

HISTORICAL HERITAGE & IMPACT ASSESSMENT

Project:

Hexham Wind Farm

Project Address:

Hexham, Victoria

Sponsored By:

Hexham Wind Farm Pty Ltd

18 November 2025

Heritage Advisor:

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HEXHAM WIND FARM

HISTORICAL HERITAGE & IMPACT ASSESSMENT

Assessment Type	Desktop, Survey & Impact Assessment
Sponsor	Hexham Wind Farm Pty Ltd (ABN 53 155 011 680)
Heritage Advisor	Dr Thomas Rymer (Tardis Archaeology Pty Ltd)
Authors	Dr Thomas Rymer
Completed	18 November 2025

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EXECUTIVE SUMMARY

This report comprises a historical heritage assessment (HHA) and impact assessment (IA).

The HHA component was prepared in order to identify, assess and manage historical heritage and historical archaeology, if present, at the Hexham Wind Farm Project (hereafter referred to as the activity area) in compliance with the *Heritage Act 2017* and the *Planning and Environment Act 1987* (**Map 1**). All historical archaeological sites are protected under the *Heritage Act 2017* and historical heritage places may require consideration for inclusion on the Moyne Shire Planning Scheme Heritage Overlay under the *Planning and Environment Act 1987*. The HHA addresses both historical heritage places and historical archaeological sites in accordance with statutory requirements.

The IA component was prepared for the purposes of an Environment Effects Statement (EES) for the project. The Minister for Planning determined that a EES was required for the project under the *Environment Effects Act 1978*. The IA addresses the draft scoping requirements which sets out the proposed specific matters to be investigated and documented in the EES in relation to historical cultural heritage.

Hexham Wind Farm Pty Ltd (the proponent) is developing the proposed Hexham Wind Farm (the project) in Moyne Shire, Victoria. The project will harness strong and reliable winds to generate renewable energy through the construction and operation of up to 106 wind turbines generators and would operate for a period of at least 25 years following a two-year construction period. The wind farm would generate approximately 2,850 gigawatt hours (GWh) of renewable electricity each year. Electricity produced by the project would be fed through underground and overhead cables to a new on-site terminal station, where it would be exported to the national electricity network via the Moorabool to Heywood 500 kilovolt transmission line.

The project extends across approximately 16,000 hectares of private and public land located between the townships of Hexham, Caramut and Ellerslie in south-western Victoria. The main land use within the project site is agricultural (predominantly cattle and sheep grazing, along with some cropping). Much of the area has been cleared of native vegetation with remnant vegetation largely restricted to roadside reserves and along watercourses, with small, isolated areas on private land.

Around 151 kilometres of new access tracks, including upgrades to around 16.7 kilometres of existing access tracks within the project site, would be required to provide for construction and maintenance access from the public road network to each wind turbine and supporting infrastructure. These access tracks can also be used by emergency vehicles and by landowners for their farming operations.

Other project infrastructure would include:

1. A 200 Megawatt (MW) /800 Megawatt-hour (MWh) battery energy storage system (BESS).
2. An operations and maintenance (O&M) facility, consisting of site offices and amenities.
3. Up to five meteorological masts, to be in place for the life of the project.
4. A main temporary construction compound, consisting of office facilities, amenities and car parking. Four additional temporary construction compounds are also planned.

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5. Up to 26 temporary staging areas.

A temporary on-site quarry is being investigated for the purposes of providing aggregate materials for access tracks and hardstand areas, and to minimise traffic movements on local roads during construction. If an on-site quarry is not deemed viable, aggregate material would be supplied from one or more nearby quarries. Potential quarries that have been investigated to supply the necessary raw materials required include Mt Shadwell Quarry, Mt Napier Quarry, Tarrone Quarry, Gillear Sand and Limestone Quarry and/or Camperdown quarries). All quarries have good access to the project site via major arterial roads.

Since the land outside the infrastructure corridor, but within the activity area, will not be impacted by the activity, fieldwork assessment was restricted to land within the infrastructure zone.

The desktop evidence formulated a historical heritage prediction model for the activity area. This model predicts the likely historical heritage values from the different historical periods that may be present.

Squatting Period (1840s – 1860s)

- Tracks between runs: Evidence of tracks between runs is unlikely to remain as they have been either eroded or ploughed away.
- Outstation huts: Evidence of outstation huts is unlikely to remain as they were temporary structures which were often moved or left little evidence of their existence after they were abandoned.
- Plough boundaries: These boundaries were temporary and ephemeral and are likely to have been eroded or ploughed away.

Large Pastoral Estates (1860s – 1910s)

- Pre-Emptive Right: The Ware Pre-Emptive Right block is in the activity area but no wind farm infrastructure is proposed.
- Homesteads: no homesteads are recorded near any proposed infrastructure in the activity area
- Farm infrastructure (tracks, fencing, woolsheds, windmills, dams, bores, stockyards, dips, huts): evidence of many of these structures are likely to have survived, in particular, if they have continued in use, or are substantial features that have not been destroyed, or are abandoned.

Land Selection: Land Acts and Closer Settlement (1860s – 1910s)

- Houses and farm infrastructure: The majority of the land was selected and incorporated into the large pastoral estates, therefore, historical heritage from this period will be limited.

Soldier Settlement (1920s – 1960s)

- Houses and farm infrastructure: Several soldier settlement land selections are known in the activity area. Both existing and abandoned houses near roadways may be associated with this period along with farm infrastructure provided by the soldier

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settlement scheme along with improvements to the land in the 1950s and 1960s required for the successful occupation and eventual ownership of the land. Farm infrastructure may include fencing, dams, and artificial drains

Three fieldwork assessments have been conducted. Phase 1 was an initial site visit conducted in 2011. Phase 2 was a pedestrian ground surface survey conducted in 2019 of the v165 wind farm layout. No historical heritage places or historical archaeological sites were identified in the wind farm layout infrastructure zone. Phase 3 was a pedestrian ground survey conducted in 2025 of those parts of the v183 wind farm layout not surveyed in Phase 2. The background research and ground surface survey conducted has demonstrated that part of one registered historical heritage place is in the activity area. H1700 – Stone Milepost B is located northeast of the intersection of Warrnambool – Carramut Road and Keillors Road and Milepost C in the Keillors Road reserve

The risk and impact assessment determined that the risk to historical heritage and historical archaeology was negligible. Environmental performance requirements were recommended to avoid and manage harm to known and unknown historical heritage. The following recommendations were made:

Recommendation 1 Review of this Historical Heritage and Impact Assessment

This report must be reviewed and amended (if required) subsequent to any future fieldwork associated with the Aboriginal CHMP being prepared for the project (eg, during the complex assessment).

Recommendation 2 Registered Heritage Places

The project must be designed to avoid any harm to registered heritage places. Appropriate protection measures must be developed and included in any Environmental Management Plan.

If any harm is proposed to VHR H1700 – Stone Mileposts B or C, then a *Permit* or *Permit* exemption under the *Heritage Act 2017 (Vic)* will be required for works to the place.

Recommendation 3 Heritage Management Plan

A *Heritage Management Plan* (HMP) must be prepared that specifies measures to avoid impact to any known registered historical heritage places and to avoid or minimise impacts on any unidentified historical archaeological sites that may be discovered during ground disturbing works. The HMP must be consistent with the requirements of the *Heritage Act 2017 (Vic)* and must be developed in consultation with Heritage Victoria. The plan must include, but not necessarily be limited to, the following:

- Procedures for historical cultural heritage awareness training for all project personnel.
- Specific management measures to avoid harm to known registered historical places including, but not necessarily limited to:
 - Showing all registered historical heritage places and management measures on any Environmental Management Plan.

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- Implementing protection buffers or temporary fencing to ensure no inadvertent harm can occur.
- Regular inspection of management measures implemented for known registered historical heritage places to ensure they remain fit for purpose. The HMP must include a reporting mechanism (eg, *Compliance Report Form*) to monitor the performance of any management measure so that any non-compliance can be rectified and to ensure no further non-compliance will occur.
- Formulate an *Unexpected Finds Protocol* that includes, but is not necessarily limited to:
 - Ceasing work if historical archaeological features and artefacts are discovered.
 - The implementation of protection buffers or temporary fencing to ensure no further harm occurs to historical archaeological features or artefacts until they are managed appropriately according to the HMP.
 - Notifying a suitable qualified historical archaeologist to assist in the assessment and management of any historical archaeological features and artefacts.
 - Notifying Heritage Victoria of any historical archaeological features or artefacts.
 - Obtaining from Heritage Victoria any Consents that may be required to manage historical archaeological features or artefacts.
 - Complying with any Consents issued by Heritage Victoria.

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Rory McManus, Jay Knight, Mikhaela Gray – Hexham Wind Farm Pty Ltd

ABBREVIATIONS

ABC	Australian Broadcasting Corporation
ADB	Australian Dictionary of Biography
AHD	Australian Heritage Database
AHC	Australian Heritage Council
asl	Meters Above Sea Level
BP	Years Before Present (1950)
CHL	Commonwealth Heritage List
CT	Certificate of Title
DCLS	Department of Crown Lands and Survey
DLS	Department of Lands and Survey
DGPS	Differential Global Positioning System
EES	Environment Effects Statement
FZ	Farm Zone
HV	Heritage Victoria
HHA	Historical Heritage Assessment
Ma	Million years ago
MDHS	Mortlake and District Historical Society
NAA	National Archives Australia
NGA	National Gallery of Australia
NHL	Natural Heritage List
PCRZ	Public Conservation and Resource Zone
SLV	State Library of Victoria
RNE	Register of the Natural Estate
RZ	Road Zone
TA	Tardis Archaeology Pty Ltd
VHD	Victorian Heritage Database
VHI	Victorian Heritage Inventory
VP	Victorian Places
VHR	Victorian Heritage Register
WDHS	Warrnambool and District Historical Society
WHL	World Heritage List

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1 INTRODUCTION

1.1 Principal Reason for the Work

This report comprises a historical heritage assessment (HHA) and impact assessment (IA).

The HHA component was prepared in order to identify, assess and manage historical heritage, if present, at the Hexham Wind Farm Project (hereafter referred to as the activity area) in compliance with the *Heritage Act 2017* and the *Planning and Environment Act 1987* (Map 1). All historical archaeological sites are protected under the *Heritage Act 2017* and historical places may require consideration for inclusion on the Moyne Shire Planning Scheme Heritage Overlay under the *Planning and Environment Act 1987*. The HHA addresses both historical places and archaeological sites in accordance with statutory requirements.

The IA component was prepared for the purposes of an Environmental Effects Statement (EES) for the project. The Minister for Planning determined that a EES was required for the project under the *Environment Effects Act 1978*. The IA addresses the draft scoping requirements which sets out the proposed specific matters to be investigated and documented in the EES in relation to historical cultural heritage.

1.2 Name of the Commissioning Agency

Hexham Wind Farm Pty Ltd (ABN 53 155 011 680) [the proponent] commissioned this report. The proponent requested that the report include both a historical heritage assessment and impact assessment.

1.3 Aims and Objectives of the Study

The HHA identifies and assesses historical places and archaeological sites within the activity area in compliance with the *Heritage Act 2017* and the *Planning and Environment Act 1987* and to support a Planning Permit Application for the Hexham Wind Farm Project. The HHA comprises background research and the results of a ground surface survey. Standard heritage management practices were followed.

The IA includes a risk and impact assessment. The IA addresses the draft scoping requirements and evaluation objective which is to avoid, or minimise where avoidance is not possible, adverse effects on historical cultural heritage as follows:

Key issue	Potential for direct or indirect impacts to sites or places of historical cultural heritage significance.	Section 6
Existing Environment	Review land use history, previous studies and registers to identify areas of known historical cultural heritage values and assess the potential for the projects to contain unregistered historical cultural heritage sites. Using Heritage Victoria's <i>Guidelines for Conducting Archaeological Surveys</i> (2020), identify and document any known and previously unidentified places and sites of historical cultural heritage significance within the project areas and their vicinity, including any necessary field investigations to supplement past studies.	Section 2

Likely effects	Assess the potential direct and indirect effects of the projects on sites and places of historical cultural heritage significance.	Section 6.1
Design and mitigation	Describe and evaluate potential and proposed design, construction and operation mitigation methods to avoid adverse effects on historical cultural heritage, and where avoidance is not possible, to minimise adverse effects. Develop archaeological management plans (where required) to manage historical heritage investigation / excavation, etc.	Section 6.2
Performance	Outline how implementation of proposed commitments to mitigate and manage residual effects on sites and places of historical heritage significance will be monitored, including sites investigation and recording procedures.	Section 6.3

1.4 Individuals and Organisations Undertaking the Study

Tom Rymer (Archaeologist) from Tardis Archaeology Pty Ltd (TA) prepared this report along with a major contribution by Donna Fearne (historian) (see **Section 2.2**).

1.5 Databases and Overlays Consulted during the Study

The following were consulted during this assessment:

- Australian Heritage Database (AHD accessed 2023)
- Victorian Heritage Database (VHD accessed 2023)
- Moyne Shire Planning Scheme Heritage Overlay (NGSPS accessed 2023)

1.6 Date and Location of the Survey

A Phase 1 initial site visit was conducted on 19 May 2011 (**Murphy & Morris 2011**). A Phase 2 ground surface survey was conducted from 24 June to 18 July 2019 by Stewart Thomson and Paolo Dall’Oste (TA) and focussed on the infrastructure zone of the project on the v165 layout (**Map 2**). A Phase 3 ground surface survey was conducted from 20 June to 17 July 2025 by Daniel Juers, Elena Naumacev, Richard Stringer and Solomon Whitehouse (TA) and was focussed on the infrastructure zone on the v183 wind farm layout that was not surveyed in 2019 (Phase 2).

1.7 Location of the Activity Area

Hexham Wind Farm Pty Ltd (the proponent) is developing the proposed Hexham Wind Farm (the project) in Moyne Shire, Victoria. The project will harness strong and reliable winds to generate renewable energy through the construction and operation of up to 109 wind turbines generators and would operate for a period of at least 25 years following a two-year construction period. The wind farm would generate approximately 2,850 gigawatt hours (GWh) of renewable electricity each year. Electricity produced by the project would be fed through underground and overhead cables to a new on-site terminal station, where it would be exported to the national electricity network via the Moorabool to Heywood 500 kilovolt transmission line.

1.8 Description of the Activity Area

The project extends across approximately 16,000 hectares of private and public land located between the townships of Hexham, Caramut and Ellerslie in south-western Victoria. The main land use within the project site is agricultural (predominantly cattle and sheep grazing, along with some cropping). Much of the area has been cleared of native vegetation with remnant vegetation largely restricted to roadside reserves and along watercourses, with small, isolated areas on private land.

Around 151 kilometres of new access tracks, including upgrades to around 16.7 kilometres of existing access tracks within the project site, would be required to provide for construction and maintenance access from the public road network to each wind turbine and supporting infrastructure. These access tracks can also be used by emergency vehicles and by landowners for their farming operations.

Other project infrastructure would include:

1. A 200 Megawatt (MW) /800 Megawatt-hour (MWh) battery energy storage system (BESS).
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4. A main temporary construction compound, consisting of office facilities, amenities and car parking. Four additional temporary construction compounds are also planned.
5. Up to 26 temporary staging areas.

A temporary on-site quarry is being investigated for the purposes of providing aggregate materials for access tracks and hardstand areas, and to minimise traffic movements on local roads during construction. If an on-site quarry is not deemed viable, aggregate material would be supplied from one or more nearby quarries. Potential quarries that have been investigated to supply the necessary raw materials required include Mt Shadwell Quarry, Mt Napier Quarry, Tarrone Quarry, Gillear Sand and Limestone Quarry and/or Camperdown quarries). All quarries have good access to the project site via major arterial roads.

Within 12 months of wind turbines permanently ceasing to generate electricity (assuming the turbines are not repowered), the wind farm would be decommissioned. This would include removing all above ground equipment, restoration of all areas associated with the project, unless otherwise useful to the ongoing management of the land, and post-decommissioning revegetation with pasture or crop (in consultation with and as agreed with the landowner).

1.9 Owners and Occupiers

The land is not owned by Hexham Wind Farm Pty Ltd. There are 14 landowners across the activity area.

1.10 Project Description

The project will harness strong and reliable winds to generate renewable energy through the construction and operation of up to 106 wind turbines generators and would operate for a period of at least 25 years following a two-year construction period. The wind farm would generate approximately 2,559 gigawatt hours (GWh) of renewable electricity each year.

Electricity produced by the project would be fed through underground and overhead cables to a new on-site terminal station, where it would be exported to the national electricity network via the Moorabool to Heywood 500 kilovolt transmission line.

The proposed Hexham Wind Farm (the project) comprises up to 106 wind turbines and associated permanent and temporary infrastructure, including:

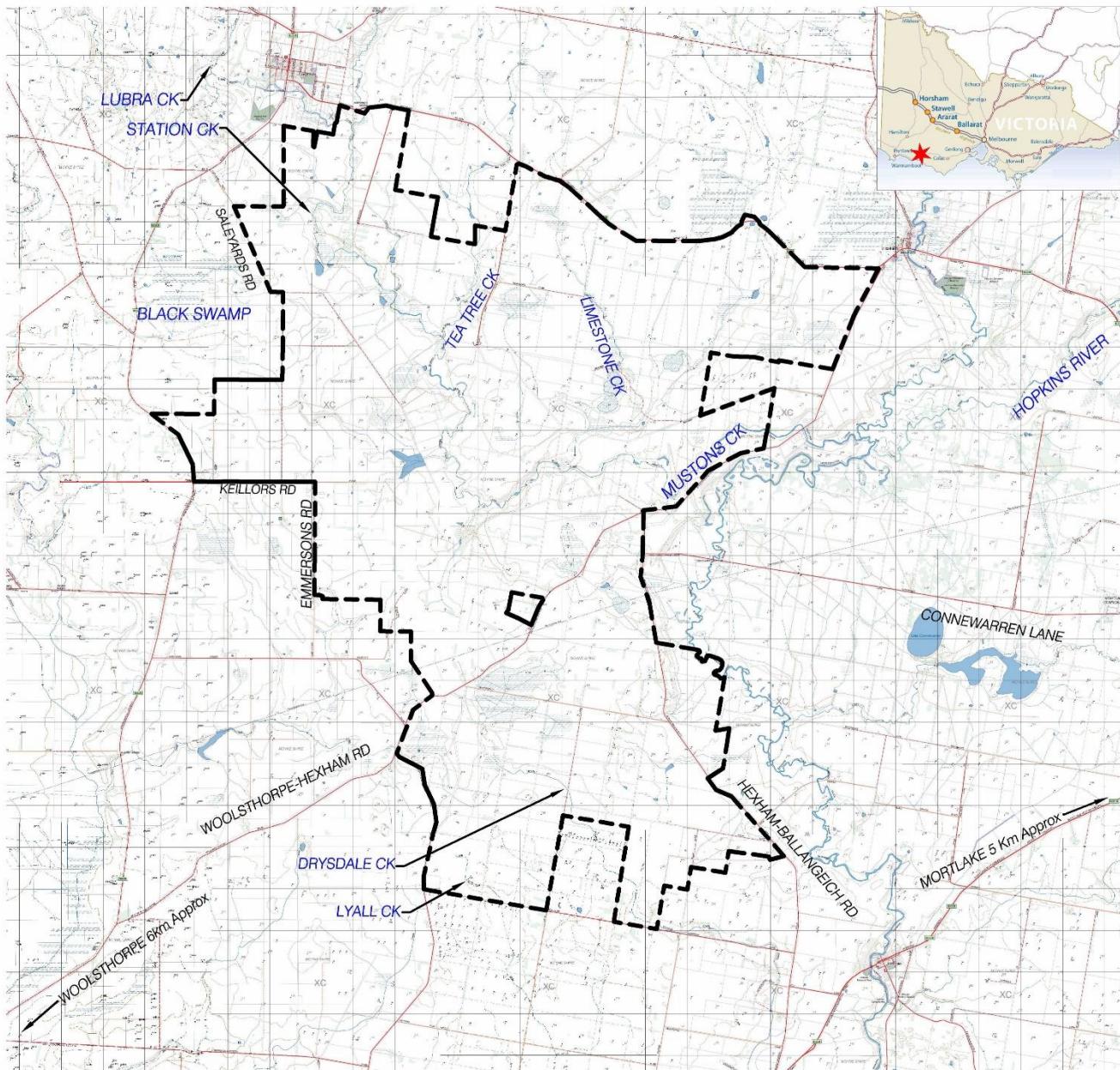
1. Hardstand areas, with a temporary hardstand area of 90 metres x 320 metres and a permanent hardstand area of 25 metres x 25 metres around each wind turbine
2. Approximately 151.3 kilometres of site access tracks, of which 16.7 kilometres is existing access tracks
3. Creation or improvement of up to 11 access points from public roads
4. Upgrade of Keillors Road from Warrnambool-Caramut Road to the site entrance.
5. Up to five permanent anemometry masts
6. Approximately 85 kilometres of underground cabling trenches with up to 119 kilometres of cable
7. Approximately 22 kilometres of internal overhead cables connecting wind turbine clusters to the on-site terminal station.
8. An on-site terminal station to facilitate connection to the existing Moorabool to Heywood 500 kilovolt transmission line located within the southern part of the project site, owned and operated by Ausnet Services
9. Battery storage of up to 200 megawatts
10. Temporary infrastructure including construction compounds, wind turbine component laydown areas and, concrete batching plants
11. An operations and maintenance facility to provide office, storage and maintenance facilities.

