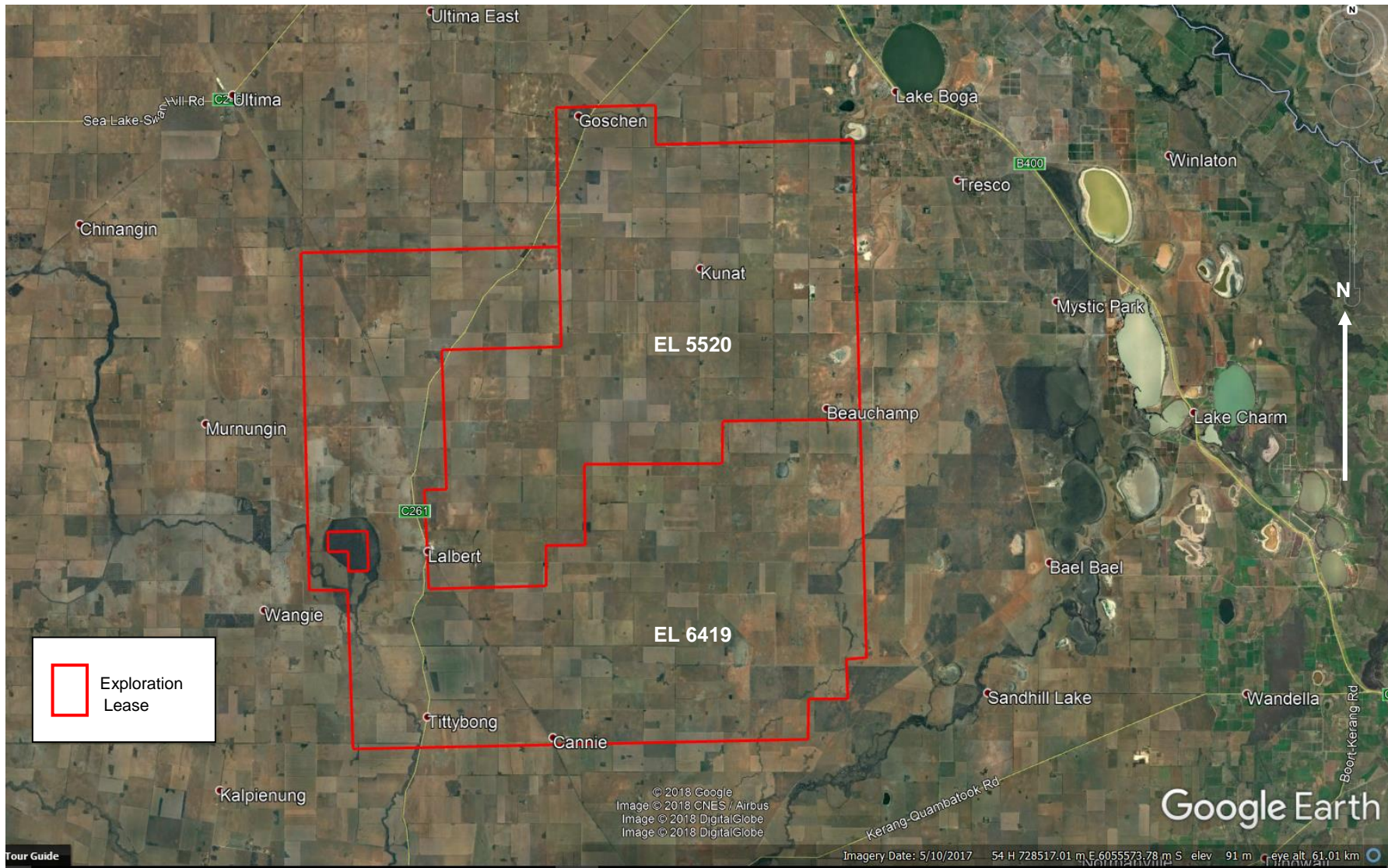


Figure 1: VHM exploration leases EL 5520 and EL 6419 <<To be updated>>



## 2 Legislative and Statutory Frameworks

### 2.1 Commonwealth

#### 2.1.1 *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places—defined in the EPBC Act as matters of national environmental significance.

The nine matters of national environmental significance to which the EPBC Act applies are:

- World heritage properties.
- National heritage places.
- Wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed).
- Nationally threatened species and ecological communities.
- Migratory species.
- Commonwealth marine areas.
- The Great Barrier Reef Marine Park.
- Nuclear actions (including uranium mining).
- A water resource, in relation to coal seam gas development and large coal mining development.

The Australian Heritage Council assesses whether or not a nominated place is appropriate for listing on either the National or Commonwealth Heritage Lists and makes a recommendation to the Minister on that basis.

The EPBC Act is administered by the Australian Government Department of the Environment and Energy. The Minister for the Environment and Energy's primary role under the EPBC Act is to protect areas of national environmental significance in accordance with the guiding principles of the EPBC Act. However, the minister cannot intervene in a proposal if it has no significant impact on one of the nine matters of national environmental significance. Under the division of powers between the Australian Government and the states under the Australian Constitution, it is the states that have the primary responsibility for environmental protection.