Summary of the Project's main features:

1. Location: The project is approximately 15 kilometres west of Mortlake and approximately 15 kilometres north-east of Woolsthorpe in the Moyne Shire of south-west Victoria. The closest townships are Hexham, Caramut and Ellerslie, located approximately 3 kilometres north-east, 4 kilometres north-west and 3 kilometres south-west, respectively. The road network that borders and runs through the project area includes Hamilton Highway to the north, Woolsthorpe-Hexham Road and Hexham-Ballangeich Road to the east, Warrnambool-Caramut Road to the west and Gordons Lane to the south.
2. Setting: Agricultural is the predominant land use in the project area consisting mostly of grazing (cattle and sheep) along with some cropping. Native vegetation is largely restricted to roadside reserves with small, isolated areas on private land. Numerous indigenous scattered trees exist throughout the local area.
3. Landowners: 14 landowner families with project infrastructure on their land.
4. Wind turbines and hardstand areas: Up to 106 with a maximum tip height of 260 metres, maximum rotor diameter up to 190 metres and minimum tip height of 40 metres. Maximum tower base width of between 5 and 6 metres. Blade length of up to 93 metres. Each wind turbine would have an adjacent hardstand area of around 6,500 square metres, which equates to 70 hectares for all project wind turbines.
5. Wind farm capacity: Around 721 MW.
6. Annual generation: Approximately 2,559 GWh per year.

7. Construction footprint: 5599.5 hectares (or around 3.7% of the project site).
8. Operational footprint: 148.7 hectares (or around 0.9% of the project site).
9. Construction period: Approximately 24 months.
10. Electrical reticulation: Approximately 119 kilometres of 33 kilovolt electricity cable laid in approximately 85 kilometres of trenches about one metre below the ground. The work area width for the excavator to operate and for stockpiling of soil would be about eight metres wide for all trenches assuming up to four cables are housed in each trench. Approximately 49.1 kilometres of overhead powerlines lines to connect wind turbines to the new on-site terminal station. The distribution voltage is expected to be 33 kilovolts. (although 132 kilovolts and 220 kilovolts are alternative options), with the overhead dual circuit distribution line consisting of either single or parallel pole line (i.e., single poles up to 26 metres high, with conductor circuits on each side). The overall linear length of the overhead cabling route would be around 22 kilometres.
11. On-site terminal station: Electricity generated by the project would be distributed by underground and overhead cables to the proposed new onsite terminal station located adjacent to the existing Moorabool to Heywood 500 kilovolt transmission line. On-site terminal station with a footprint of approximately 7.3 hectares in size.
12. Permanent met masts: Up to five permanent meteorological masts are proposed, to be in place for the life of the project. A single-lane access track roughly four meters in width would be constructed to provide access.
13. Operations and maintenance facility: An operations and maintenance facility would be located adjacent to the on-site terminal station and BESS providing office, storage, and maintenance facilities. Nominally 90 metres by 200 metres.
14. Staging areas and passing lanes: 26 staging areas up to 300 metres x 15 metres in length. Several passing lanes of 25 metres in length. Site access and access tracks: Approximately 134.6 kilometres of new internal access track and upgrades to approximately 16.7 kilometres of existing access track (i.e., a total of around 151.3 kilometres of access tracks). The final access tracks would be 9 metres wide (inclusive of drainage, where required) and a maximum 120 metre turning radius. The construction footprint of access tracks would be around 20 metres wide. Eleven site access points are proposed from two arterial and five local council roads, being:
 - a. Up to two access points from Hamilton Highway.
 - b. one access point from Warrnambool-Caramut Road.
 - c. four access points from Woolsthorpe-Hexham Road.
 - d. one access point from Keillors Road.
 - e. three access points from Hexham-Ballangeich Road.
15. Battery Energy Storage System (BESS): An on-site battery energy storage facility with a is proposed to be located adjacent to the on-site terminal station. A name plate capacity 200 megawatt. The BESS would consist of a series of 20-foot containerised batteries with transformers, high voltage AC (HVAC) coolers and other electrical plant. The BESS would be sited on a hardstand area of up to 3 hectares (nominally 413 metres x 67 metres).
16. Temporary components: A main temporary construction compound would be located within the project site and include office facilities, amenities, and car parking (8 hectares). Four additional temporary construction compounds are also planned (200m x 200m). Seven noise compliant concrete batching plants would be established to supply concrete for the wind turbine foundations, the on-site terminal station, and the BESS (around 50m x 100m each).

17. Temporary onsite quarry: The proposed quarry is in the western portion of the project area. The work authority area is 52.3 hectares with an approximate extraction area of 21.5 hectares, a material stockpile area of approximately 8.6 hectares and an area of approximately 0.5 hectares for amenities and light vehicle parking. The remaining area will be used for stockpiling overburden and for groundwater management infrastructure.
18. Life: A minimum 25-year operating life is expected, following a period of up to three years of pre-development and construction activities. Pre-development would include detailed design and early works, where permitted.
19. Decommissioning: Within 12 months of wind turbines permanently ceasing to generate electricity, the wind farm would be decommissioned. This would include removing all above ground equipment, restoration of all areas associated with the project, unless otherwise useful to the ongoing management of the land, and post-decommissioning revegetation with pasture or crop (in consultation with and as agreed with the landowner).



Topographic map used for Location Plan: 1:30,000 Number T7421-4-3-1, T7421-4-4-3, T7421-4-4-2, T7421-4-1-3, T7321-1-1-1
 T7421-4-4-4, T7421-4-4-1, T7421-4-1-4, T7421-4-1-1, T7421-1-4-4, T7422-3-3-3, T7422-3-3-2, T7422-3-2-3

0 2500 5000
 Scale of Metres

Legend:

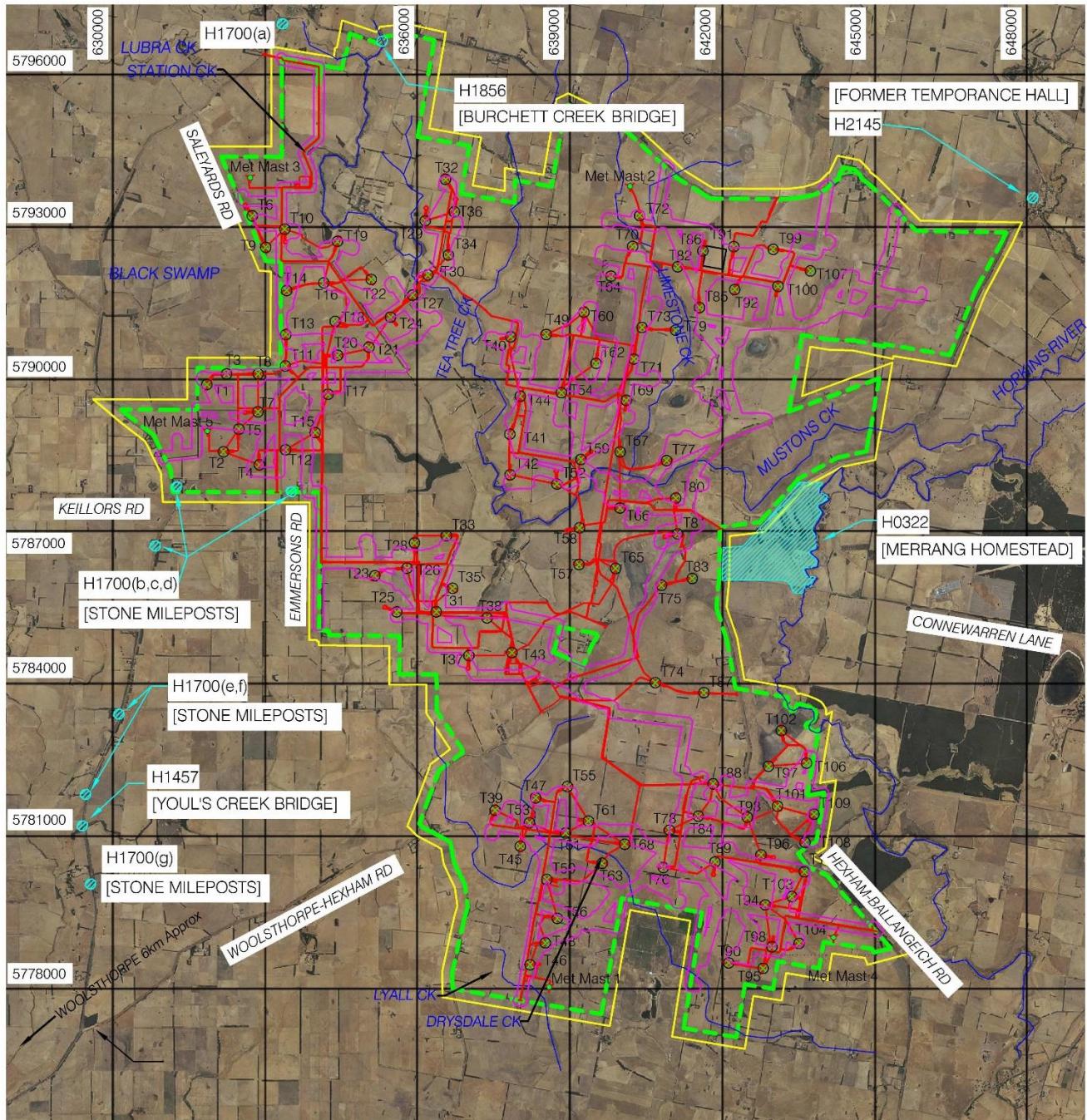
Activity Area Boundary
 16,103 hectares (approx)

Parish: Yeth-Youang, Quamby, Quamby North, Caramut, Hexham West,


GDA94
 MGA Zone 54

LGA: Moyne Shire Council

Map 1 Activity Area Location



2 BACKGROUND INFORMATION – DESKTOP ASSESSMENT

2.1 Environmental Background

2.1.1 Geology, Landform & Climate

Geology

The dominant geological unit of the activity area is the Newer Volcanic Group sheet flows of the Western District Plains (**Figure 3**) (Joyce et al 2003; Cupper et al 2003). The Western District Volcanic Plains stretches from west of Melbourne to Port Campbell, and includes 15,000km² of lava flows and over 200 eruption points (Hills 1975; Rosengren 1994). There are two different flow types within the activity area, having erupted at different times. The oldest flows erupted around 2Ma to 3Ma BP, and probably originate from the Mondilibi eruption point and the Woordoo eruption point in the east (Ollier & Joyce 1964; Rosengren 1994; Grimes 2006; Rosengren 2012). To the north of the activity area is Fox Hill and Green Hill, lava shield eruption points that likely flowed south through the activity area and towards the coast (Boyce et al. 2014). The basalt flows in the area range from transitional to tholeiitic basalt, and is part of the Dunkeld regolith landform unit (RLU), which is described as having an undulating gilgai landscape with 1m to 2m thick red to black clay soils with occasional buckshot (**Figure 4**) (Gray & McDougall 2009; Joyce 2003).

A small volcanic tuff ring lies within the activity area (**Figure 3**). During eruption, groundwater interacted with the magma to produce a relatively explosive-style eruption. The resulting deposit is a sedimentary rock containing pyroclastic material that settled from the hydrovolcanic eruption (VRO 2019).

Outcropping Hanson Plain Sand occurs to the east of the activity area, probably as the product of past landscape erosion by the confluence of the Hopkins River and Salt Creek (Welch et al 2011). Dominated by gravel, sand and silt, the Hanson Plain Sand is of marginal marine to fluvial origin, and was deposited in the Pliocene (5-4.3Ma BP) when the Tertiary sea was retreating from the landscape (Edwards et al 1996; Beu & Darragh 2001). This unit is variably ferruginous and calcareous, with clay becoming more dominant further inland (Edwards et al 1996; Welch et al 2011). Brown chromosols dominate the soil profile on the Hanson Plain Sand (Baxter & Robinson 2001).

There are minor Quaternary-age sedimentary deposits within the activity area consisting of swamp deposits, lake deposits, lunettes and alluvial terraces (Buckland & Stuart-Smith 2000). The swamp deposits are derived from the disruption of drainage after the extrusion of the stony rises, preventing adequate drainage of the landscape, and resulting in the pooling of water in the low points of the landscape. Sedimentation of the clay, silt and sand in the swamps and lakes was slow (Rosengren 2012). Most of these deposits are arranged along the contact area between the Mount Fyans stony rises and the older basalt flow fields as well as to the south where groundwater discharge has created several springs (Rosengren 2012).

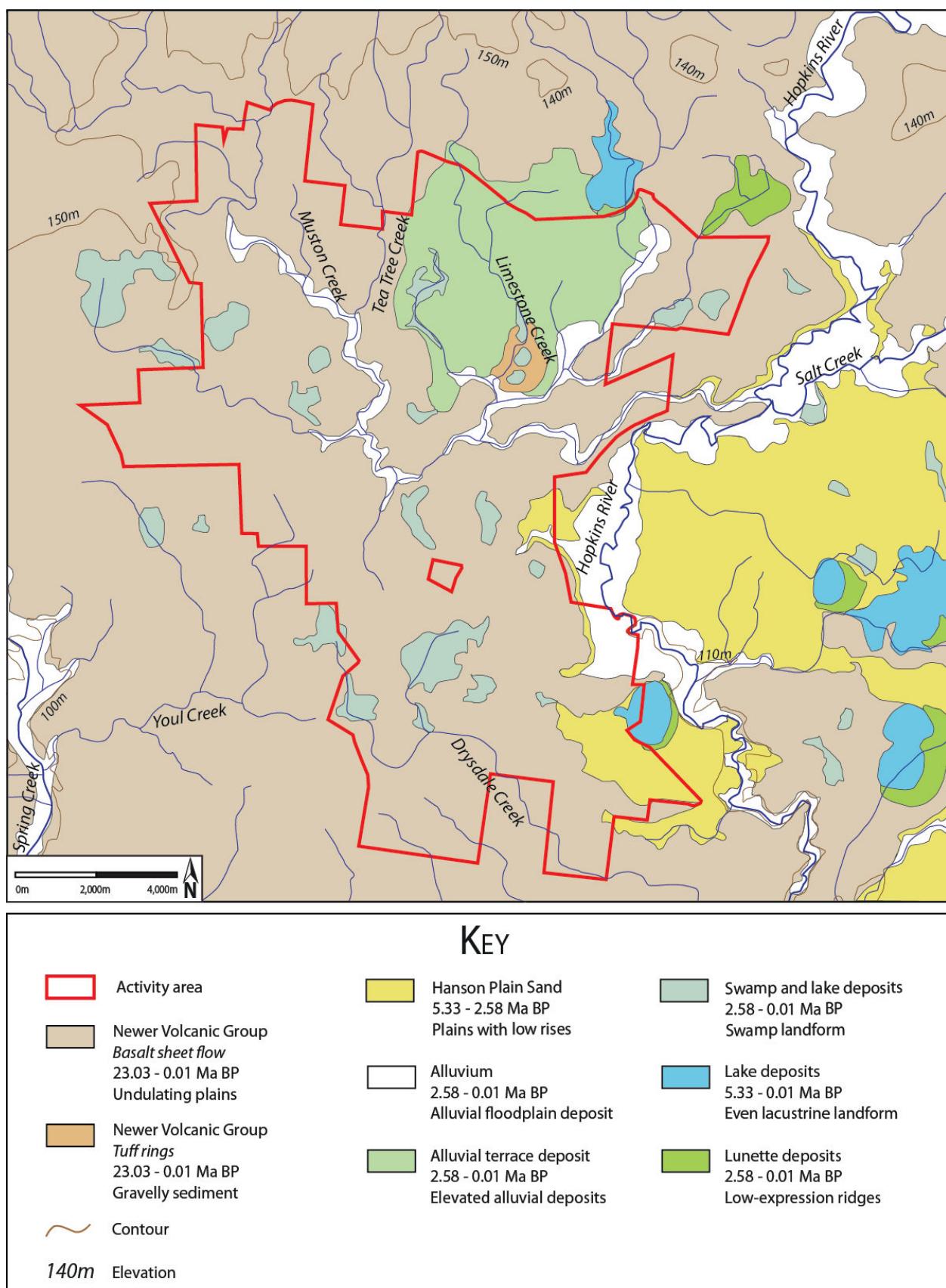


Figure 1 Landscape and Geology of the Activity Area

Landform and Geomorphology

The landscape is relatively flat to undulating with variable surface relief of between 10m to 20m on the stony rises (if present in the activity area), and is comprised of thin lava flows overlying a Tertiary marginal marine plain (Edwards et al 1996; Rosengren 2012; Joyce 2003). These plains are identified as the Western District Volcanic Plains (Figure 3), and have been formed largely by volcanic eruptions and weathering processes over time, with little removal of sediment through erosional processes (Joyce et al 2003; Rosengren 2012). Although largely of low elevation and relief, the stony rises are a significant feature of the landscape in the wider Volcanic Plains with examples present of tumuli, mesas, diverging and converging lava lobes, parallel ridges and depressions, raised lava surfaces, and intervening swampy basins (Rosengren 2012; Edwards et al 1996). These features were created by the uneven flows of lava and by sagging and collapse of lava tubes beneath the crust of the cooling lava (Rosengren 2012; Skeats & James 1937). One of the highest points in the landscape located outside the activity area and just north of Mortlake is Mount Shadwell, a mafic scoria cone situated 12 km east of the activity area.