### 2.2 State

#### 2.2.1 *Heritage Act 2017*

The *Heritage Act 2017* (Vic) enables the identification and protection of heritage places and objects that are of significance to the state of Victoria and establishes the Victorian Heritage Register (VHR), the Victorian Heritage Inventory and the Heritage Council of Victoria. The Heritage Council of Victoria is the expert statutory body for determining matters relating to historical cultural heritage.

Places of recognised state heritage significance are included in the VHR and are legally protected under the provisions of the *Heritage Act 2017*. The Heritage Council of Victoria and the state government agency Heritage Victoria are responsible for maintaining the VHR and issuing heritage permits and

other approvals for the development of heritage places of state significance under the *Heritage Act 2017*.

All archaeological sites (other than those which are determined by the Executive Director, Heritage Victoria, to have low archaeological value) and all approved sites of archaeological value are included in the Victorian Heritage Inventory (VHI), and are protected under the *Heritage Act 2017*. To be approved as a site of archaeological value, a place must contain artefacts, deposits or features which are greater than 75 years old, provide information of past activity in the State, require archaeological methods to reveal information about the place, and have archaeological value as determined according to criteria established by the Victorian Heritage Council.

The VHI is administered by Heritage Victoria. Any activities that will result in the excavation of or disturbance to a site recorded in the VHI or an archaeological site which is not recorded in the VHI must have first obtained the consent of Heritage Victoria. All non-Aboriginal archaeological sites in Victoria are protected by the *Heritage Act 2017*, regardless of whether they are included in the VHI.

Any changes to registered places and objects require permit approval by the Executive Director, Heritage Victoria, unless there are permit exemptions in place allowing for certain works to be undertaken without a permit or the works proposed are minor and are specifically exempted by the Executive Director. Pursuant to sections 87, 88 and 89 of the *Heritage Act 2017*, a person must not remove, relocate or demolish, damage or despoil, develop or alter, or excavate all or any part of a registered place, unless the works or activities are carried out in accordance with a permit issued under the *Heritage Act 2017* or are subject to religious services or rites (s 90) or are works that the Heritage Council or the Executive Director, Heritage Victoria, have determined do not require a permit.

### **2.2.1 Planning and Environment Act 1987**

Places of local significance are listed for protection in LGA Local Planning Schemes, under the provisions of the *Planning and Environment Act 1987* (Vic). Places are added to planning schemes through amendments to individual planning schemes, and are included in local Heritage Overlays.

In addition to their administration of heritage controls through the Heritage Overlay provisions of their own planning schemes, local councils may also be involved in commenting on applications made for permits under the *Heritage Act 2017* (for places included in the VHR).

# 3 Desktop Assessment

## 3.1 Australian Heritage Database

### 3.1.1 Description

The Australian Heritage Database contains information about more than 20,000 natural, historical and Indigenous places (Department of Environment and Energy 2018).<sup>1</sup> The database includes:

- Places on the World Heritage List.
- Places on the National Heritage List.
- Places on the Commonwealth Heritage list.
- Places on the Register of the National Estate.
- Places on the List of Overseas Places of Historic Significance to Australia.
- Places under consideration, or that may have been considered for, any one of these lists.

The legal status of a heritage place included on the Australian Heritage Database describes its position in the heritage listing assessment process. Examples of types of legal status include nominated, rejected, and listed. Each list has its own types of legal status. It is important to note that places with a legal status of 'Indicative' or 'Nominated' have not been assessed and the data in reports relating to these places will reflect the views of the nominator, not necessarily the view of the Council or the Minister.

#### World Heritage List

The World Heritage List includes places that are important to and belong to everyone, irrespective of where they are located.<sup>2</sup> They have universal value that transcends the value they hold for a particular nation.

These qualities are expressed in the Convention concerning the Protection of the World Cultural and Natural Heritage (the World Heritage Convention). The World Heritage Convention aims to promote cooperation among nations to protect heritage from around the world that is of such outstanding universal value that its conservation is important for current and future generations.

Australia currently has 19 properties on the World Heritage List.

#### National Heritage List and Commonwealth Heritage List

The National Heritage List is a register of places deemed to be of outstanding heritage significance to Australia. The list includes natural, historical and Indigenous places. There are currently 113 registered places included on the National Heritage List.<sup>3</sup>

The Commonwealth Heritage List is a register of places under the control of the Australian government, usually on land or in waters directly owned by the Crown, which are also deemed to have importance in relation to the natural, Indigenous and historical heritage of Australia. The Commonwealth Heritage List currently includes 399 places such as federally-owned telegraph stations, defence sites, migration

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<sup>1</sup> <http://www.environment.gov.au/heritage/publications/australian-heritage-database> - accessed 4 June 2018

<sup>2</sup> [www.environment.gov.au/heritage/about/world-heritage](http://www.environment.gov.au/heritage/about/world-heritage) -accessed 4 June 2018

<sup>3</sup> <http://www.environment.gov.au/heritage/places/national-heritage-list> - accessed 23 June 2018

centres, customs houses, lighthouses, national institutions such as Parliament and High Court buildings, memorials, islands and marine areas.<sup>4</sup>

The National Heritage List and Commonwealth Heritage List were established under the EPBC Act and replace the former RNE. Places registered on the National Heritage List and Commonwealth Heritage List are protected under relevant provisions of the EPBC Act.

### Register of the National Estate

The Register of the National Estate (RNE) was originally established under the *Australian Heritage Commission Act 1975* (Cwth), which has since been repealed. The *Australian Heritage Commission Act 1975* provided a basic level of statutory protection for places in the RNE, limited to actions by the Commonwealth. Under that Act, the former Australian Heritage Commission entered more than 13,000 places in the register, including many places of local or state significance.

The RNE was closed in 2007 and is no longer a statutory list. All references to the RNE were removed from the EPBC Act on 19 February 2012.

However, the expiration or repeal of parts of the EPBC Act and the *Australian Heritage Council Act 2003* (Vic) relating to the RNE does not diminish protection of Commonwealth heritage places. These parts have been superseded by stronger ongoing heritage protection provisions under the EPBC Act via the National Heritage List and Commonwealth Heritage List.

The RNE is now a non-statutory archive of information about more than 13,000 places throughout Australia which were previously considered to have, or potentially have, some level of heritage value.

### 3.1.2 Results

Reviews of the Australian Heritage Database were conducted on 4 and 23 June 2018. The database was searched using several criteria, including a comprehensive review of all listings sorted by LGA (Rural City of Swan Hill, Buloke Shire and Gannawarra Shore), and a review of the entire database using the following locations as keyword search terms:

- Goschen.
- Kunat.
- Meatian.
- Myall.
- Beauchamp.
- Lalbert.
- Tittybong.
- Cannie.

The review identified one place in the Australian Heritage Database as being located within the study area:

- Lake Lalbert, Lalbert, Victoria (Place ID 100418): included on the RNE and classed as a Natural Heritage place with a legal status of 'Indicative'. The listing provides details of the nominator's Statement of Significance and a further description of the heritage values associated with Lake Lalbert; these relate exclusively to the area's ecological values.

A search using the keyword 'Lalbert' identified an additional place within the study area:

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<sup>4</sup> <http://www.environment.gov.au/heritage/places/commonwealth-heritage-list> - accessed 23 June 2018

- Lalbert Dog Fence, Omeara Road, Lalbert, Victoria (Place ID 101659): included on the RNE and classed as a Historic Heritage place with a legal status of 'Indicative'.

The Lalbert Dog Fence was constructed in 1885 and was originally built to separate agricultural land from neighbouring Mallee scrub that harboured pests, including 'wild dogs'. A portion of the fence remains intact and unburied by drifting sand; according to the database entry it is situated adjacent to Brimby Bill Wildlife Reserve along Omeara Road between Lalbert Lake Road and Lalbert Creek, 1.8 km west of the study area's western boundary.

In summary:

- The Australian Heritage Database does not include any places classified as Historical Heritage within the study area.
- The study area does not contain any places included on the World Heritage List, National Heritage List or Commonwealth Heritage List, and consequently there are no places within the study area that are protected under the EPBC Act.
- Inclusion of Lake Lalbert on the RNE does not afford any protection to the place, but it is possible that the place may be protected under other State-based environmental legislation due to its ecological values.

## 3.2 Victorian Heritage Database

### 3.2.1 Description

The Victorian Heritage Database includes:

- the Victorian Heritage Register (VHR).
- the Victorian Heritage Inventory (VHI).
- Non-statutory listings held by the National Trust of Australia (Victoria).
- Non-statutory listings held by the Victorian War Heritage Inventory.
- Records of places included in Heritage Overlays for 24 of Victoria's 79 Local Planning Schemes.

#### Victorian Heritage Register (VHR)

The VHR lists and provides legal protection under the *Heritage Act 2017* to 2,343 heritage places and objects currently included on the register. These places and objects are significant to the history and development of Victoria.<sup>5</sup>

Heritage places can include buildings, trees, parks and gardens, streetscapes, archaeological sites, cemeteries, precincts, shipwrecks and structures such as bandstands.

Heritage objects can include furniture, shipwrecks, relics, archaeological artefacts, equipment, transport vehicles and everyday articles that contribute to an understanding of Victoria's history.

<sup>5</sup> <https://heritagecouncil.vic.gov.au/heritage-protection/levels-of-protection/> - accessed 23 June 2018

## Victorian Heritage Inventory (VHI)

The VHI is a listing of all known non-Aboriginal historical archaeological sites in Victoria. While there are over 8,400 sites currently listed on the VHI, it is not a comprehensive list as much of the State has not been archaeologically surveyed. Entries on the VHI include:

- Sites relating to the settlement and growth of townships.
- Mining sites from the Goldrush years.
- Forestry sites (e.g. saw-mills).
- Defence sites.
- Coastal sealing and whaling sites.

## National Trust of Australia (Victoria)

The National Trusts in Australia are community-based, non-government not-for-profit organisations, committed to promoting and conserving Australia's heritage through their advocacy work and their custodianship of heritage places and objects.<sup>6</sup>

The National Trust Heritage Register covers all types of cultural and natural heritage, including buildings, trees, landscapes, gardens, public art and pipe organs.<sup>7</sup> It is a non-statutory register, and listing on the register in and of itself does not afford any statutory protection.