Soil cover of the activity area ranges in thickness from very thin on the Eccles RLU to 1-2m on the older (2-3Ma BP) flows of the Dunkeld RLU (Rosengren 2012). Due to the uneven surface topography and the high clay content, drainage of the landscape is poor and surface pooling of water creates a high density of slightly saline and freshwater swamps and lakes in the region. Northeast of the activity area, several springs occur, which are fed by the local groundwater (Rosengren 2012). In some discharge flow paths for the spring water, the rate of discharge was sufficient to allow for stream incision into the landscape. In the geographic region, the main watercourses are Salt Creek, Hopkins River, Limestone Creek, Tea Tree Creek, Mustons Creek, Spring Creek, Youl Creek and Drysdale Creek. These streams flow in a general southerly direction toward the coast (Welch et al 2011).

2.1.2 Vegetation and Fauna

The Hopkins River is the major waterway in the geographic region. It rises near Ararat and generally flows southward, forming part of the eastern boundary of the activity area, until it reaches Warrnambool where it empties into Bass Strait. Mustons Creek is one of its major tributaries. Mustons Creek flows southwards from Caramut where it enters the activity area, then flows eastwards and joins the Hopkins River. There are several named waterways in the activity area that are tributaries of Mustons Creek including Station Creek, Tea Tree Creek, Limestone Creek along with several unnamed drainage lines, one of which was known historically as Scrubby Creek. In the south of the activity area, there are several unnamed drainage lines that head southwards to join Youl Creek which flows westwards to join Spring Creek. Spring Creek which is outside the activity area to the west, flows north to south through Minjah and Woolsthorpe and eventually becomes part of the Merri River. Lyall Creek and Drysdale creek, located in the southeast of the activity area, flow in a south-easterly direction to join the Hopkins River south of Ellerslie.

There are also several large marshes and lakes including Lake Connewarren and Mirraewuae Marsh (Black Swamp), and although they are not within the activity area, the former is less than a day's walk and the latter only an hours walk away. There are numerous low-lying areas on the plain and along waterways which would have ponded during winter and after rain events formed freshwater meadows, marshes and swamps.

The plains mainly comprised Plains Grassland (EVC132) which consisted of treeless vegetation dominated by graminoid and herb life forms. There were significant areas of Plains Grassy Woodland (EVC55) closer to major waterways which consisted of open eucalypt woodland to 15m tall and an understory of a few sparse shrubs over a species-rich grassy and herbaceous ground layer. The plain is interspersed with Plains Grassy Wetland (EVC125) which is associated with seasonally inundated wetlands. This EVC is usually treeless but may include a sparse cover of River Red Gum or Swamp Gum. The characteristic ground cover is dominated by grasses, small sedges and herbs. Typical species known to have been exploited by Aboriginal people in these EVCs include River Red Gum, Golden Wattle, Cranberry Heath, Kangaroo Grass and Water Ribbons.

The floodplains and margins of the larger rivers, such as the Hopkins River, mainly comprised Floodplain Riparian Woodland (EVC56) / Plains Grassy Woodland (EVC55) Mosaic or solely Floodplain Riparian Woodland. Floodplain Riparian Woodland consisted of open eucalypt woodland over a shrub layer and ground layer of herbs and sedges. Plains Grassy Woodland comprised an open eucalypt woodland to 15m tall with an understory of a few sparse shrubs and a species rich grassy and herbaceous ground layer. Along the watercourse and floodplain of Mustons Creek, Riparian Woodland (EVC641) dominated. It is found on narrow alluvial deposits, comprised eucalypt woodland to 15m tall over a tussock grass, sedge and herb ground layer. On the tributaries of Mustons Creek, Creekline Grassy Woodland (EVC68) dominated and comprised eucalypt woodland to 15m tall with occasional scattered shrub layer over a grassy and herbaceous ground layer

The fauna that inhabited the grassy plains, woodland and riparian woodland would have been numerous and varied (**Williams 1985**). Fauna would have included a range of large and small land mammals, reptiles, amphibians, grubs, insects, fish, crayfish, mussels and birds. Prior to Contact fauna would have been common, but many are now rare or extinct. Kangaroos and wallabies would have been abundant on the plains and margins of waterways. Species thought to have occurred at contact include echidna, platypus, quoll, dunnart, bandicoot, possum, feathertail and sugar gliders, koala, wombat, water and swamp rat (**Williams 1985: 40**). Reptiles included snakes and lizards. Eel, black fish, yabbies and freshwater mussel would have been found in waterways and swamps. Birds on the plain, waterways and swamps included emu, plains turkey, broegas, black swan, black duck, grey teal, shoveler and quail (**Williams 1985: 44-45**). Plentiful fauna was available throughout the activity area with increased variability and abundance on the margins of waterways.

In summary, the hydrology, flora and fauna was well suited to early settlement, grazing and farming.

2.2 Historical Background

The following land use history is edited from an historian's report (**Blake 2011; Fearne 2019**) prepared for the activity area.

Early European Occupation of the Port Phillip District

Britain formally claimed possession of the Port Phillip district of New South Wales following the arrival of Ltnt. John Murray in Port Phillip Bay on 14 February 1802 (**SLV 2018: Victoria's Early History 1803-1851**). Two official settlements were established in the newly claimed district then

swiftly abandoned; one at Sullivan Bay near Sorrento from 1803 and a second at Corinella in Western Port Bay from 1826. (**SLV 2018**: Victoria's Early History 1803-1851).

The pace at which the initial European occupation of the Port Phillip District grew was slow. Pastoralists wanting to take advantage of the high demand for meat in the colonies but experiencing a shortage of available suitable pasture, particularly in Van Diemen's Land, (**SLV 2019**) were frustrated by the lack of Government urgency to open up the Port Phillip District for selection. In contrast to unfavourable reports of Flinders (1802) and Grimes (1803) of the suitability of the Port Phillip District for European Occupation (**Maloney 2007**: 3), explorers Hume & Hovell in 1824 and Charles Sturt in 1830 reported that the Port Phillip District was overflowing with suitable available grazing land. Accounts of the European settlement established at Portland Bay by Edward Henty in 1834 seemed to confirm to the impatient speculators of Van Diemen's Land that a pastoral utopia was waiting just a short voyage away and by 1835 several entrepreneurs had taken the law into their own hands and made plans to set forth and claim it (**SLV 2018**: Victoria's Early History 1803-1851; *Agricultural and Commercial Advertiser* 26 February 1836: 63).

Two of these enterprising Vandemonians, John Batman and John Fawkner and their teams, were almost simultaneous in their arrival at, and determination to occupy the land around Port Phillip (**SLV 2018**: Victoria's Early History 1803-1851). Endeavouring to legitimise claims to ownership of the land by a group of Tasmanian investors later known as the Port Phillip Association (PPA), Batman reportedly negotiated a treaty with Port Phillip Aborigines on 6 June 1835 (**SLV 2018**: Victoria's Early History 1803-1851).

In 1835, Government officials deemed Batman's treaty with the Indigenous inhabitants of the Port Phillip District invalid, both as the Port Phillip Association investors were claiming property on behalf of themselves rather than the crown, and because the treaty inherently acknowledged the prior occupation and attendant rights of the Indigenous inhabitants of the District, a claim unrecognised by the British Government. On the 26 August 1835 in response to news of the PPA land claim, Governor Bourke of NSW issued a proclamation "...stating that treaties with Aborigines for the possession of land would be dealt with as if the Aborigines were trespassers on Crown Lands" (**City of Melbourne 1997**: 9).

Despite the Government declaring that Batman's treaty with Indigenous people was invalid and that occupation of the Port Phillip district by anyone, without permission from the Crown, was therefore illegal, keen settlers continued to arrive at Port Phillip intent on taking up land (**SLV 2018**: Victoria's Early History 1803-1851; *The Cornwall Chronicle* 19 March 1836: 2).

The 'illegal' occupation of Port Phillip increased following the published favourable descriptions of the District as 'Australia Felix' by Major Thomas Mitchell, Surveyor General of New South Wales following an 1836-37 expedition. Consequently, the trickle of settlers into Port Phillip became a flood, and the rush of land seekers forced Governor Bourke to officially allow the European occupation of the Port Phillip District by squatters from 1837 (**SLV 2018**: Victoria's Early History 1803-1851).

In 1837 Melbourne was officially established and squatters, undeterred by the £10 minimum licence fee imposed by Governor Bourke, claimed pastoral stations with such rapidity that by 1840 "most of the places and foothill country was occupied" (**Moulds & Hutton 1994**: 5) by European settlers.

Early European Occupation of the Portland Bay District

Once squatting was officially sanctioned, the Henty family, who had occupied the Port Portland Bay District since 1834, made claims to legitimise their Portland Bay holdings (**ADB 1966**: Henty, Thomas).

Portland Bay was named in honour of the Duke of Portland by Lieutenant James Grant during an 1802 Bass Straight exploration (**Victorian Places 2015**) and from around 1810 onwards was used intermittently by whalers and sealers. William Dutton established a whaling station at Portland in 1832-33 and following an 1833 visit by Edward Henty, (**Victorian Places 2015**) the Henty family changed their plans to occupy Tasmania and joined Dutton at Portland where they set up both a whaling and grazing venture (**Victorian Places 2015**).

During his Australia Felix exploration in 1836, NSW Surveyor General Thomas Mitchell was surprised to come across the Henty family at Portland (**ADB 1967**). After hearing Mitchell's favourable reports of the country he had just passed through, the Henty family pushed their pastoral interests further inland and became one of the many pastoralist ventures that had comprehensively taken over the Western District by 1845 (**Victorian Places 2015**).

Before the advent of the railway into the Portland Bay District, Portland was the import and export centre for Western District pastoralists including those occupying the activity area, whose nearest railway at Ararat did not arrive until 1875 (**Victorian Places 2015**).

The Portland Bay District squatting runs, including those of the activity area, do not appear to have been taken up via the proximate town of Portland, rather budding pastoralists appear to have chiefly driven themselves and their stock overland from New South Wales or across from Port Phillip Bay (**Victorian Places 2015**).

The first European squatters reached the Hopkins River from Port Phillip in 1839 (**VHD Merrang**). Generally styled, 'The Watson Brothers', these squatters established the 'Merrang' Run on the Hopkins River (**VHD Merrang; Billis & Kenyon 1932**: 137) and in December of the same year John Muston took up the nearby run of Caramut commonly known as Muston's Creek (**Figure 3**).

The name Caramut is believed to have been derived from an Aboriginal word, 'Cooramook' taken to mean, 'plenty of possums' (**Duff 1915-1925**: 2) or to be a word meaning 'markings' (**Victorian Places nd**: Caramut).

The bulk of the activity area was once part of both the Merrang and Muston Creek Runs and stretches across small parts of the Kona Warren Run (later Connewarren), Parasia/Paraiso Run (also known as Hopkins or Mt Shadwell 1 or 2) near Hexham and the Minjah Run.

The Indigenous peoples of the Western District continued to reside on country living closely with Europeans as they advanced across the Western Districts. The activity area encompasses land occupied by clans of the Dhauwurd wurrung and Djab wurrung language groups who, following the first squatting incursions into the Hopkins River area and throughout the early 1840s resisted European occupation including actions by some "...organised groups of Dhauwurd wurrung clan members (who) fought a sustained guerrilla war against the settlers who had dispossessed them..." (**Clark 1995**: 11). Some incoming Europeans committed

retributive and unprovoked attacks against Indigenous people and such conflicts were "... exacerbated by the drought of 1838-39, which placed more pressure on scarce resources, and the financial crash of 1842." (Clark 1995: 11). Atrocities resulting from these clashes included the distribution of poisoned flour to Aboriginal people, (Clark 1995: 28-29) murder and the forcible prevention of Indigenous occupation of the land including the activity area where the Bolden Brothers were said to allow no Aboriginal people to visit. (Robinson in Clark 1995: 132). Intended to enable the safe and secure accommodation of Indigenous people, Aboriginal Reserves were established at Kolorer (Mount Rouse) and Burrumbeep (South of Ararat) during 1841 (Clark 1995: 60) and served also as bases from which "...the Djab wurrung and other people would launch guerrilla attacks and then return to the safety of the reserve" (Clark 1995: 60).

Outside the Aboriginal Protectorate lands Indigenous people were vulnerable to attack and on 27 October 1841 a husband and wife of the Gunawurd gundidj clan (Girai wurrung language group) were murdered on Layton/Leighton Station as they were crossing through to the relative safety of the Lake Terang Aboriginal Reserve (Clark, 1995, p. 129). Their orphaned son survived to recount the atrocity to Assistant Protectorate Sievwright who took evidence and despite the written confession of George S Bolden, the jury were instructed to find the accused, described as the brother of the Judge's 'near and respected neighbour', not guilty and they did so, although not unanimously (*Port Phillip Gazette* 4 December 1841: 3).

Layton Station was part of one of the Bolden Brothers Western District holdings, the exact location of the Station is unclear and it is therefore possible although unlikely that the murder site is located within the activity area (Clark 1995: 130). Layton or Leighton Station is known to have been purchased around 1841 by George Rodger after the murders and appears to have become part of the eventual Connewarren Estate (Billis & Kenyon 1932: 114).

A notorious massacre of Aboriginal people was committed on land close to the activity area at Lubra (Loubra) Creek on the night of the 23 February 1842 (Clark 1995: 35). At that time the massacre site was on the Muston's Creek Run then managed by Osbrey and Smith. Osbrey was on the station at the time and was believed to have known of, but not reported for fear of his life, on the attack on a group of aboriginal people sleeping in some tea tree scrub (Clark 1995: 35). Three women, one pregnant, and a child died in the attack and a fourth woman later died from her wounds (Clark 1995: 35). Two men and a child escaped to report the tragedy which was investigated and the suspects arrested and committed to trial where they were found 'not guilty' without the jury retiring to deliberate on the evidence presented (*Geelong Advertiser* 5 August 1843: 3).

Reportedly Community indignation about the Lubra Creek massacre meant that the take up of runs in the Hopkins River area 'suffered a check' and the pastoralists moved to assure the government that they were sincere in their horror at these crimes and their intention not to harm or interfere with the local Aboriginal people in the future (*The Australasian* 28 December 1940: 36).

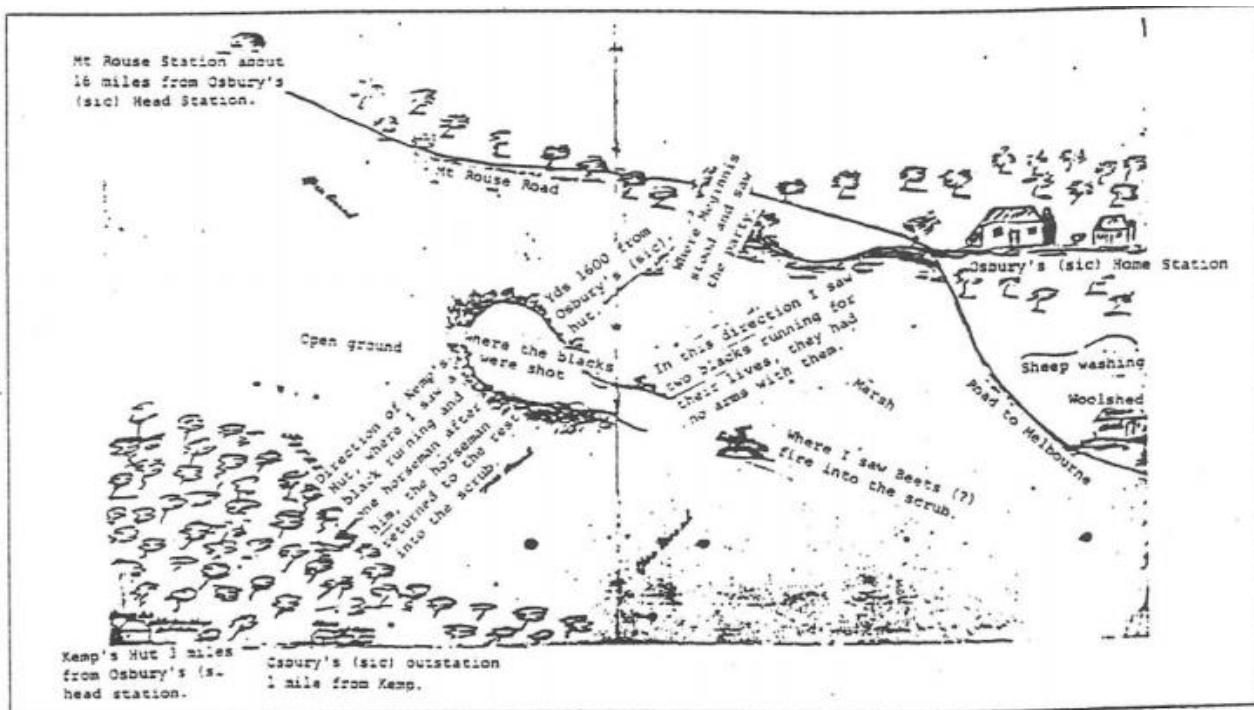


Figure 2 Sketch of the Lubra Creek Massacre with explanations by McGuinness, witness for the prosecution c1842 (Clark in Gerritsen, 2011: 10)

Testimony around the event, including a map of the site (Figure 2), have inspired subsequent investigations to attempt to identify the site of the Lubra Creek Massacre however the exact location of the atrocity remains unclear. The murders are generally believed to have occurred near the junction of the Scrubby Creek and Muston's Creek (where Scrubby Creek is believed to be an earlier name for Lubra Creek) or where Muston Creek intersects with the Penshurst-Caramut Road, near present day Caramut (Clark 1995: 35; Williams 1985: 182). The site, and events surrounding the site, are close to but do not appear to be located within the activity area as illustrated by a map (Figure 3) of George Augustus Robinson, Chief Protectorate of Port Phillip Protectorate in 1839-1849 (ADB 1967: Robinson George Augustus).