## Victorian War Heritage Inventory

The Victorian War Heritage Inventory contains information and images of sites relating to Victoria's war history including war memorials, honour rolls, avenues of honour, memorial buildings, former defence sites and places of commemoration. It does not list moveable heritage objects or museum collections. The database supporting the inventory was developed as a joint project between the Veterans Unit and Heritage Victoria.<sup>8</sup>

The Victorian War Heritage Inventory currently lists over 5,000 records relating to heritage places and 97,000 records relating to service people named on honour rolls. It is a non-statutory register, and listing on the inventory in and of itself does not afford any statutory protection.

## Local Planning Scheme Heritage Overlays

The Victorian Heritage Database includes heritage places listed on the Heritage Overlays of 29 Victorian Local Planning Schemes. However, it does not include the Rural City of Swan Hill, Buloke Shire or Gannawarra Shire.

## HERMES

HERMES is an online database that includes information on all recorded non-Aboriginal heritage places in Victoria. It is managed on behalf of the heritage community and LGAs by Heritage Victoria. LGAs and Government agencies who use HERMES to store their own data – or consultants employed on their behalf – are the only ones able to edit a record that they own.

<sup>6</sup> <https://www.nationaltrust.org.au/about-us/> - accessed 23 June 2018

<sup>7</sup> <https://www.nationaltrust.org.au/services/heritage-register-vic/> - accessed 23 June 2018

<sup>8</sup> <http://vhd.heritage.vic.gov.au/vhd/veterans> - accessed 23 June 2018



HERMES Interactive uses the Victorian government's mapping platform to present spatial information on places recorded on the HERMES database.<sup>9</sup> This mapping system is a useful way of locating heritage sites, especially when they are outside major urban areas and have no accurate street address (e.g. archaeological sites situated in rural locations).

### 3.2.2 Results

Reviews of the Victorian Heritage Database and HERMES mapping platform were conducted on 4 and 23 June 2018. The Victorian Heritage Database was searched using several criteria, including a comprehensive review of all listings sorted by LGA (Rural City of Swan Hill, Buloke Shire and Gannawarra Shore),<sup>10</sup> and a review of the entire database using the following locations as keyword search terms:

- Goschen.
- Kunat.
- Meatian.
- Myall.
- Beauchamp.
- Lalbert.
- Tittybong.
- Cannie.

The review identified seven heritage places as being situated within the study area. These are summarised in Table 1, and their locations are mapped in Figure 2. The places include:

- Lalbert War Memorial: listed in the Victorian War Heritage Inventory – no statutory protection, no permit to disturb required.
- Lalbert Hall Honour Roll: listed in the Victorian War Heritage Inventory – no statutory protection, no permit to disturb required.
- Cannie State School No. 3498: included on the VHI (D7526-0001) – delisted, no Consent to Disturb required, but Heritage Victoria must be notified if impacts to this place are anticipated.
- Mud-Brick House Ruins, Cannie: included on the VHI (H7526-0002) – a Consent to Disturb will be required from Heritage Victoria if impacts to this place are anticipated.
- Kunat State School No. 3294: included on the VHI (H7526-0005) – a Consent to Disturb will be required from Heritage Victoria if impacts to this place are anticipated.
- Beauchamp State School No. 3560 and Beauchamp Memorial Hall: included on the VHI (H7526-0004) – a Consent to Disturb will be required from Heritage Victoria if impacts to these places are anticipated.
- *Eucalyptus diptera* (Two-Winged Gimlet): included on the National Trust of Australia (Victoria) register (T11169) – see Section 3.3 for further details.

Copies of the Victorian Heritage Database entries for these seven places are included in Appendix 1.

<sup>9</sup> <http://services.land.vic.gov.au/maps/hermes.jsp> - accessed 4 June 2018

<sup>10</sup> Even though the Heritage Overlays of these three LGAs are not included in the Victorian Heritage Database, all 79 Victorian municipal boundaries are provided in the database as a filtering search tool

Table 1: Summary data on Victorian Heritage Database-listed places located in the study area

Site Name	Vic Heritage Register No.	Vic Heritage Inventory No.	LGA Heritage Overlay	National Trust	HERMES Number	Comment / Controls
Lalbert War Memorial	-	-	-	-	125897	Main Street, Lalbert / Included on the Victorian Heritage Database due to listing under Victorian War Heritage Inventory / No statutory controls apply.
Lalbert Hall Honour Roll	-	-	-	-	189023	Lalbert Hall, Lalbert / Included on Victorian Heritage Database due to listing under Victorian War Heritage Inventory / No statutory controls apply.
Cannie State School No. 3498	-	D7526-0001	-	-	13015	Cannie North Road, Cannie / Represents schooling in isolated areas of the Mallee during the early and mid-20 <sup>th</sup> century / Delisted Heritage Inventory site – no longer protected under the provisions of the <i>Heritage Act 2017</i> and a Consent to Disturb is not required. However, Heritage Victoria will require notification if the place is to be disturbed by the Project.
Mud-Brick House Ruins, Cannie	-	H7526-0002	-	-	13014	Curran Road, Cannie / Represents a regional building technology that was common in the semi-arid Mallee during the late 19 <sup>th</sup> and early 20 <sup>th</sup> century. The house ruins are of high local significance because few mud-brick houses survive in the area today / A Consent to Disturb will be required from Heritage Victoria if the place is to be disturbed by the Project.
Kunat State School No. 3294	-	H7626-0005	-	-	13017	3074 Quambatook Road and Quarry Road, Kunat / Represents schooling in isolated areas of the Mallee during the period 1890s-1950s / A Consent to Disturb will be required from Heritage Victoria if the place is to be disturbed by the Project.
Beauchamp State School No. 3560 and Beauchamp Memorial Hall	-	H7626-0004	-	-	13018	Mystic Park-Beauchamp Road, Beauchamp / Represents education and community development in the early and mid-20 <sup>th</sup> century before the advent of faster transport / A Consent to Disturb will be required from Heritage Victoria if the place is to be disturbed by the Project.
<i>Eucalyptus diptera</i>	-	-	Swan Hill HO209	T11169	70673	Located south-east of transmission tower, Lake Boga-Ultima Road, Goschen – outstanding example of the species / A permit to remove, destroy or lop will be required under Rural City of Swan Hill Heritage Overlay 43.01-1.

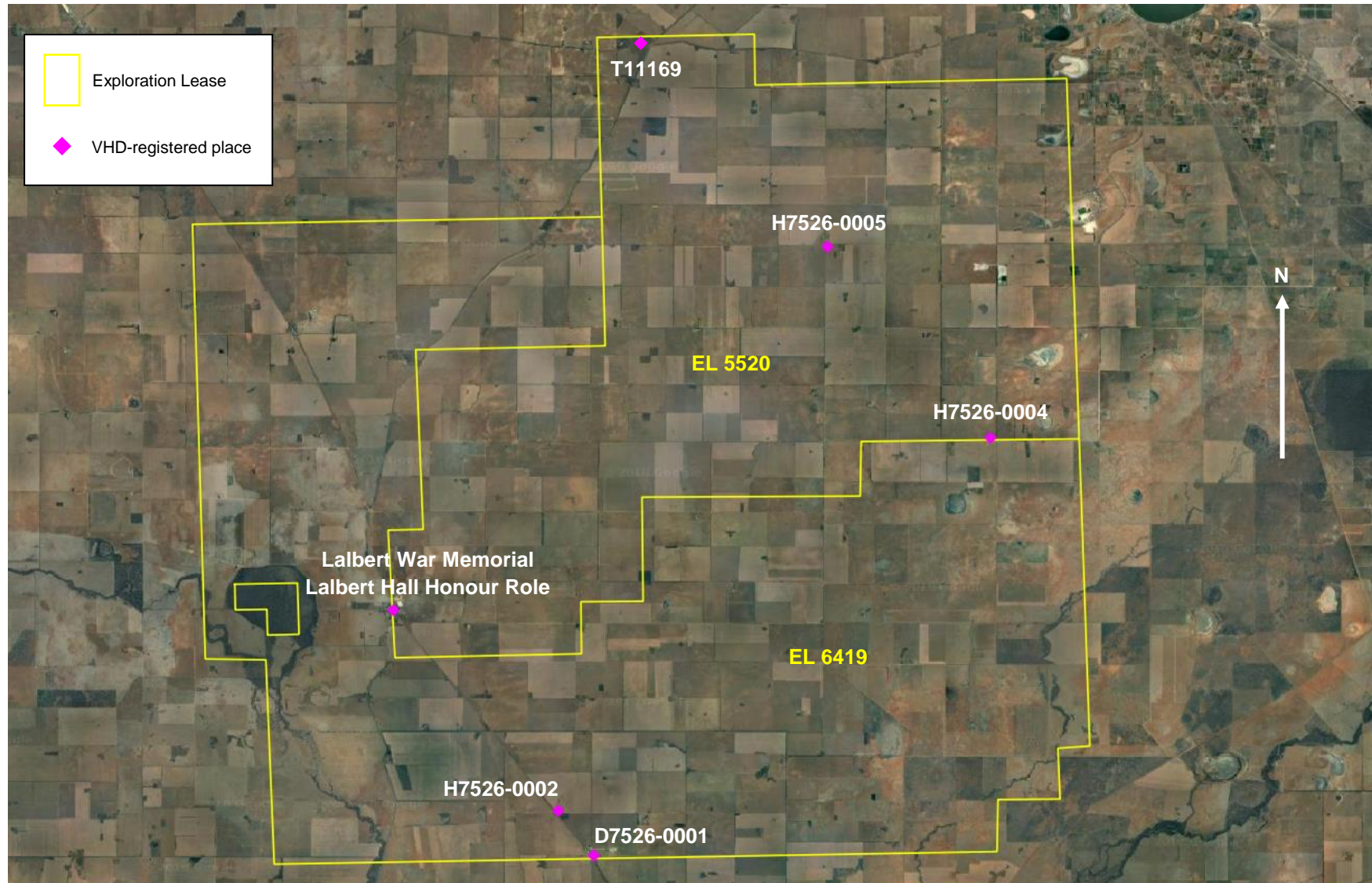


Figure 2: Victorian Heritage Database-listed place locations <<To be updated>>

In summary:

- The Victorian Heritage Database lists seven places situated within the study area.
- Of these:
  - Two are listed on the Victorian War Heritage Inventory (no statutory protection).
  - Three are listed on the Victorian Heritage Inventory and are protected under the *Heritage Act 2017*. A Consent to Disturb will be required from Heritage Victoria for each place if Project-related impacts are anticipated.
  - One has been delisted from the Victorian Heritage Inventory and is no longer protected under the *Heritage Act 2017*. However, Heritage Victoria will require notification if Project-related impacts to this place are anticipated.
  - One is a heritage tree registered by the National Trust of Australia (Victoria) (no statutory protection; but see Section 3.3 for LGA-related controls).
- The study area does not contain any places included on the Victorian Heritage Register.

### 3.3 Local Planning Schemes

#### 3.3.1 Description

Heritage Overlays included in the Rural City of Swan Hill, Shire of Buloke and Shire of Gannawarra Local Planning Schemes were inspected online using the HERMES Interactive Map<sup>11</sup> and mapping tools available through the Planning Schemes Online website managed by the Victorian Department of Environment, Land Water and Planning.<sup>12</sup>

#### 3.3.2 Results

Reviews of the Heritage Overlays included in the Rural City of Swan Hill, Shire of Buloke and Shire of Gannawarra Local Planning Schemes were conducted on 4 and 23 June 2018.

The review identified one place as being located within the study area:

- *Eucalyptus diptera* (Two-Winged Gimlet): included on the Rural City of Swan Hill Local Planning Scheme Schedule to the Heritage Overlay (43.01 – HO209).

This heritage tree is situated approximately 230 m west of the Donald-Swan Hill Road – Ultima-Lake Boga Road intersection, south-east of the transmission tower and close to Ultima-Lake Boga Road.

The Rural City of Swan Hill Heritage Overlay 43.01 states that a permit is required to remove, destroy or lop a tree if the schedule to the overlay specifies the heritage place as one where tree controls apply (43-01-1 refers). This tree is listed as HO209 in the Heritage Overlay, and a permit from the Rural City of Swan Hill will be required if Project-related impacts to this tree are anticipated.

<sup>11</sup> <http://services.land.vic.gov.au/maps/hermes.jsp> - accessed 4 June 2018

<sup>12</sup> <http://planningschemes.dpcd.vic.gov.au/> - accessed 23 June 2018

## 4 Implications of legislation

The following section outlines the triggers and issues which will affect the Project in relation to the EPBC Act, the *Heritage Act 2017* (Vic) and the *Planning and Environment Act 1987* (Vic).

### 4.1 *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)

No matters of national environmental significance protected under the EPBC Act were identified in relation to the study area assessed for the present study. There are no places included on the World Heritage List, National Heritage List or Commonwealth Heritage List within the study area. On this basis, a referral is not required under the EPBC Act in relation to historical heritage matters.

### 4.2 *Heritage Act 2017* (Vic)

There are no historical heritage places registered on the VHR within the study area.

Three historical heritage places listed on the VHI are situated within the study area – H7526-0002, H7526-0004 and H7526-0005. Referral should be made to Heritage Victoria regarding the need to apply for a Consent to Excavate and/or a Consent to Damage prior to the commencement of Project-related activities at these locations. All archaeological sites (other than those which are determined by the Executive Director to have low archaeological value) and all approved sites of archaeological value are included in the VHI and are also protected under the *Heritage Act 2017*. Sites listed on the VHI are not of State significance, but are usually of local or regional significance. A Consent is required from Heritage Victoria before any activities with a potential to disturb or destroy a VHI-listed site can proceed. Heritage Victoria has published the processes that need to be followed when applying for a Consent to excavate and/or damage a VHI-listed place.<sup>13</sup>

One 'D' listed historical heritage place is situated within the study area – D7526-0001. Heritage Victoria should be notified of any works that may disturb the registered location of this site. 'D' listed VHI sites (those whose VHI number commence with a 'D') are not formally included on the VHI and are therefore not protected under the provisions of the *Heritage Act 2017*. Consequently, a Consent is not required from Heritage Victoria prior to activities commencing that may disturb a 'D' listed heritage place. However, Heritage Victoria will require notification of any Project-related activities that may disturb the registered location of any 'D' listed place.

### 4.3 *Planning and Environment Act 1987* (Vic)

The Rural City of Swan Hill Heritage Overlay 43.01 states that a permit is required to remove, destroy or lop a tree if the schedule to the overlay specifies the heritage place as one where tree controls apply (43-01-1 refers). On this basis, a permit from the Rural City of Swan Hill will be required prior to the commencement of any Project-related activities that include removing, destroying or lopping HO209.