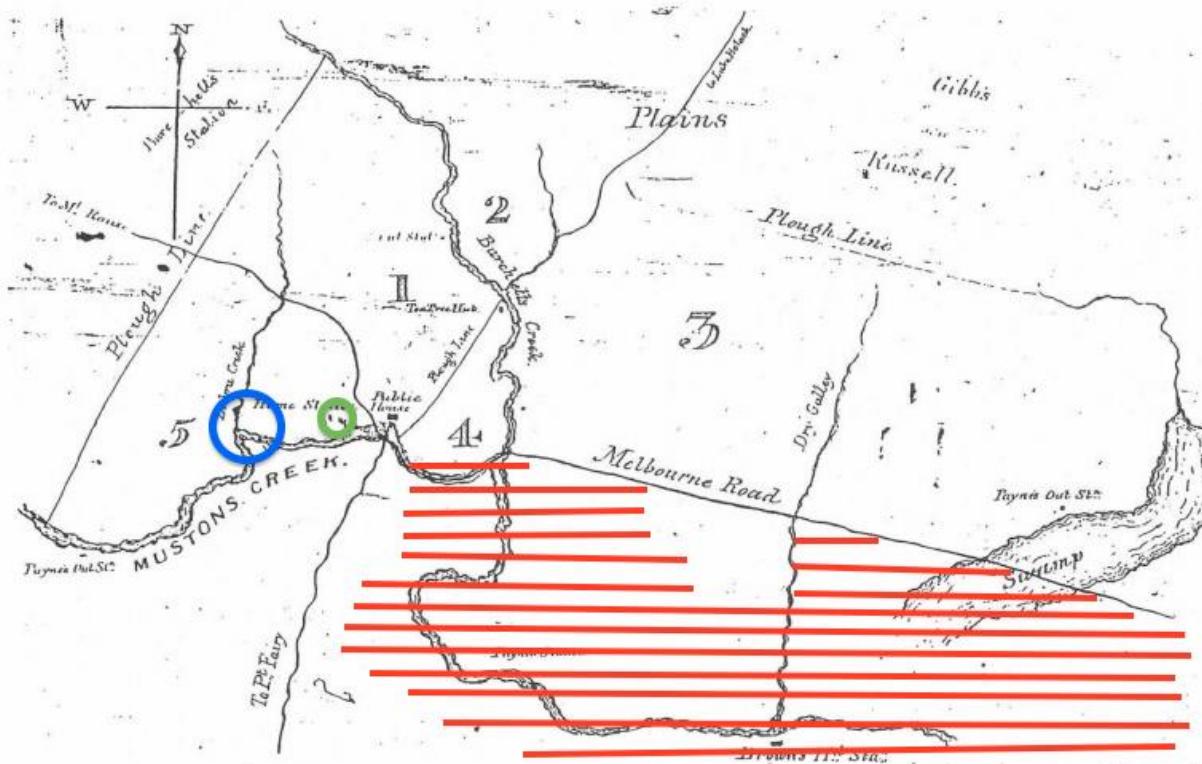


Figure 3 **Robinson's Sketch of Muston's Creek c1840s.** The approximate and general location of the activity area is highlighted with red lines. The approximate and general location of the Lubra Creek Massacre and Muston's Creek head station are marked with a blue circle and green circle respectively (Clark in Gerritsen 2011: 9)

Around the time of the massacre at Lubra Creek, Assistant Protectorate Sievwright was ordered to move his headquarters away from Lake Terang to Mount Rouse where he arrived on 12 April 1842 with 210 Aboriginal people (Clark 1995: 130). Sievwright's zealous attempts to prosecute his office by reporting pastoralists to the authorities made him very unpopular with the squatters and not long after he arrived at Mount Rouse he was dismissed from his position. (ADB 2005: Sievwright, Charles Wightman). In September of 1842, Claud Farie of Merrang and Konawarren Stations and Captain James Webster of Mount Shadwell Station were accused of travelling to the Mount Rouse area to "...drive the Aborigines off their runs..." which sheepfolds they had been plundering (Clark, 1995: 79).

A second massacre of the same Moperer gundidj clan that were attacked at Lubra Creek was reported in 1842 as occurring at Boggy Gully, close to Black Swamp, 3 to 4 kilometres west of Merrang House. The location of Black Swamp on the 1879 County Villiers Map corresponds to a large swamp on Payne's Muston Creek 2 Station as shown on a c.1882 map of Minjiah Station (Figure 4). This swamp appears to be too far from the Merrang head station to be the 'black swamp' massacre site and the discrepancy may result from there being an early unrecorded Merrang Station hut located close to the Merrang Station boundary and therefore more proximate to the Black Swamp, a name change or an incorrect description of the swamp concerned and distance from it to the Merrang head station. There were several unnamed swamps on Merrang Station in 1860 (Figure 28) as well as two particularly large swamps known as the Korrote-Korrote and Yeth-Youang marshes (Figure 28). It is not possible to be certain of the exact location of the Boggy Gully massacre which may have occurred outside the activity

area or on the activity area at Merrang or Mustons's Creek Stations. Details of this massacre are derived from an 1881 study by James Dawson and the number of deaths, perpetrators and exact date are unknown (Clark 1995: 45).

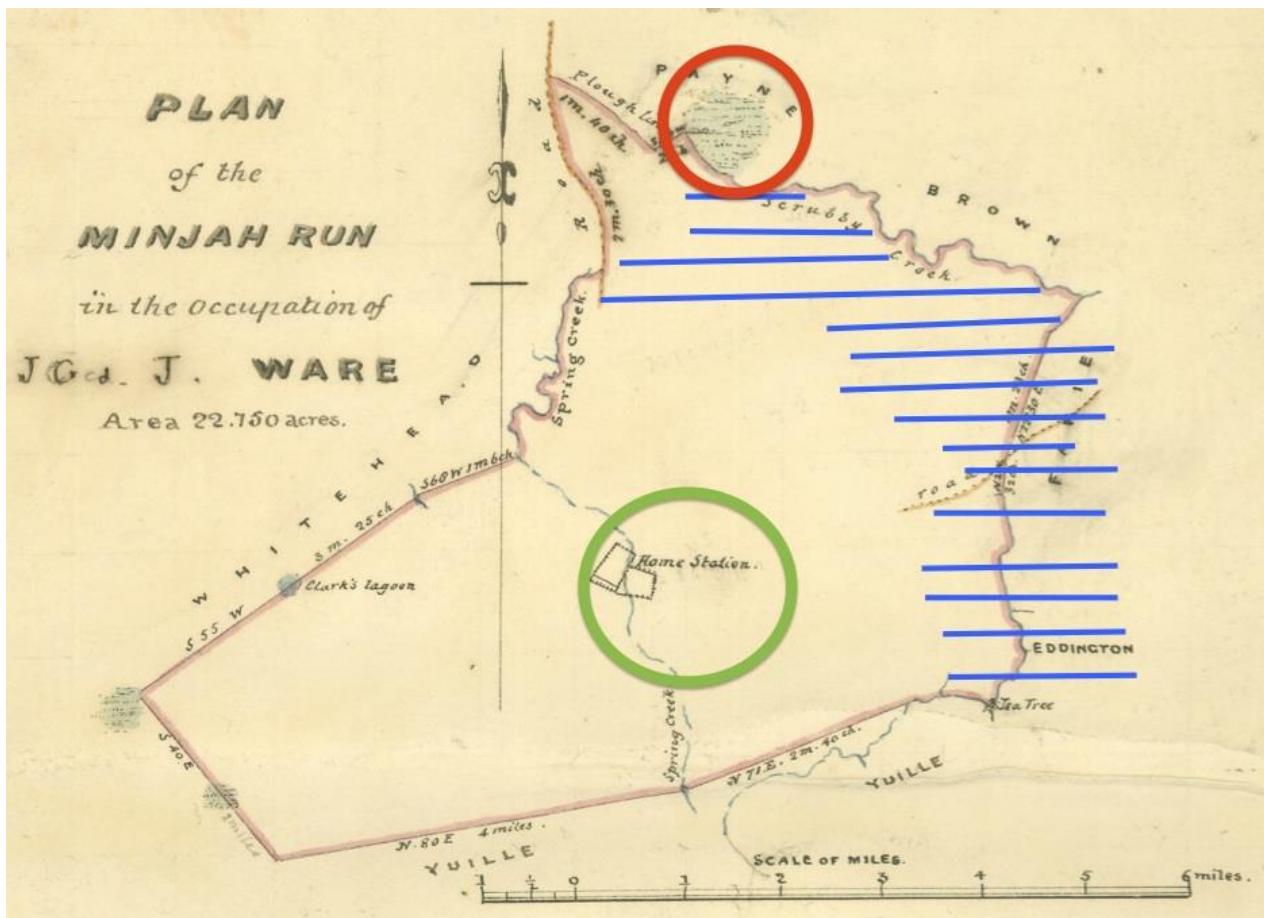


Figure 4 Detail of Plan of Minjah Station c.1882. The approximate and general location of the large swamp on the Minjah Run is highlighted with a red circle, the approximate and general location of the Minjah head station and the activity area being highlighted with a green circle and blue lines respectively (PROV VPRS8168/P0005/RUN 920: MINJAH)

From the time squatters arrived in the Western District until the mid nineteenth century the land, including the activity area, was the site of deliberate, organised, sustained conflict between resident Indigenous peoples and advancing European forces. By 1849 the Aboriginal Protectorate had been demolished and Indigenous people "...gravitated towards pastoral stations...where they worked for settlers and continued to follow traditional hunting and fishing practices" (Clark 1995: 125).

Following the discovery of gold in the Ararat district in 1854 employment opportunities for the remnant Djab wurrung saw them "...washing sheep, driving bullocks, ploughing and constructing dams..." and employed in diverse occupations on pastoral estates including working with horses and stock (Jones in NGA 2002). At Merrang by 1856, one of several Indigenous employees, Jimmie, worked as a groom and carer for 24 horses (Figure 2) and at Minjah Station in the same year, an Aboriginal man, Jamie Ware, worked as a guardian to the Ware children and as a personal assistant to Joseph Ware (NGA 2010: 4-5, 10-11).



Figure 5 Painting of Mrs Adolphus Sceales with Black Jimmie on Merrang Station, 1856 (Dowling Robert, 1856, Mrs Adolphus Sceales with Black Jimmie on Merrang Station in Painting the land gallery, National Gallery of Australia website)

European occupation of the activity area progressed according to three distinct phases; pastoral, settlement, closer settlement and soldier settlement. Each of these phases produced distinctive mapping arrangements which inherently illustrate characteristics of each stage of the European advance across the Western Districts.

Pastoral Leasehold

The first phase of European occupation of the activity area was the seeming flood of pastoralists that spread across from Port Phillip during the 1830's and 40's (Figure 6). European pastoral occupation pre-empted Government Survey and the plans of the various Squatting Runs reflect the tenuous nature of their hold on the land. The boundaries of early Pastoral leases were changeable, often marked by plough lines and natural features and provided only a temporary tenure via a licence to run stock.

Under this circumstance there was little incentive for the investment of funds by squatters to undertake European type improvements to property which was useful only as a storage and feed resource for the more valuable stock on which it ran. Properties were difficult to identify and could be described by reference to the property owner, the name ascribed to the Run, the name of an adjacent Run or Township or the name of a licence's homestead. The temporary nature of the pastoral hold on the landscape was reflected in the irregular generalised

descriptions of properties and their boundaries and is the source of some difficulty in determining the exact extent and sequence of the occupation of properties within the activity area.

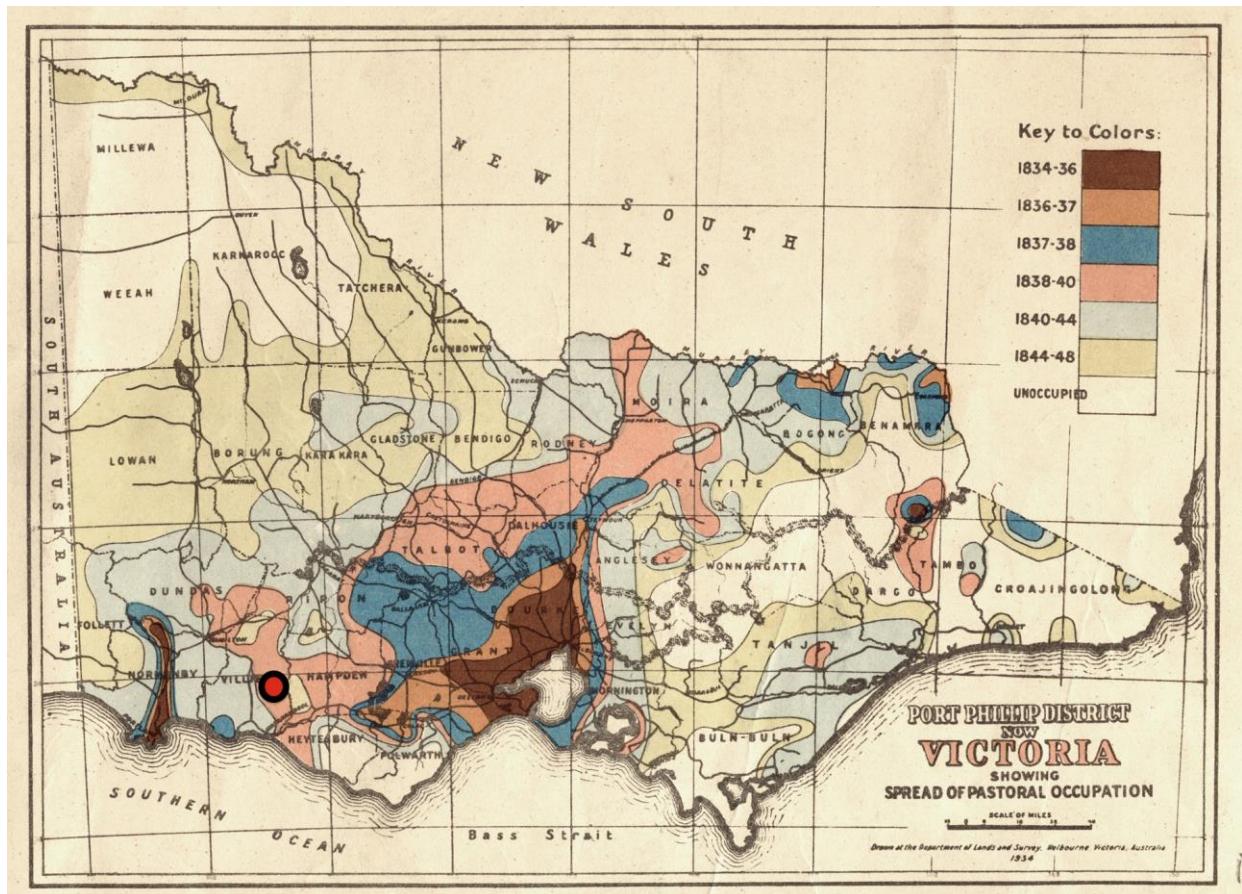


Figure 6 Plan of Port Phillip District showing the rate of spread of pastoral occupation across Victoria from 1834 to the mid nineteenth century, 1934 (Department of Crown Lands and Survey, Port Phillip District, now Victoria, showing spread of pastoral occupation, Department of Lands and Survey, MAPS; M820 GC 1834-48, SLV)

Muston's Creek

The Muston's Creek Run derived from the Bolden brother's extensive holdings. The run was established in December 1839 by John Muston and held by him until November 1841 (Billis & Kenyon 1932: 230). Muston divided his property into at least 5 Stations without the area having been surveyed or the individual properties delineated (*The Melbourne Courier* 15 August 1845: 2). This oversight led to considerable complications when the properties were later transferred and highlighted inherent challenges in the licence system where run holders could be unaware of the extent of the property they were authorised to occupy, and where occupation could be given and rescinded at the discretion of the Commissioner of Crown Lands (*The Melbourne Courier* 15 August 1845: 2). At least one claim for compensation owing to a boundary dispute resulted from the Muston's Creek break up and although the case was decided in favour of the land deprived plaintiff, flaws in the system were further highlighted when the Judge accepted the jury's verdict but refused to endorse the compensation they awarded (*The Melbourne Courier* 27 August 1845: 4). Figure 7 is likely a survey by William Swan Urquhart prepared in

1845 for Alexander Sprott and used in his court case against Francis Fyans the Commissioner of Crown Lands (*The Melbourne Courier* 15 August 1845: 2). Sprott was seeking compensation for the Government officer's actions in depriving him of part of his run leaving him insufficient land to support his stock (*The Melbourne Courier* 15 August 1845: 2). The plan of the Muston's Creek Run, which was forwarded to the Surveyor General's Department as an official record, (PROVwiki 2012) illustrates the break up of the Muston's Creek Run north and east of Muston's Creek. The disputed land appears to encompass parts of portions 3 and 4 of the Muston's Creek Run as marked at **Figure 7** and the uncontested Run occupied by the defendant Payne is the large tract of un-numbered land south of Muston's Creek. Although it is not clearly illustrated at **Figure 7**, the land south of Muston's Creek is likely the land kept by John Muston for himself when he initially broke up his Run. The land retained by Muston was likely around 10,000 acres being the approximate difference between the land area of Stations numbered 1 to 5 at **Figure 7**, and the reportedly 26,000 acre combined area of Muston's Creek Stations 1 and 2 described by Billis and Kenyon (1932: 230). Muston is known to have sold the balance of his Muston's Creek Run Licence to Payne after the transfer of the rest of his Run was complete (*Geelong Advertiser and Squatter's Advocate* 16 August 1845: 3).

John Muston was an insolvent British grocer who moved with his wife to Van Dieman's Land on the advice of his brother-in-law, Richard Joynes, and with the financial assistance of his sister's husband Joseph James (Hanslow 2017). Being no more successful as a shopkeeper in Hobart than in Derby, Muston was unable to repay the several thousand pound debt he owed to James, quarreled and broke with his business partner Richard Joynes and eventually moved to Port Phillip with sheep dealer, William Roadknight in mid 1837 and settled on a Run at Gnarwaree (Hanslow 2017).

When the Government resumed Gnarwaree in 1839, Muston moved to the Run later referred to as 'Muston's Creek' which Muston also called 'Rugbymead' (Hanslow 2017). In 1841 the Rugbymead property included a tolerably decent hut and a miserable hovel to which dwellings Muston's wife, Mary Ann, and son never moved. Declared bankrupt in Port Phillip in 1842, by 1846 John Muston had moved to Sydney with his mistress whom he married a month after he was widowed in 1848 (Hanslow 2017). Muston had had 10 children by his second wife, and was working as an accountant by the time of his death in Sydney in 1876 (Hanslow, 2017).

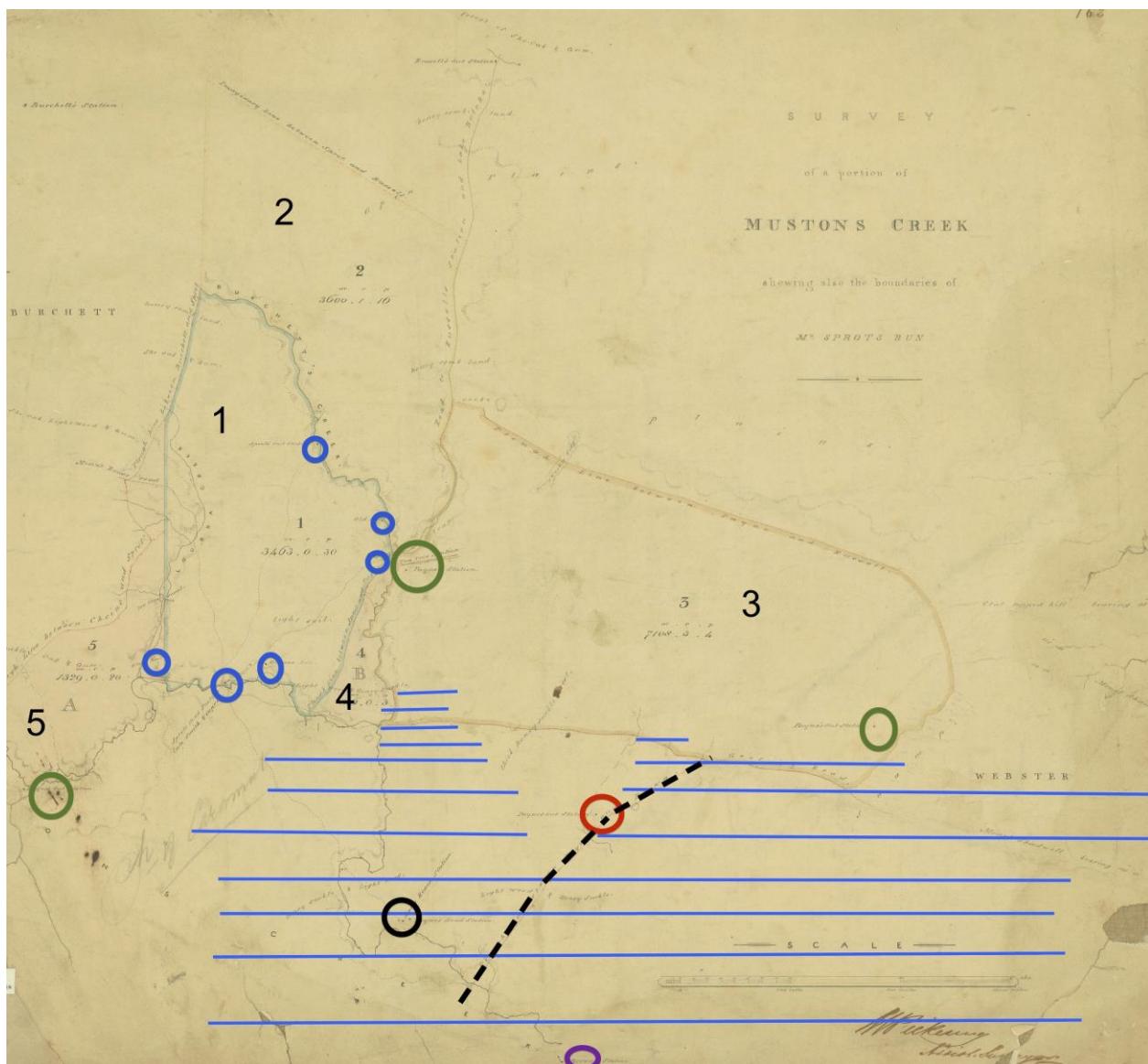


Figure 7 Detail of an 1845 Plan showing Muston's Creek Run divided into 5 portions. The approximate and general location of the activity area on the run is marked with **blue lines**. The approximate and general location of Payne's Home Station is highlighted with a black circle, the approximate and general location of one of Payne's outstations with a **red circle** and the approximate and general location of Brown's Station with a **purple circle**. The **green circles** highlight the approximate and general locations of huts and the Teatree station of Payne which lie outside the activity area and the **blue circles** highlight the location of Osbrey and Smith's head station and huts (PROV VPRS8168/P)

Portions 1 and 2 of the Muston's Creek Run as shown at Figure 7 and also known as Loubra Creek and Muston's Creek 2 was leased by Thomas Osbrey following John Muston's occupation and Osbrey is believed to have obtained a licence for these portions and some or all of the disputed lands in 1842 (*The Melbourne Courier* 15 August 1845: 2). It was during Osbrey and his manager Smith's occupation of the Muston's Creek 1 Run that the Loubra Creek Massacre occurred. Almost immediately following his purchase of his Muston's Creek Run, Osbrey was in dispute with Payne regarding the extent of their respective Leases. This

dispute was resolved to the satisfaction of both parties before Sprott confirmed the transfer of Osbrey's licence to himself in February of 1843 (*The Melbourne Courier* 15 August 1845: 2).

Payne's Superintendent Samuel Lutton testified in 1845 that as far as he was aware Portions 1 and 2 of the Muston's Creek Run were held by Sprott and Portion 3 of Muston's Creek Run was held by Brown when he first worked for Payne in 1843 (*The Melbourne Courier* 18 August 1845: 2). Lutton was unsure of who held Portion 4 of the Muston's Creek Run at that time however in May of 1844 he declared that the Commissioner for Crown Lands directed him that Portions 3 and 4 of that Muston's Creek Run were now held by Payne (*The Melbourne Courier* 18 August 1845: 2). According to Payne, Brown had been occupying but was ordered off at least part of Portion 3 in March 1844 and no sooner had he vacated than Sprott depastured his stock on that part of the Run, being the plains between himself and Captain Webster east of Muston's Creek (*The Melbourne Courier* 18 August 1845: 2). Portion 5 of the Muston's Creek Run was not land contested by Payne, Brown or Sprott and has not been examined in this report as it is neither part of the activity area nor relevant in determining who occupied lands in the activity area.

Given the fluid boundaries, changes in ownership and lack of unique names for Runs, there are understandable inconsistencies between the chain of pastoral occupation of the parts of the Muston's Creek Runs described by Billis and Kenyon and the testimonies of the Superintendents, Commissioner of Crown Lands and Owners of the Runs. So little attention was paid to Licence boundaries at the time of their occupation that neither Payne or Brown as Licence holders had any knowledge of where the boundaries of their respective properties were (*The Melbourne Courier* 18 August 1845: 2).

At least parts of both Muston's Creek 1 and Muston's Creek 2 Stations were located on the activity area, some parts of which were occupied by Thomas Brown, Charles Payne and Alexander Sprott during the 1840s (*The Melbourne Courier* 18 August 1845: 2; Billis & Kenyon 1932: 230).

Charles Payne passed his licence for part of the Muston's Creek Station (Known as Caramut or Muston's Creek 2) to Henry Pinson and Captain William Fury Baker in 1851 (Billis & Kenyon 1932: 230). Having held the licence for a year, Pinson and Baker transferred their part of the Muston's Creek Run to the Ware brothers (John and Joseph) in 1852. (Billis & Kenyon 1932: 23). According to Billis and Kenyon (1932:230), Joseph and another brother Jeremiah George Ware, had acquired the Browns portion of the Muston's Creek Run in 1849 and when Jeremiah retired from the partnership in 1852 his place was taken by another brother John Ware. By 1855 John and Joseph Ware were independently licenced to occupy both Muston's Creek Runs; John held the approximately 10,000 acre Caramut Run Lease stretching south and east of Muston's Creek and Joseph occupied the approximately 16000 acre Run Lease west of Muston's and Burchetts Creeks (Billis & Kenyon 1932: 230).

Sprott sold his two portions of the Muston Creek Run located north of Muston's Creek and known as Caramut to William Atkinson, occupier of Hexham Park in 1846 (Billis & Kenyon, 1932: 230). A year later Atkinson passed the Caramut run to Dr Palmer and by 1851 it was in the possession of the De Little Brothers in whose family the Caramut Station remained until at least 1894 (Billis & Kenyon 1932: 230; Duff 1915-1925: 18). The De Little family Caramut Station is north of Muston's Creek and falls outside the activity area.

By 1857 both Muston's Creek Stations were being managed by Joseph Ware who renamed the properties Minjah Station and Barwidgee Station (**Victoria and its Metropolis, Past and Present Volume II: 1888**) identified by **Billis and Kenyon (1932: 230)** as Muston's Creek 2 and 1 respectively. Both Minjah and Barwidgee Stations remained in the Ware family until at least 1888 (**Victoria and its Metropolis, Past and Present Volume II, 1888**).

An 1859 plan of Payne's then Caramut Run (later known as Muston's Creek 1) (**Figure 8**) identifies four constructed features imposed on the landscape within the activity area; Payne's Home Station (known as Longreach), one of Payne's Out Stations, a track joining the Melbourne - Port Fairy Road crossing Muston's Creek south of its junction with Burchetts Creek and the line of an alternate road from Caramut to Port Fairy passing to the east of the 'Big Marsh' identified on other maps as the Black Swamp (**Figure 35**). In addition to these features, an earlier 1845 plan of Muston's Creek Station identifies built features including; a second out station of Paynes, the plough line boundary between Payne and Brown, and the approximate and general location of Brown's Station (**Figure 7**).

From its creation in 1839 the Muston's Creek run was used by Europeans for the grazing of sheep and cattle (**Geelong Advertiser and Squatters Advocate 16 August 1845: 3**) with huts and structures to facilitate the management of this being erected, relocated, transferred or destroyed according to the changing Station boundaries both within and adjacent to the property (**Port Phillip Patriot and Melbourne Advertiser 15 August 1845: 2**). Some cooperation existed between the overseers, if not the licensees of the Pastoral Estates, as some flocks were run together (**Melbourne Courier 14 August 1845: 3**) and disputes between owners regarding territory appear to have been settled off property through official channels (**Melbourne Courier 15 August 1845: 2**).

The activity area extends across the Minjah and Barwidgee Station which were both derived from parts of the Mustons Creek Run.

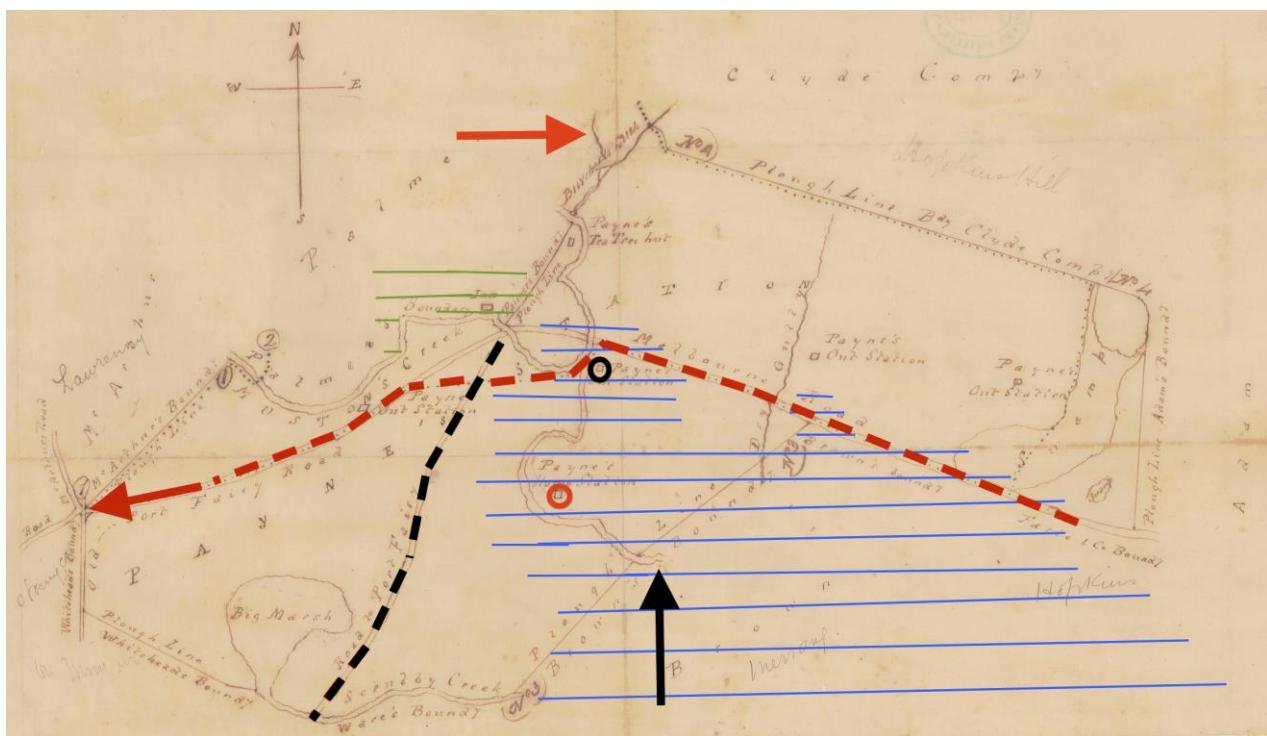


Figure 8 Plan of Charles Payne's Caramut Run 1859. The general and approximate location of the activity area is marked with **blue lines**. The general and approximate location of the Caramut Station Pre-emptive Right holdings with **green lines** and the approximate and general location of Payne's Head Station as marked on this map is highlighted with a **red circle**. The approximate and general location of one of Payne's outstations is marked with a black circle, the line of a road from Caramut to Port Fairy with a black dotted line and a track linking the Melbourne and Port Fairy Roads bypassing Caramut with a **red dotted line**. Muston's Creek is highlighted with a black arrow and Burchetts Creek with a red arrow (PROV VPRS8168/P0005/RUN 533: CARAMUT)

Minjah Station (also Mustons Creek No.2)

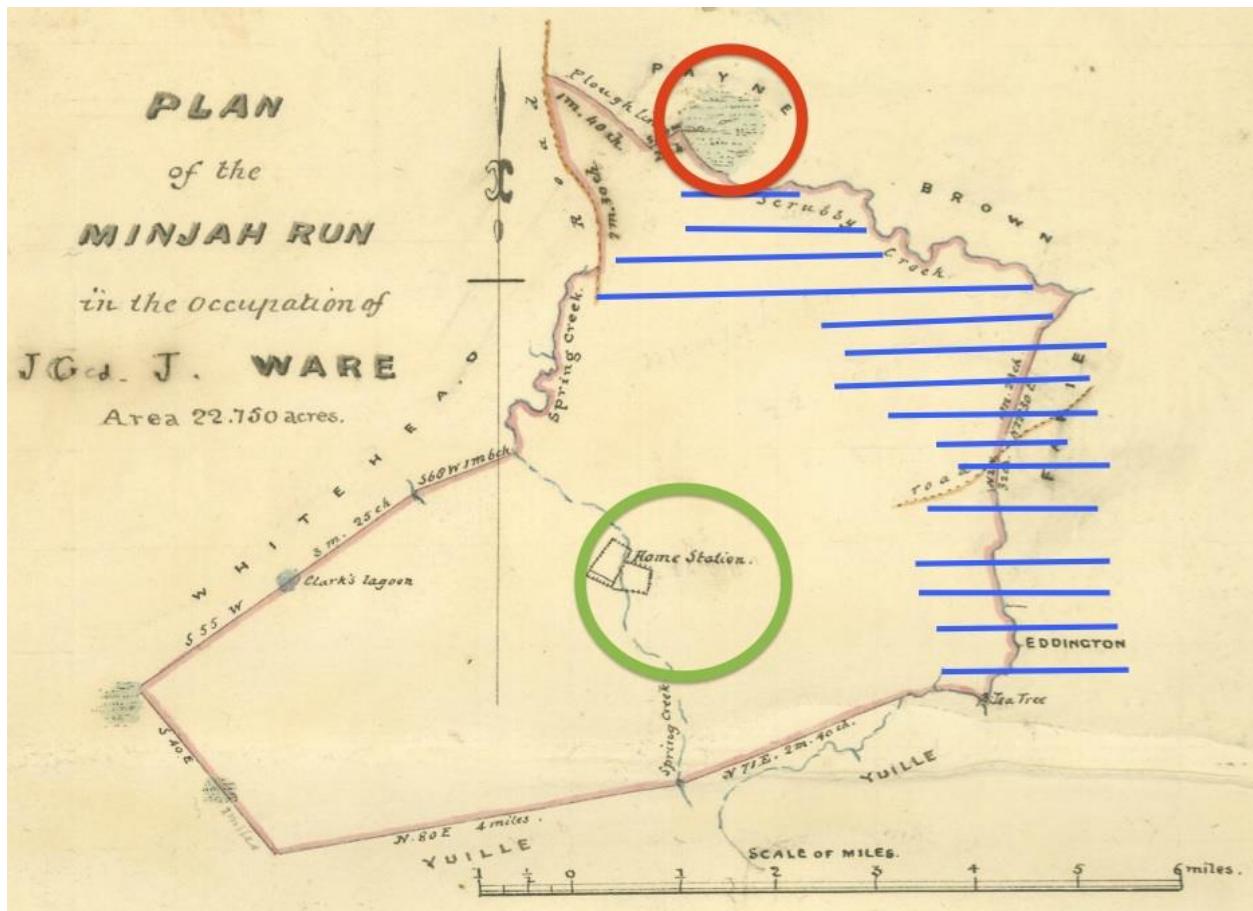


Figure 9 Detail of Plan of Minjah Station c1882. The approximate and general location of the activity area is highlighted with **blue lines** and the approximate and general location of the Minjah Run home station with a **green circle** (PROV VPRS8168/P0005/RUN 920: MINJAH)

Minjah, (Figure 9) in common with its neighbouring squatting runs was occupied by Europeans as part of the Bolden brothers' vast Western District holdings (Billis & Kenyon, 1932: 218). The Bolden's tenure was for a little more than a year only and was proceeded and followed by the occupation of the Run by G D Hamilton who was in possession of the property by 1842 (Duff 1915-1925: 18-19). In 1845 Jacob Plummer and Mr Dent took over Hamilton's Minjah holding for one year before it was acquired by the Ware brothers, who used the property as a cattle station and kept the nearby Barwidgee Station that they had acquired from the original Muston's Creek Run in 1852, for running sheep (Duff, 1915-1925: 19).

The Ware brothers were John, Jeremiah George 'George' and Joseph. George and Joseph Ware came to Victoria from Tasmania in 1838 and managed several Runs including Native Creek near Geelong, Woowrite and Koort-Koort-Nong before taking over the Minjah holding (Victoria and its Metropolis, Past and Present Volume II, 1888). Eventually Joseph settled at Minjah and Barwidgee, George at Koort-Koort-Nong and John who made the move to Victoria later than his brothers held Yalla-Y-Poora Station (Victoria and its Metropolis, Past and Present Volume II, 1888).

Joseph Ware whose land is encompassed by the activity area was appointed a Territorial Magistrate in 1860 (*The Argus* 12 May 1860: 5). He died in Melbourne in 1894 having lived most of his life at Minjah Station (*The Argus* 27 October 1894: 1).

The activity area stretches across only a portion of the Minjah Run which was held by the Ware family until 1897 (*The Age* 7 August 1897: 8) and was the basis of one of several powerful squatting dynasties that dominated the Western Districts through much of the twentieth century. The Minjah head station (Figure 11) was built by Joseph Ware in 1870 replacing two successive earlier and more modest dwellings (Figure 10). As with the nearby mansions of Merrang and Caramut, the Minjah homestead is not located within the activity area but was built and supported with wealth created in part from the activity area. These stately homes were an integral part of the Western District Squatter experience of "...baronial mansions, hidden down long driveways and in the folds of hills...grand balls, polo carnivals and social events that brought the blessed from across the land..." (Wright 2017).

The Ware family sold 7,781 acres of the Minjah Estate to Messrs. Affleck and Mann in mid 1897 (*The Age* 7 August 1897: 8) and the Affleck family retained the property until it was sold to the Clarke family in 2005 (Clarke in *Friends of Warrnambool Botanic Gardens* 2014: 3).