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<sup>13</sup> <https://www.heritage.vic.gov.au/archaeology-and-shipwrecks/archaeology-forms-and-guidelines> - accessed 23 June 2018



## 5 Conclusion

Based on the historical heritage assessment undertaken for the present study, the following conclusions can be drawn:

- Eight heritage places listed on Commonwealth and State heritage databases are situated within EL 5520 and EL 6419. Two listings relate to places with natural heritage value (RNE ID 100418 and HO209) and six listings relate to places with historical heritage value, including:
  - Victorian Heritage Inventory – D7526-0001, H7526-0002, H7526-0004 and H7526-0005
  - Victorian War Heritage Inventory – HERMES Numbers 125897 and 189023.
- H7526-0002, H7526-0004 and H7526-0005 are protected under provisions of the *Heritage Act 2017*. A Consent to Excavate and/or a Consent to Damage must be issued by Heritage Victoria for each place prior to the commencement of Project-related activities at these locations.
- D7526-0001 is a de-listed historical heritage place and does not require a Consent to Excavate or a Consent to Damage from Heritage Victoria. However, Heritage Victoria must be notified of any works that may disturb the registered location of this site.
- The Victorian War Heritage Inventory is a non-statutory register, and on this basis HERMES Numbers 125897 and 189023 are not protected under the *Heritage Act 2017*, nor are they protected under Commonwealth heritage legislation or relevant LGA Local Planning Schemes.
- The RNE is a non-statutory register, and on this basis RNE ID 100418 is not protected under any heritage legislation. However, it may be protected under other State environmental protection legislation or relevant Local Planning Schemes based on its ecological values.
- HO209 is included on the Rural City of Swan Hill Heritage Overlay as a heritage place to which tree controls apply. On this basis, a permit to remove, destroy or lop HO209 will be required from the Rural City of Swan Hill prior to the commencement of Project-related activities which may affect the tree in any of these prescribed ways.
- None of the heritage places situated within EL 5520 and EL 6419 represent Matters of National Environmental Significance protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth). Referral and assessment under the *Environment Protection and Biodiversity Conservation Act 1999* is therefore not required in relation to historical heritage matters.



## 6 References

Department of Environment and Energy. 2018. Australian Heritage Database [online resource].

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<http://www.environment.gov.au/heritage/publications/australian-heritage-database>

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<http://planningschemes.dpcd.vic.gov.au/>

Heritage Council of Victoria. 2018. Victorian Heritage Database [online resource]. Accessed 4 June 2018:

<http://vhd.heritagecouncil.vic.gov.au/>

Heritage Victoria. 2018. HERMES: Heritage Victoria's Database [online resource]. Accessed 4 June 2018:

<http://services.land.vic.gov.au/maps/hermes.jsp>

# Appendix 1

## Victorian Heritage Database Reports

- HERMES 13015 (D7526-0001) – Cannie State School No. 3498
- HERMES 13014 (H7526-0002) – Mud-Brick House Ruins, Cannie
- HERMES 13018 (H7526-0004) – Beauchamp State School No. 3560 and Beauchamp Memorial Hall
- HERMES 13017 (H7526-0005) – Kunat State School No. 3294
- HERMES 125897 – Lalbert War Memorial
- HERMES 189023 – Lalbert Hall Honour Roll
- HERMES 70673 (HO209, National Trust T11169) – *Eucalyptus diptera*

# Victorian Heritage Database Report

Report generated 20/06/18

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## CANNIE STATE SCHOOL NO.3498

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### Location

CANNIE NORTH ROAD CANNIE, Gannawarra Shire

### Municipality

GANNAWARRA SHIRE

### Level of significance

Delisted Heritage Inventory site

### Heritage Inventory (HI) Number

D7526-0001

### Heritage Listing

Victorian Heritage Inventory

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### Statement of Significance

Last updated on -

The Cannie school site represents education in the isolated areas of the Mallee during the early and mid-20th century when this area was more densely settled than it is today.

Hermes Number 13015

Property Number

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*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*

# Victorian Heritage Database Report

Report generated 20/06/18

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HERITAGE  
COUNCIL  
VICTORIA  
HERITAGE  
COUNCIL  
VICTORIA

## MUD-BRICK HOUSE RUINS, CANNIE

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### Location

CURRAN ROAD CANNIE, GANNAWARRA SHIRE

### Municipality

GANNAWARRA SHIRE

### Level of significance

Heritage Inventory Site

### Heritage Inventory (HI) Number

H7526-0002

### Heritage Listing

Victorian Heritage Inventory

---

### Statement of Significance

Last updated on -

Mud-brick construction represents a regional building technology that was common in the semi-arid Mallee during the late 19th-c and 20th-c. The house ruins are of high local significance because few mud-brick houses survive in the area today.

Hermes Number 13014

Property Number

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## History

An "Egyptian Brick" residence with a corrugated iron roof is recorded on this site by 1906, in addition to a dam, fencing, a stable and pine shed with a straw roof.

Thomas Wall, his wife Caroline, and their three children, Henry (Jack), Frances Isabel (Tot) and Nora Ellen (Sis), moved to Cannie in 1893, and it is likely that Thomas built the house, as he is listed as the owner on a 1927 parish plan. None of the children married, and all remained living at the property, which was known as "Pine Park" and "Wimborne" (ref. Mr Peter Willoughby). Nora Ellen was the last to live in the house and she left around 1965. Little physical evidence remains of other features and ancillary structures associated with the house. These included a kitchen, wash-house, garage and sheep-yards.