Figure 10 Detail of photograph of Minjah Station for J Ware Esq c1852 (Hannay c1852, 'Minjah, 6 M north of Woolsthorpe - J.Ware Esq.', State Library Victoria)

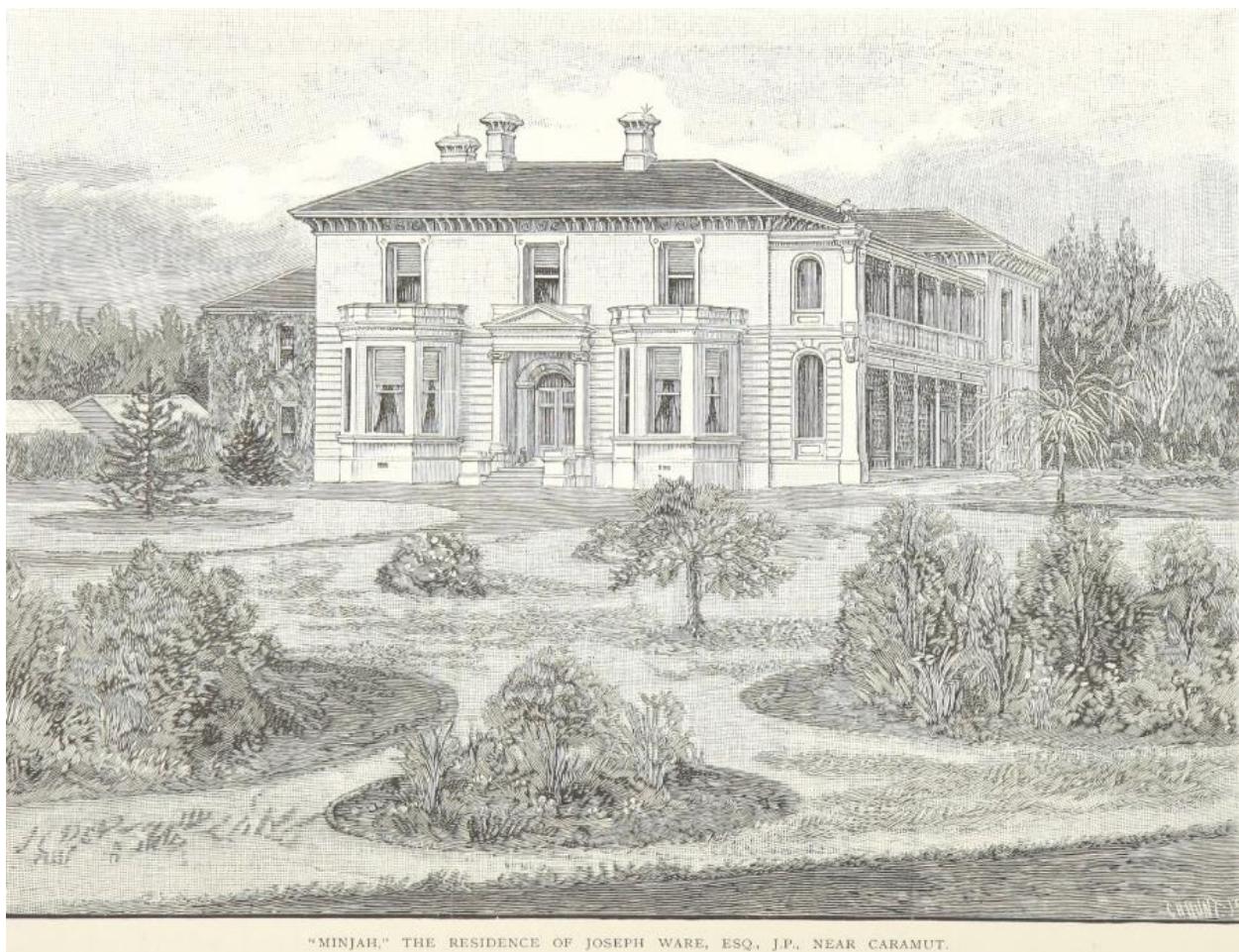


Figure 11 Head Station of Minjah owned by Joseph Ware, c1888 (Victoria and its Metropolis, Past and Present Volume II 1888)

Barwidgee Station (also Mustons Creek No.1)

In 1882 Joseph Ware attempted to sell his Barwidgee Station Estate (*The Argus* 18 May 1882: 3) which was described at that time as being a 21,700 acre holding near the township of Caramut reticulated by the Muston's, Scrubby, Ti-Tree and Burchett's Creeks and bounded by Boortkoi, Coomete, Caramut, Merrang and Minjah Stations.

The advertised description of the creeks and Stations around Barwidgee appears to support the understanding of Barwidgee as having been the portion of Muston's Creek held by Charles Payne in 1849. The Barwidgee homestead photographed in 1859 (Figure 12) may be the original or expanded homestead or a new dwelling located on or near to the Muston's Creek homestead of Charles Payne. Payne's homestead was located east of Muston's Creek on land later defined as Ware's Mustons Creek Pre-emptive Right (Figures 7 & 8).

Barwidgee was effectively the sheep production area of the Minjah Station, the Minjah run being used for cattle. As the 1882 sale of Barwidgee was unsuccessful, Ware was still in possession of the property in 1887 when there was conflict with the shearer's union at the Barwidgee Woolshed, "...Mr Ware, of the Barwidgee station, has been endeavouring of late to make up his complement of men by arranging for shearers to come on to the station during the night" (*Hamilton Spectator* 22 November 1887: 2). Two policemen were sent to assist at

Barwidgee which was one of many conflicts that culminated in the arrest and fining of a shearer's union representative in January of 1888 (*Hamilton Spectator* 21 January 1888: 3). The actions of the shearers union were not confined to Barwidgee which was reported to have requested police assistance the following year along with Mr Lindsay of Quamby Station (*Hamilton Spectator* 15 November 1888: 3). Such actions were symptoms of the unrest which eventually led to the 1890s Shearer's Strike (Context 2013: 10).



Figure 12 Detail of photograph of Barwidgee Station and a figure who appears to be the owner Joseph Ware est. c1859 (Hannay c1859, 'Barwidgee - Joseph Ware Esq', SLV)

In 1899, 5 years after the death of Joseph Ware his executors offered Barwidgee for sale as a much reduced 13,375 acre holding. The property was passed in when offered as a single or separate lots; the paddocks offered were known as Caramut, Stone Hut, Fox, Burchett's Creek and Weaner (site of the homestead), Robertson's, Hexham, Pinset and Middle Plain (*Hamilton Spectator* 28 March 1899: 2). Having failed to sell the Barwidgee land, Ware's executors offered all the stock and plant from the Station for auction on 29 September 1899 (*Hamilton Spectator* 9 September 1899: 2) The clearing sale was deferred twice during which time a lease was secured for the property (*Hamilton Spectator* 28 September 1899: 2; *Hamilton Spectator* 28 October 1899: 53; *Hamilton Spectator* 4 November 1899: 2). The estate was finally cleared of all stock and plant in November of 1899 including 'the last of the...well-known Minjah herd of pure Durhams...and...the last of the famous P.D. ponies...' (*Hamilton Spectator* 28 November 1899: 4).

The lease of Barwidgee Station was offered for a five year term (*The Australasian* 28 October 1899: 53) and was taken up by the Hon. N Thornley MLC for the Western Province, who was the holder of the property when it was largely destroyed by a fire sweeping through in February of 1900 (*Hamilton Spectator* 1 February 1900: 2). Thornley died 1 March 1903 (*The Horsham Times* 3 March 1903: 3) and his trustees continued to run the property under the lease until its expiration in 1904 (*The Australasian* 17 September 1904: 5).

On the back of the opportunity to purchase from his deceased estate, Thornley's 'first-class merino flock' of 22,470 sheep (*The Australasian* 15 October 1904: 56) the trustees of Joseph Ware's Estate put out a tender request for another five year lease of Barwidgee which had "...lately been improved by plantations, bores, windmills, & c..." (*The Australasian* 8 October 1904: 55).

The Barwidgee Estate was eventually purchased from Ware's family in 1906 by George C Kelly of Montalto, Toorak (*The Australasian* 20 April 1907: 13). By 1912 Barwidgee had passed to Kelly's son Charles C Kelly (Context 2013: 10) and the portion of the property not taken over by the Soldier Settlement Commission was still held by the Kelly family in the 1960s (Context 2006: 10).

Parasia (Paraiso)/ Hexham Park Station

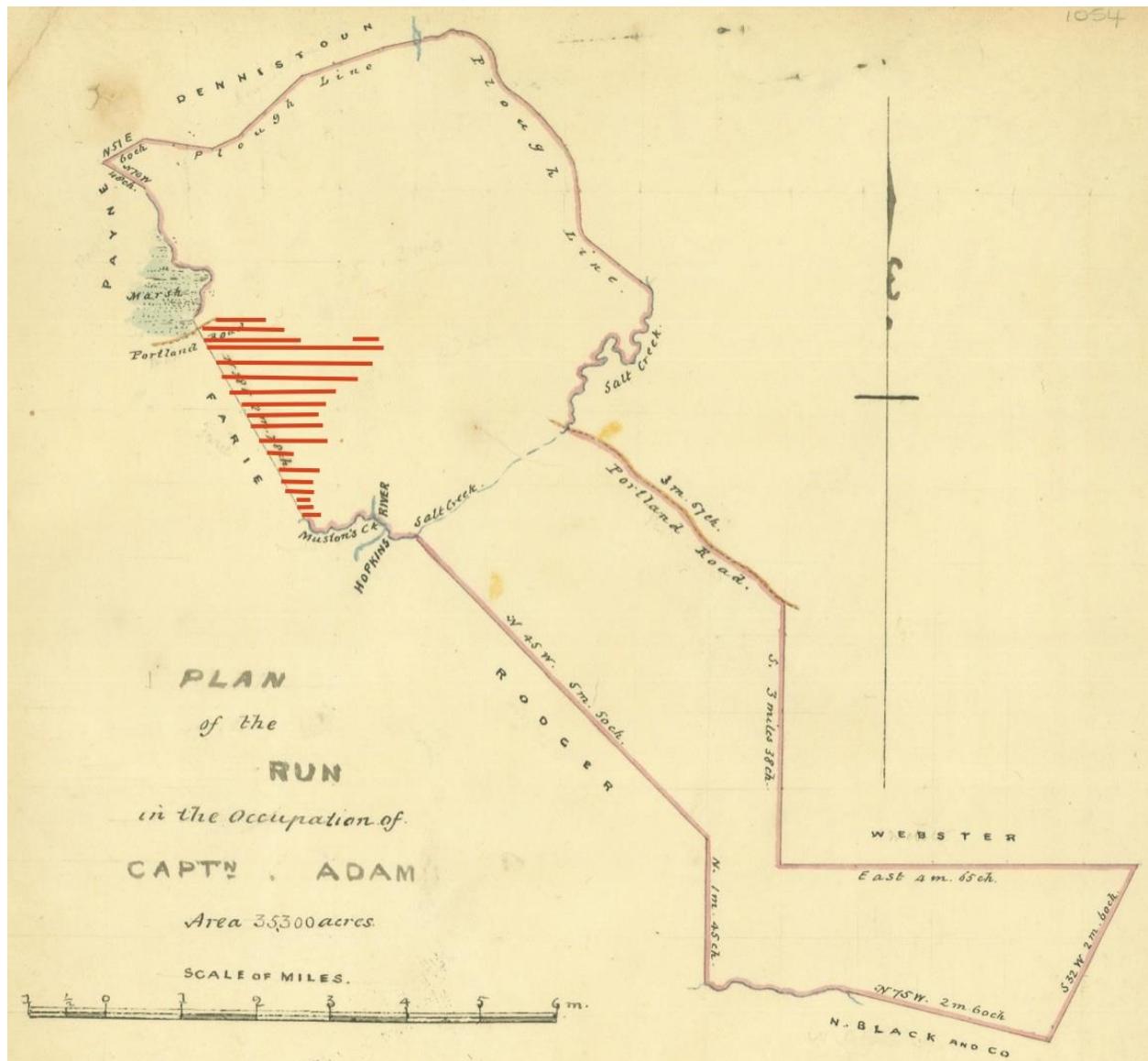


Figure 13 Plan of Parasia Run (later Hexham Park) c1882. The approximate and general location of land that is part of the activity area is marked with red lines (VPRS8168/P0005/RUN 1054: PARASIA)

The originally Spanish named Paraiso Station meaning 'paradise' was established in 1845 by Captain William Adams (**Billis & Kenyon 1932**: 236). Paraiso was derived from the massive 42,700 acre Mount Shadwell Run occupied by Anderson on behalf of the Derwent Company in 1839, before being held by Captain James Webster for 8 years from 1840. In 1848 Paraiso Station appears to have been renamed Hexham Park (**Billis & Kenyon 1932**: 236) and in 1847 the residual Mount Shadwell Station had been divided into Mount Shadwell North and Mount Shadwell South. Captain Webster retained Mount Shadwell North and the South Mount Shadwell Station was taken up by R. Bourke who further divided the Run into Mount Shadwell A and B (**Billis & Kenyon 1932**: 236). The only portion of the Mount Shadwell Station over which the activity area extends is located on the original Parasia/Hexham Park Run (**Figure 13**).

Captain Adams held the pastoral lease for Parasia Station until it was taken over by Alexander Cunningham Fairlie Dunlop in 1850. Dunlop died still in possession of the Hexham Park property on 21 June 1852 (PROV VPRS28/P0000/6 B/085) although the run was still leased in his name as Parasia Station in 1853 (*Geelong Advertiser and Intelligencer* 25 February 1853: 1).

Dunlop's widow, Flora Rachel Dunlop, as the sole executrix of his Estate offered his stock and the right to occupy the 35,300 acre Hexham Park Station for sale in June of 1853. The property was described as being (*The Argus* 3 June 1853: 5):

...composed of stoney rises...always well watered and certainly one of the finest in the district...(on which)...the sheep are perfectly clean...the improvements are very extensive...(and include)...a nine roomed cottage at the Homestead and well stocked garden with extensive stabling and offices...very extensive paddocks...an Overseer's house of brick, containing five rooms, storehouses, wool sheds, sheep wash, & c.

The Hexham Park property was purchased by Adolphus Sceales of the adjacent Merrang Estate who died a little over a year later on 15 November 1854 aged 45 years (*The Argus* 27 November 1854: 4) leaving the Hexham Park and Merrang properties to the managers of his deceased estate. The Trustees of Sceales Estate attempted to divest themselves of the Hexham Park Property, advertising its sale early in 1855 as "...one of the best sheep runs in the western district...well watered, and...in perfect working order..." (*The Argus* 18 January 1855: 6). Improvements on the Station identified in the advertisement include "...a weatherboard house of 7 rooms, kitchen, stable, garden, grass and cultivation paddocks; three stone buildings and one brick one, woolshed with screw-press, a very superior sheep-dressing place, with large boilers attached, out-station huts & c." (*The Argus* 18 January 1855: 6).

Despite the seeming superiority of Hexham Park, Sceales' trustees were still advertising it for the sale in March of 1856 after which time it was purchased by William Armstrong (Billis & Kenyon 1932: 236) who sold several draught colts and fillies from his Hexham Park Run Station in 1861 (*The Star* 6 May 1861: 2). The Armstrong family established themselves permanently at Hexham Park acquiring the freehold of their Run as it came up for sale in small allotments across the late 1850s and 1860s. By the time William Armstrong died at Hexham Park on 7 April 1895, his freehold estate consisted of 27,020 acres and 3 roods of land from the Hexham Park and Shadwell Park Estates stretching across the 6 parishes of Hexham West, Hexham, Connewarren, Ellerslie, Dolora and Mortlake. At his death Armstrong's land, excepting 320 acres on which stood the "...large two storied blue stone house..." was held under lease by the partnership of his son and son-in-law Armstrong and Urquhart (PROV VPRS28/P0002/432 60/788).

Improvements across the Estate at Armstrong's death included the blue stone home, cottage, stabling, fencing, windmills, woolshed, men's huts and dams of which some may have been located on the activity area (PROV VPRS28/P0002/432 60/788).

The Hexham Park Run began to be sold off by the Government as part of their Closer Settlement plan as early as 1859 (*The Age* 2 August 1859: 2). On 30 May 1860 several allotments were offered at the Warrnambool land sales that comprise part of the activity area including; "...10 allotments situated on the main road from Caramut to Hexham, from one to five miles west of the township of Hexham..." (*The Age* 22 May 1860: 7) being in Sections 1, 2, 5 and 6 Parish of West Hexham and containing 113 to 245 acres as well as 8 allotments in

Sections 15 and 16 at Muston's Creek, Parish of West Hexham on Hood's licensed Run comprising 86 to 273 acres located two to five miles south-westerly from the township of Hexham, "the soil (being) of medium quality, suitable chiefly for pasture..." (*The Age* 22 May 1860: 7).

More Hexham Park Run land that is part of the activity area was sold 10 January 1861 at Warrnambool, being Subdivisions A and B of 26 allotments in Sections 5 to 8, 12, 15 to 18, 20, 23 and 27, each subdivision containing from 54 to 160 acres of "lightly-timbered soil" (*The Age* January 1861: 2).

Although Armstrong held the first Crown Grants for what appears to be all of the Hexham Park Estate that is encompassed by the activity area, by the time of his death in 1895, Armstrong had disposed of most of that property. Only a small portion of the Hexham Park property encompassed by the activity area was still held by Armstrong in 1895, that being Allotments 1,2 and 3 of Sections 1 and 13 Parish of West Hexham (PROV VPRS28/P0002/432 60/788).

Within the Hexham West Parish were located parts of the Pastoral Estates of Hexham Park, Muston's Creek and Thomas Manifold's Run. A c1860 plan of the Parish also identifies a limestone quarry across Allotments A and B of Section 7 (**Figure 14**). Crossing the activity area through Allotment 1 of Section 5 and Allotments 2 and 3 of Section 2 a small part of an early track from Caramut to Hexham is marked on the map and a plough furrow is marked across Sections 6 and 7 indicating the boundary between the Lutton managed Muston's Creek Station and Hood's Hexham Park. A second plough furrow across Sections 2, 12, 13 and 23 marked on the map indicates the boundary between Hood's portion of Hexham Park Station and Armstrong's Hexham Park Station (**Figure 14**).

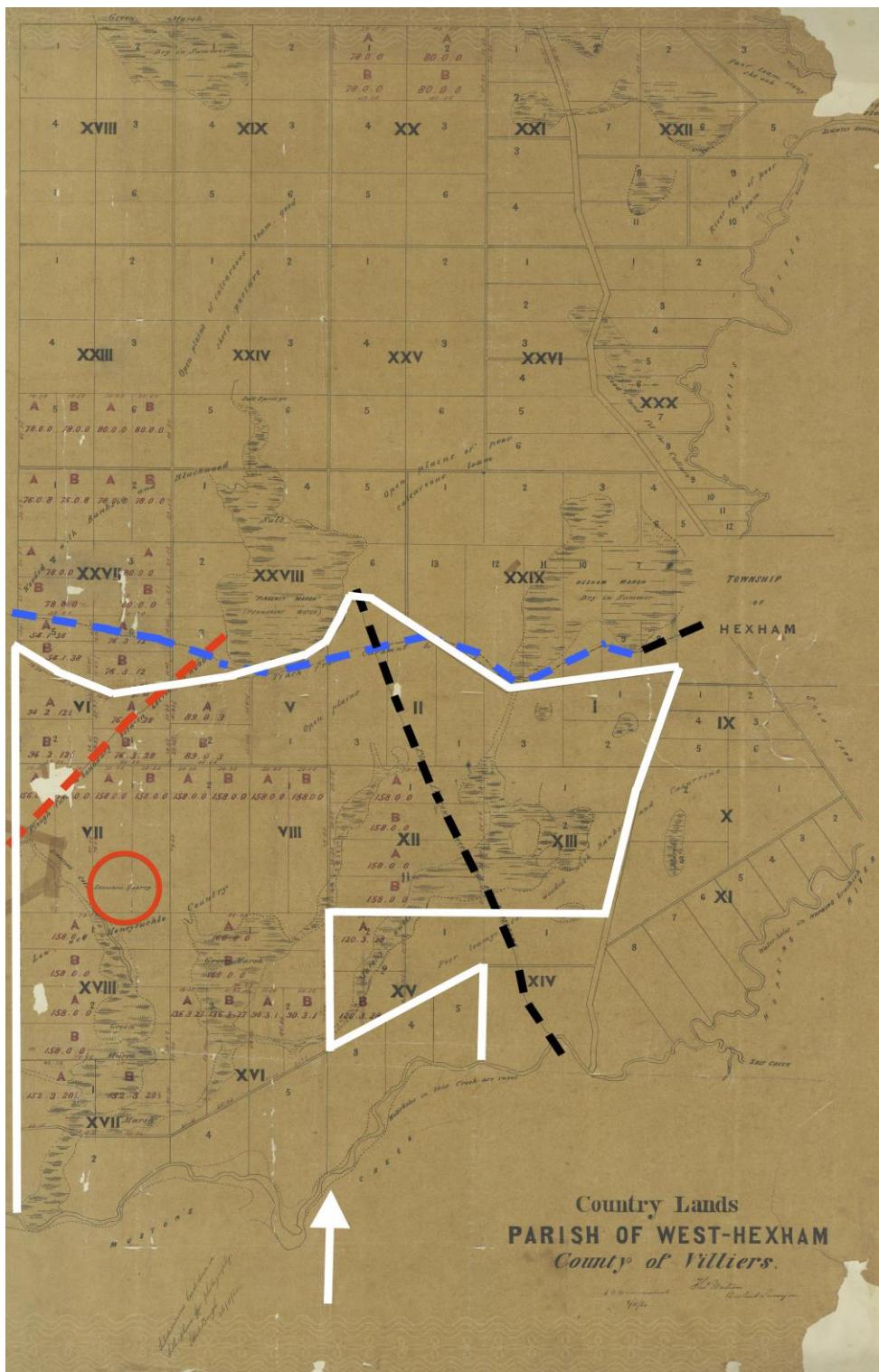


Figure 14 Detail of Plan of West-Hexham Parish c1860. The approximate and general location of the activity area is highlighted with white lines and the Muston's Creek Boundary with a white arrow. The limestone quarry area is highlighted with a red circle, the Hood and Lutton plough furrow with a red dotted line, the Hood and Armstrong plough furrow boundary with a black dotted line and the old track between Caramut and Hexham with a blue dotted line (PROV VPRS8168/P0005/FEAT 158)

Merrang Station

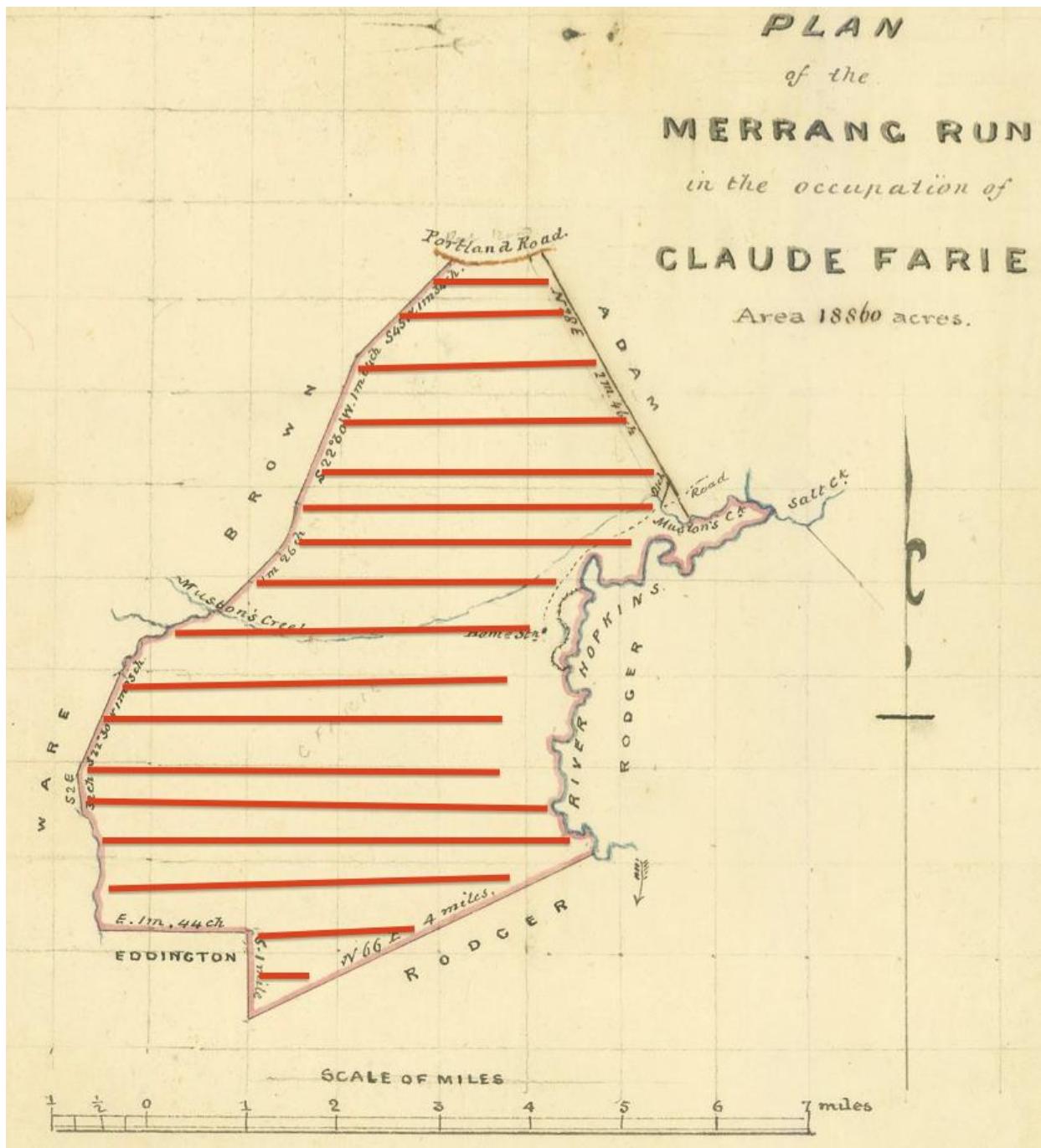


Figure 15 Plan of Merrang Station (est. 1882) when held by Claud(e) Farie. The approximate and general location of the portion that forms part of the activity area is marked with red lines (PROV VPRS8168/P0005/RUN 910: Merrang)

The name Merrang is believed to be an indigenous word from the local Moperer Gundidj language group meaning brown snake (Radford in NGA 2008; NGA 2010: 10). The property was known to Europeans by this name from at least 1839 when the 'Watson Brothers' are believed to have occupied the area (Billis & Kenyon 1932: 151; Manifold in Letters from Victorian Pioneers: 136). Little is known about the 'Watson Brothers' who first held the Merrang Run. Billis and Kenyon identify the early pastoralists as Messrs Watson only, later transcribed

as the singular Mr Watson (*The Australasian* 28 December 1940: 36). Possible candidates that may be this Watson family are James Watson of Watson and Hunter who held extensive pastoral and stock holdings, including land in the Western District from around 1839 to around 1843 (*The Weekly Register of Politics, Facts and General Literature* 20 April 1844: 5) or Mr Watson for whom Charles Huon moved 700 head of stock from the Murray to Melbourne late in 1838 (*Port Phillip Gazette* 24 November 1838: 3). Having made it to Port Phillip, Huon drove Watsons' stock with an additional 200 head, across the Western District in February of 1839 (*Port Phillip Gazette* 2 February 1839: 2; *South Australian Gazette and Colonial Register* 2 March 1839: 6) whilst Mr Watson travelled by ship to Adelaide where he moved his pastoral enterprise in that same year (*South Australian Record* 14 August 1839: 5).

Watson's Merrang Run (Figure 15) was transferred to Claud(e) Farie in 1841 around the same time that the adjacent Kona Warren Run (Figure 16) was disposed of to George Rodger by the Bolden Brothers who had held that property since August 1840 (Billis & Kenyon 1932: 218). The origin of the name 'Kona Warren' is unknown and by 1859 it had been changed to Connewarren (*The Argus* 3 October 1859: 7).

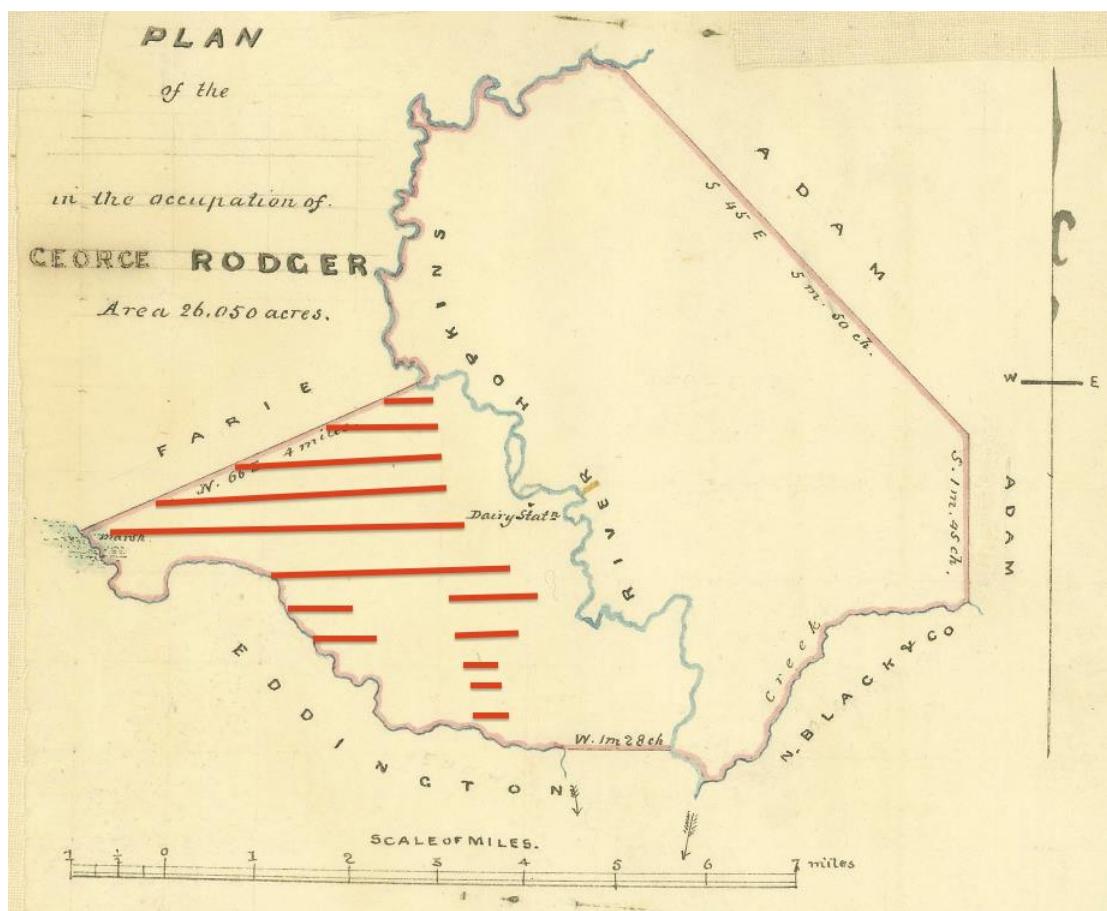


Figure 16 Map of the Kona Warren Run (est. 1882) when held by George Rodger. The approximate and general location of the portion of the Run that forms part of the activity area is marked with red lines. The approximate and general location of Farie's dairy undertaking, as marked on this map, is highlighted with a blue circle (PROV VPRS8168/P0005/RUN 909: Merrang)

Farie and Rodger established a partnership and merged the Merrang and Kona Warren Runs creating in 1841 a 44,000 acre 'Merrang' Station (Billis & Kenyon 1932: 218; MDHS: December 2013). Farie appears to have initially resided on the Merrang run where a hut had been built by 1841. The hut was described around that time by the Chief Protector of Aborigines GA Robinson as being '...a neat hut, floored, with a good library' (Robinson in MDHS December 2013). Other station improvements that he had completed at this time included "...a new stockyard at the home station, a fence around the garden and the cultivation paddock and a new hut for his men. He also had a dairy farm famous for its cheeses" (MDHS December 2013) (Figure 4). By 1845 Farie was frequently absent from Merrang, which he left for two years following his 1846 marriage to Jane Cox of the Tasmanian Pastoral Estate, 'Clarendon' (MDHS 2013). Following Farie's return to Merrang in 1848, he and Rodger dissolved their partnership and divided their two runs. Rodger retained the 26,050 acre 'Kona Warren' Run. (*The Melbourne Daily News* 31 January 1849: 4; Billis & Kenyon, 1932: 204) and the Farie's took up residence at the now 18,860 acre Lake Merrang Station (*The Melbourne Daily News* 31 January 1849: 4). At Merrang, the Farie's delivered two children and presided over "...a comfortable place...(recognised)...as the abode of a lady and gentleman...(where)...many settlers dined...and many were lodged for the night" (Bishop and Mrs Perry in MDHS December 2013).

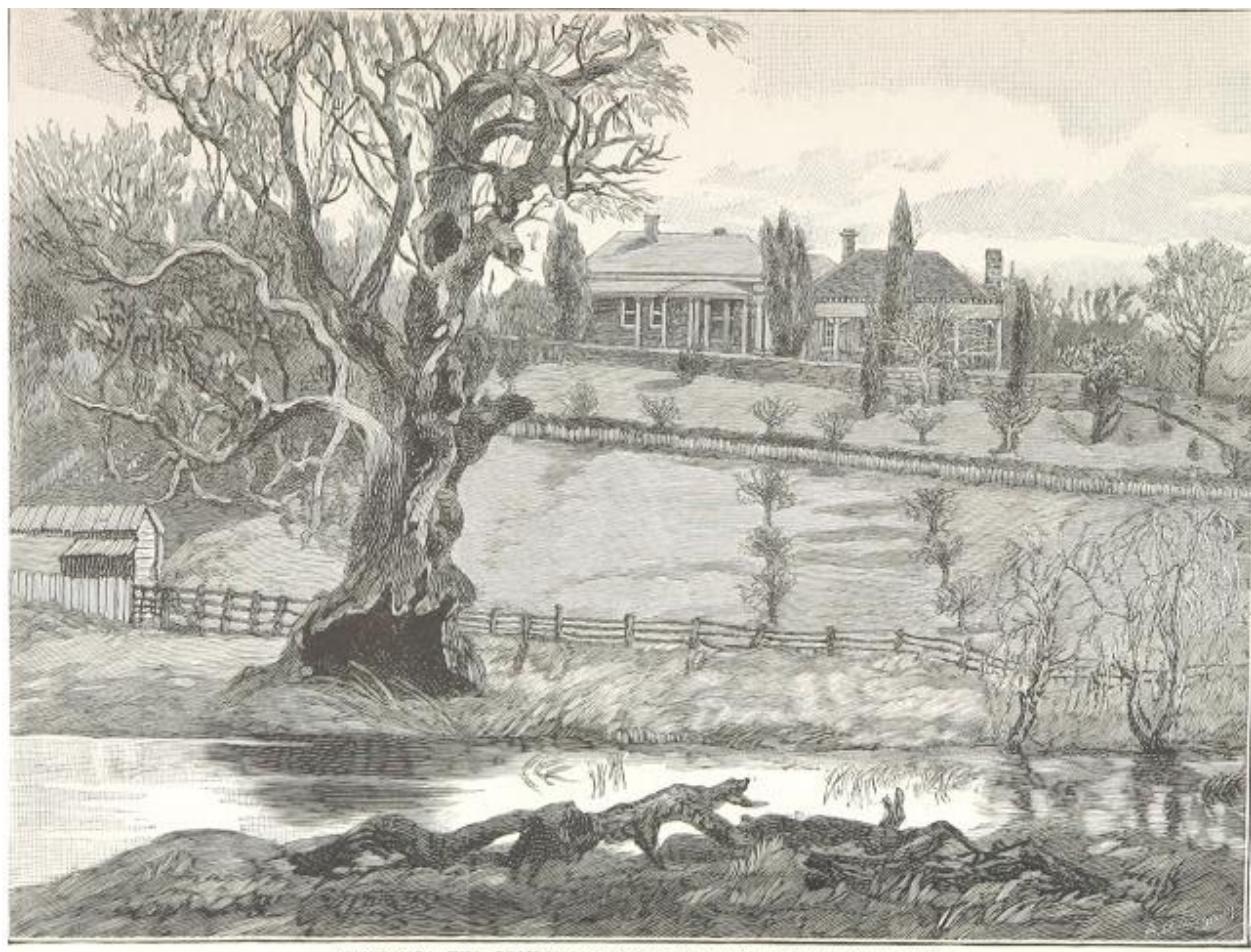
The Farie's had departed Merrang by 1852 when they sold the property to Adolphus Sceales, Farie having sold all his livestock to the goldminers and taking up the positions of Acting Chief Justice and Sheriff for the Colony (MDHS December 2013).

Sceales acquired the Pre-emptive right to Merrang and was able to purchase a significant number of subdivided allotments and therefore retain most of Merrang Station when the property was opened for selection in 1861 (*The Age* 21 November 1861: 2). The grazing licence over what was left of Merrang Station was cancelled in 1862 (Billis & Kenyon 1932: 204).

In 1854 Farie was elected president of the Melbourne Club and despite living in Melbourne by this time, became a Member of the Legislative Council for the Counties of Villiers and neighbouring Heytesbury in April of 1854 (MDHS December 2013). Farie remained an MLA for a little over a year resigning in August of 1855 following the death of his 7 week old daughter Eliza Cox Farie (*The Argus* 24 August 1855: 4). Supporting his family with positions in the public service, Farie held posts as the Inspector-General of Penal Departments in 1869, Captain commanding the Southern Rifles from 1863-1869, the Pentridge Rifle Corps in 1869 and Prison Governor of Pentridge (Coburg) from 1869-70 where he 'died in office' in 1870 aged 53 (MDHS December 2013).

Jane Sceales (Figure 5) widow of Adolphus Sceales was one of the trustees of the Merrang Estate who sold the station to Robert Hood in 1856, a few months before He and Jane were married. Hood was a Scottish widower from Berwickshire who at his death was described as "...one of the best known and most respected residents of the Western Districts" (*Camperdown Chronicle* 31 October 1891: 2). With his two sons, William Walter and Alexander (Alec), Hood had emigrated to Australia in 1854 and purchased the Bolac Plains Station in the same year (ADB). Following his purchase of the Sceales estate and subsequent marriage to Sceales' widow (ADB), Hood concentrated his attention on developing Merrang Station, disposed of the Bolac Plains Station around 1859 and left the management of the Barton Estate he acquired in 1865 to one of his sons. Merrang and the extant homestead (Figure 17) became the centre of a pastoral and farming dynasty from which "...succeeding generations...(of the Hood family

(ed.)...have made substantial contributions to Western District Pastoral and Civic affairs" (VHD 2005: Merrang).



"MERRANG," THE RESIDENCE OF ROBERT HOOD, ESQ., HEXHAM WEST.

Figure 17 Illustration of Merrang c1888 from Victoria and its Metropolis, Past and Present Volume II (Victoria and its Metropolis, Past and Present Volume II, 1888, in Glimpses into the Past blogspot, in Glimpses into the Past blogspot)

Successive generations of the Hood family retained and managed Merrang which remained relatively unchanged in size and purpose until it was targeted for use by the Soldier's Settlement Scheme (SSS) towards the end of World War II (PROV, VPRS16291/P0001/10). Following negotiations with the Soldiers Settlement Commission (SSC) the trustees of Merrang, acting on behalf of the incumbent Hood descendant who was at that time on active service in the RAAF, were able to restrict the SSC acquisition in 1946 to a little under 2,830 acres enabling approximately 4,630 acres to remain in the Merrang Estate (Certificate of Title, Volume 4090 Folio 913; PROV, VPRS16291/P0001/10). Following the death of his mother in 1969, Robert Alexander Dunlop Hood went into partnership with James Foster Weatherly of neighbouring Woolongoon as joint tenants in common for the Estate and in 1979 the homestead was registered as a designated building under the Historic Buildings Act of 1974 (Certificate of Title Volume 8797/Folio 637). Although the Hood family continued as the custodians of Merrang, they disposed of 5 portions of the property in 1980 and a further 5, including easements, in 1990 (Figure 18). By 1984 Merrang was divided as 3 equal and undivided parts or shares being the property of Weatherly and 12 equal and undivided parts or shares being the property of

Hood. In 2012 the remaining 1,900 hectares of Merrang was sold out of the Hood family (*The Standard News* 14 December 2012).