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*



# Victorian Heritage Database Report

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## BEAUCHAMP STATE SCHOOL NO.3560 AND BEAUCHAMP MEMORIAL HALL

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### Location

MYSTIC PARK-BEAUCHAMP ROAD BEAUCHAMP, Gannawarra Shire

### Municipality

GANNAWARRA SHIRE

### Level of significance

Heritage Inventory Site

### Heritage Inventory (HI) Number

H7626-0004

### Heritage Listing

Victorian Heritage Inventory

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### Statement of Significance

Last updated on -

The Beauchamp State School site and Memorial Hall site represent education and community development in the early and mid 20th century before the advent of faster transport.

Hermes Number 13018

Property Number

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## History

Beauchamp State School No.3560 opened in 1908 and closed in 1956. The Memorial Hall was in use between 1939 and 1968.

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*

# Victorian Heritage Database Report

Report generated 20/06/18

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## KUNAT STATE SCHOOL NO.3294

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### Location

3074 QUAMBATOOK ROAD and QUARRY ROAD KUNAT, SWAN HILL RURAL CITY

### Municipality

SWAN HILL RURAL CITY

### Level of significance

Heritage Inventory Site

### Heritage Inventory (HI) Number

H7626-0005

### Heritage Listing

Victorian Heritage Inventory

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### Statement of Significance

Last updated on -

THE KUNAT SCHOOL SITE REPRESENTS SCHOOLING IN THE ISOLATED AREAS OF THE MALLEE DURING THE PERIOD 18902-1950S WHEN THIS AREA WAS MORE CLOSELY SETTLED THAN TODAY.

Hermes Number 13017

Property Number

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## History

THE SCHOOL OPENED AS KOOEM EAST SCHOOL SS3294 IN 1896. IT CLOSED BRIEFLY DUE TO DROUGHT IN 1903 AND RE-OPENED IN 1904. IN 1915 THE SCHOOL NAME WAS CHANGED TO KUNAT. THE SCHOOL CLOSED IN 1934 AND RE-OPENED AGAIN IN 1951, THEN CLOSED IN 1954. THE KUNAT HALL WAS USED FOR A SCHOOL. AROUND 1956, THE JUNAT HALL WAS SOLD AND MOVED TO LAKE BOGA. IN 1982 IT WAS SOLD FOR DEMOLITION.

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*

# Victorian Heritage Database Report

Report generated 20/06/18

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## Lalbert War Memorial



63816 813LALT14



Lalb 2.jpg



Lalb 1.jpg

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### Location

Main Street LALBERT, GANNAWARRA SHIRE

### Municipality

GANNAWARRA SHIRE

### Level of significance

For public view

### Heritage Overlay Numbers

### Heritage Listing

Vic. War Heritage Inventory

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Heritage Study/Consultant	Gannawarra - Gannawarra Shire Heritage Study Stage 1, Robyn Ballinger, 2008;
Hermes Number	125897
Property Number	

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## **Veterans Description for Public**

The Lalbert War Memorial was erected on the main street in 1961. The Quambatook RSL presented the monument in memory of the fallen of all conflicts. The memorial comprises of a a marble plaque attached to a simple granite wall and a flagpole nearby.

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*

# Victorian Heritage Database Report

Report generated 20/06/18

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## Lalbert Hall Honour Roll

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### Location

Lalbert Hall LALBERT, GANNAWARRA SHIRE

### Municipality

GANNAWARRA SHIRE

### Level of significance

For public view

### Heritage Listing

Vic. War Heritage Inventory

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Hermes Number 189023

Property Number

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### Veterans Description for Public

The last known location of this honour roll is Lalbert Hall.

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

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# Victorian Heritage Database Report

Report generated 20/06/18



## Eucalyptus diptera



T11169 Eucalyptus diptera



T11169 Eucalyptus diptera



T11169 Eucalyptus diptera



T11169 Eucalyptus diptera



T11169 Eucalyptus diptera



T11169 Eucalyptus diptera

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### Location

South-east of Transmission Tower, GOSCHEN, SWAN HILL RURAL CITY

### Municipality

SWAN HILL RURAL CITY

### Level of significance

State

### Heritage Listing

## Statement of Significance

Last updated on - June 8, 2004

Outstanding example of species

Growing in bushland, this is a fine specimen of Two Winged Gimlet. *Eucalyptus diptera* is a member of the Myrtaceae family and is endemic to a small area north of Esperance. The species is notable for its smooth coppery-brown bark and is only occasionally cultivated in Victoria, chiefly in the drier north-west townships. This tree is the finest example of the species known in cultivation.

Measurements: 08/04/1995

Spread (m): 12

Girth (m): multi

Height (m): 11.25

Estimated Age (yrs): 30

Condition: Good

Access: Unrestricted

Classified: 13/07/1995

Other Names Two-Winged Gimlet,

Hermes Number 70673

Property Number

---

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 1995. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place data owner.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*



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