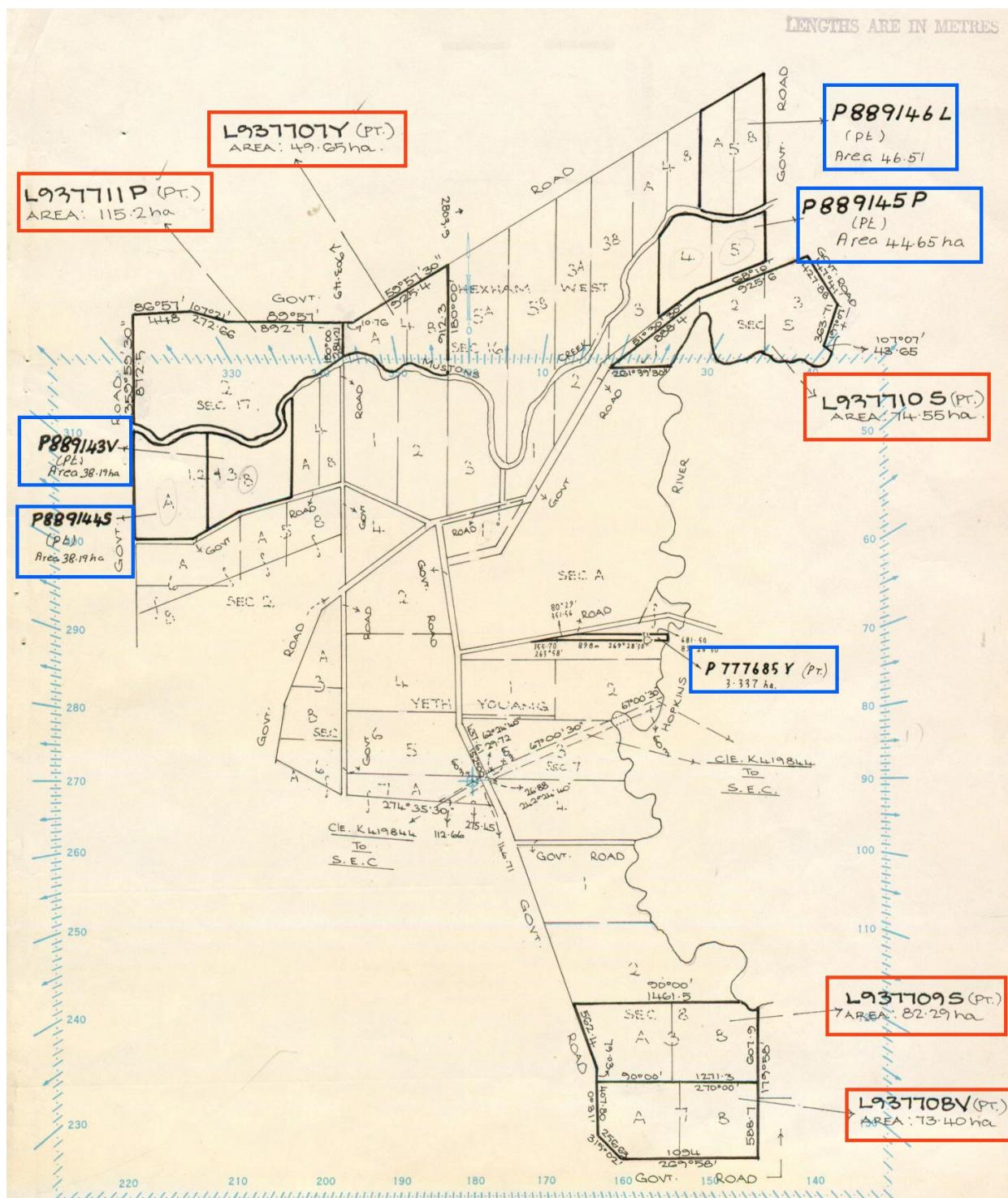


Figure 18 Detail of Map of Merrang Estate remaining after Soldier Settlement acquisition in 1948. The relevant property reference for the disposal of 5 portions of the Estate in 1990 are outlined with blue lines (Certificate of Title Volume 8797 / Polio 637)

Kona Warren Station (Coonewarren/Woolongoon)

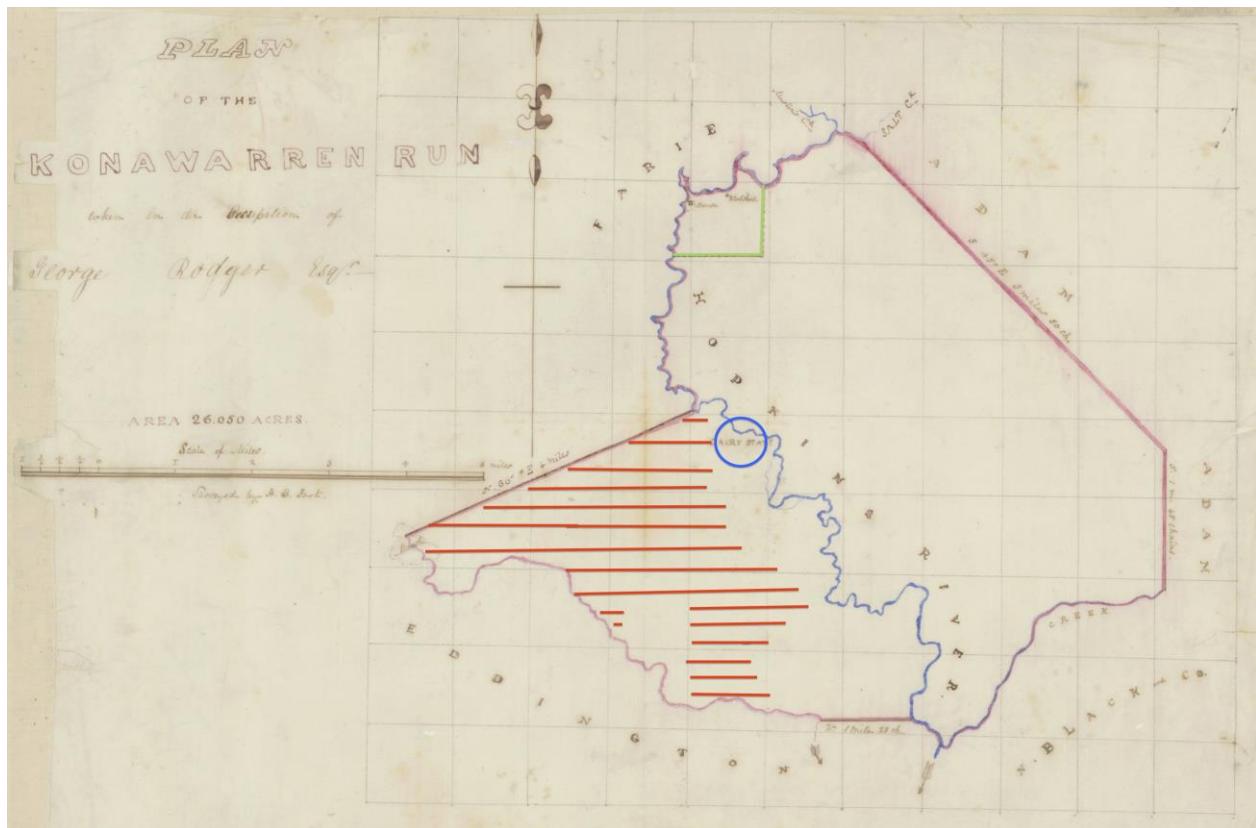


Figure 19 Plan of the Kona Warren Station (c1882) when held by George Rodger. The approximate and general location of the portion of the Run that forms part of the activity area is marked with red lines. The approximate and general location of Farie's dairy undertaking, as marked on this map, is highlighted with a blue circle (PROV VPRS8168/P0005/RUN 909: Merrang) (PROV VPRS8168/P0005/820-821)

The Bolden Brothers were the first Europeans to take up the Kona Warren Station in 1840 (*The Australasian* 28 December 1940: 36; Figure 19). Notorious for having held extensive land west of the Hopkins River around this time, the Bolden brothers quickly divided their vast holding into several runs including (but not limited to); Woolongong (Woolongoon sic), Merrang, Murjah (Minjah sic.), Mustons Creek, St Mary's, Grassmere, Harton Hills and The Lake (Billis & Kenyon 1932: 32).

The Bolden Brothers were four of at least eight brothers from a large Lancashire family the father of which was known as a shorthorn cattle expert (ADB: Armyne Bolden). The three youngest brothers; Sanford George, Lemuel and Armyne, travelled to Port Phillip around 1838 (ADB: Armyne Bolden) specifically to establish a cattle business in the colony and held at one stage an immense area extending from Mortlake to Warrnambool, including the site of the present Warrnambool city. A fourth brother, the second eldest Rev. John Bolden and his wife and family of four joined the younger Boldens in Australia in 1840 (ADB: Armyne Bolden). The Bolden Brothers were achieving great success winning five out of the nine awards on offer at the first Melbourne Show in 1842 (ADB: Armyne Bolden) when they were beset by two tragedies, the accidental death of Armyne the youngest brother at Heidelberg in April of 1843 and the death of the next eldest Bolden, Sanford George less than 3 months later in Melbourne

of apoplexy. Sanford George Bolden had been tried for shooting to kill an Aboriginal man on Leighton/Layton Station in 1841 (ADB: Armyne Bolden) and records suggest that relations between the Bolden Brothers and Indigenous peoples on their Western District Stations was generally poor. (Robinson in *Clark 1995:132*).

Following the death of their two younger brothers, Lemuel and John Bolden endeavoured to manage the remaining Bolden properties but eventually sold the assets and stock and 'handed in' the runs. Much of the Bolden's largely imported 'priceless shorthorn (cattle) tribe' (ADB: Bolden Armyne) remained in the Western Districts and were purchased by those acquiring or already residing on the parts of the original Bolden Runs. These animals then became the foundation of some of the premier herds for which some Western Districts Stations became famous (ADB: Manifold Thomas; ADB: Bolden Armyne; *The Australasian 28 December 1940*: 36). Lemuel Bolden remained permanently in Australia occupying the Strathfieldsaye Station 'Gippsland', or part thereof, from 1856 until 1870 after which time he worked as a miller at Sale. Lemuel was elected a councillor for the Avon Shire (*Gippsland Chronicle and Crooked River and Stringer's Creek Advertiser 11 August 1866*: 2) and appointed a magistrate (*The Age 6 January 1869*: 2) and JP (*Gippsland Times 11 December 1863*: 4) but resigned from council following his petition for insolvency in 1874 (*Advocate 2 May 1874*: 3; *Gippsland Times 16 May 1874*: 3). Lemuel moved to Queensland and for a time ran Northbrook Station before dying at Fernvale on the Brisbane River 27 January 1898 (*The Brisbane Courier 31 January 1898*: 4). The second eldest brother, Rev. John Bolden returned to England with his family where he died in 1892 (ADB: Bolden Armyne).

Following Rodger's acquisition of the Kona Warren Station in 1841 and its subsequent merging with the adjacent Merrang Run, Rodger may have moved to Port Fairy (*The Argus 13 September 1841*: 2). *Billis and Kenyon (1932: 114)* record Rodger as acquiring Leighton/Layton Station from the Bolden Brothers in 1841 raising the possibility that Leighton Station was renamed as Kona Warren or that the two stations were amalgamated at this time to form a single Kona Warren Run. Mrs Jemima Vans Robertson (nee Dunlop) and her sister Flora Rachel Robertson (nee Dunlop) of nearby Hexham Park acquired the Kona Warren/Connewarren Run from George Rodger in August of 1853 (*Billis & Kenyon 1932: 204, 218; MDHS 2013*).

Records indicate that as well as Farie, Rodger worked in partnership with William Wright in acquiring the Burrumbeep, Tatyoon and Lanengerin stations which they held from September of 1854 until 1857 after which time Wright operated these stations alone (Kenyon in *The Australasian 31 December 1927*: 38) and further details of Rodger's life are unknown.

Jemima Vans Robertson was a formidable Scottish emigrant who was married in India to Captain and later Lieutenant Colonel Henry Dundas Robertson, returned to Scotland by 1841 with the only 2 survivors of her 10 children but not her husband and eventually migrated to Australia in 1852 to take over the Connewarren pastoral run with her sister (*MDHS April 2013*). In 1867 Jemima's son died in India and his wife (Jemima's niece by Flora Robertson of Hexham Park) and their two surviving children moved to Connewarren to live (*MDHS April 2013*).

Following the marriage of Jemima's nephew Anthony McKenzie in 1865, Jemima gifted the newlyweds with £800 to build a homestead on her property (*Moyne Heritage Citations 2016: 73*). By 1870 Jemima had split her property into two portions, retaining the Connewarren homestead on her pre-emptive right for herself and leasing the remaining 17,492 acres to her

nephew, including the house he had built. The newly created run was called Woolongoon on which McKenzie ran, and was a famous breeder of, Lincoln sheep (*The Australasian* 28 December 1940: 36). The pastoral lease for Connewarren was cancelled in 1872 (Billis & Kenyon 1932: 218) by which time Jemima had been able to purchase the freehold of large parts of the original run so that most of the early Connewarren Station was retained and extended.

McKenzie resided at Woolongoon and managed his leased land as well as his Aunt's pre-emptive right until his sudden death 29 April 1882 only 21 days after writing his will (PROV, VPRS28/P0002/134). Following McKenzie's death Woolongoon was managed by Mr A Barbour (Barber) on behalf of McKenzie's widow (Moyné Heritage Citations 2016: 73) and his grandmother Jemima who died in 1884 (MDHS April 2013). Probate for Jemima was not concluded until 1885, a year before her grandson Alexander Dundas Robertson turned 22 and was able to access his inheritance which comprised the bulk of her estate (MDHS April 2013). At the time of probate Jemmima Van Robertson owned 6,480 acres 3 roods and 26 perches in Yeth Youang Parish of which Sections 15, 20 and parts of Sections 8, 16 and 19 are located in the activity area (PROV, VPrS28/P0002/227; Figure 20). At this time these lands were described as having "...no improvements... except fencing which is partly brush and partly post and rail. In the latter the posts are very old and rotten" (PROV, VPRS28/P0002/227).

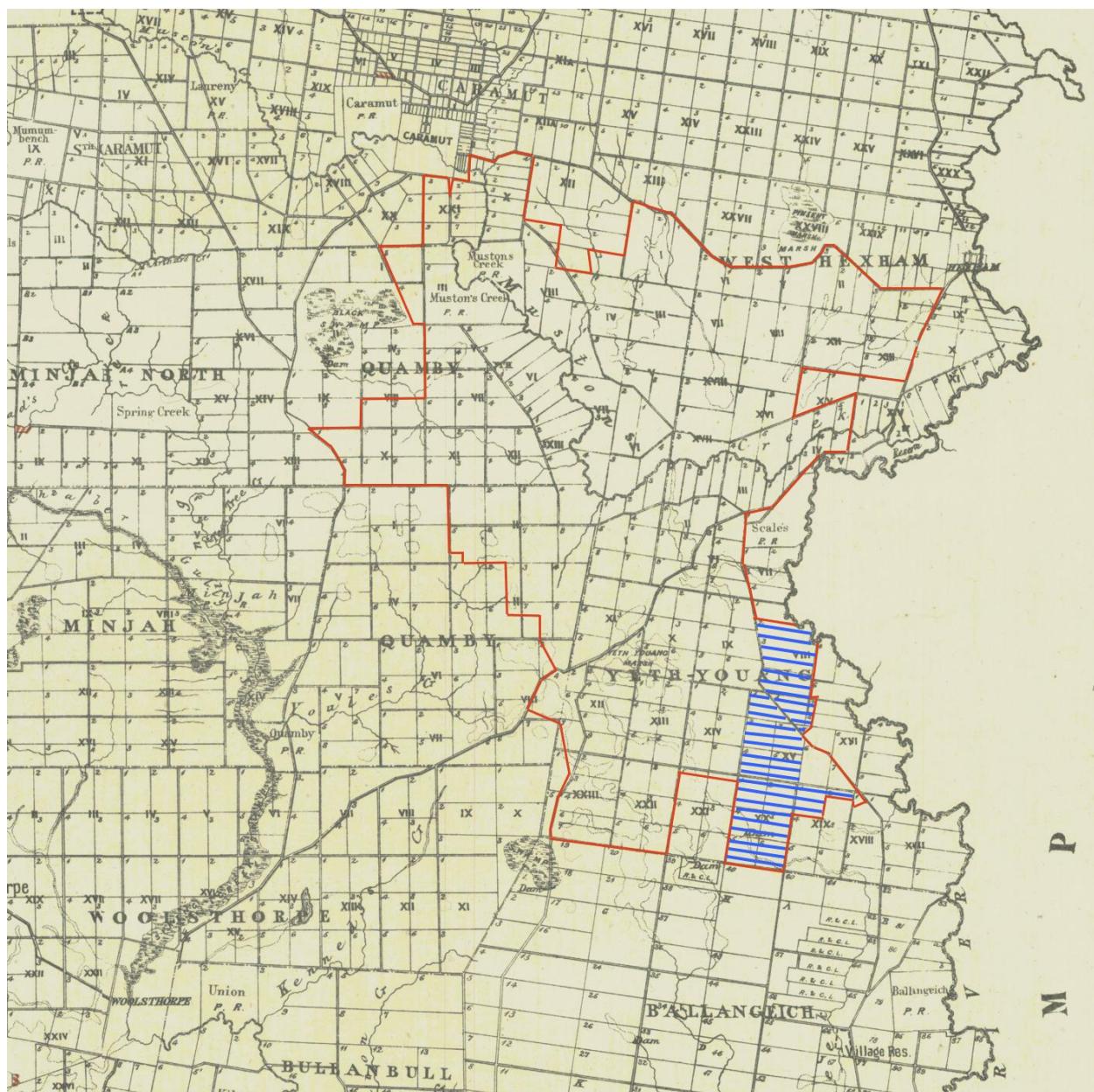


Figure 20 Detail of plan of County Villiers 1897. The approximate and general location of the activity are is outlined with red lines and the Allotments of Woolongoon (prev. Kona Warren) Station located within the activity area are highlighted with blue lines (County of Villiers 1897 SLV)

Woolongoon and Coonewarren were both purchased by the Weatherly family in 1895 when Alexander Dundas Robertson was forced to sell due to reportedly extravagant spending and mounting debts, that were no doubt exacerbated by the financial depression in Victoria and the international wool market in the late nineteenth century (MDHS April 2013; Moyne Heritage Citations 2016: 73; Keeley 1996-1999). Robertson eventually left Australia, separated from his wife and died in Johannesburg in 1915 (MDHS April 2013).

Coomeete Station

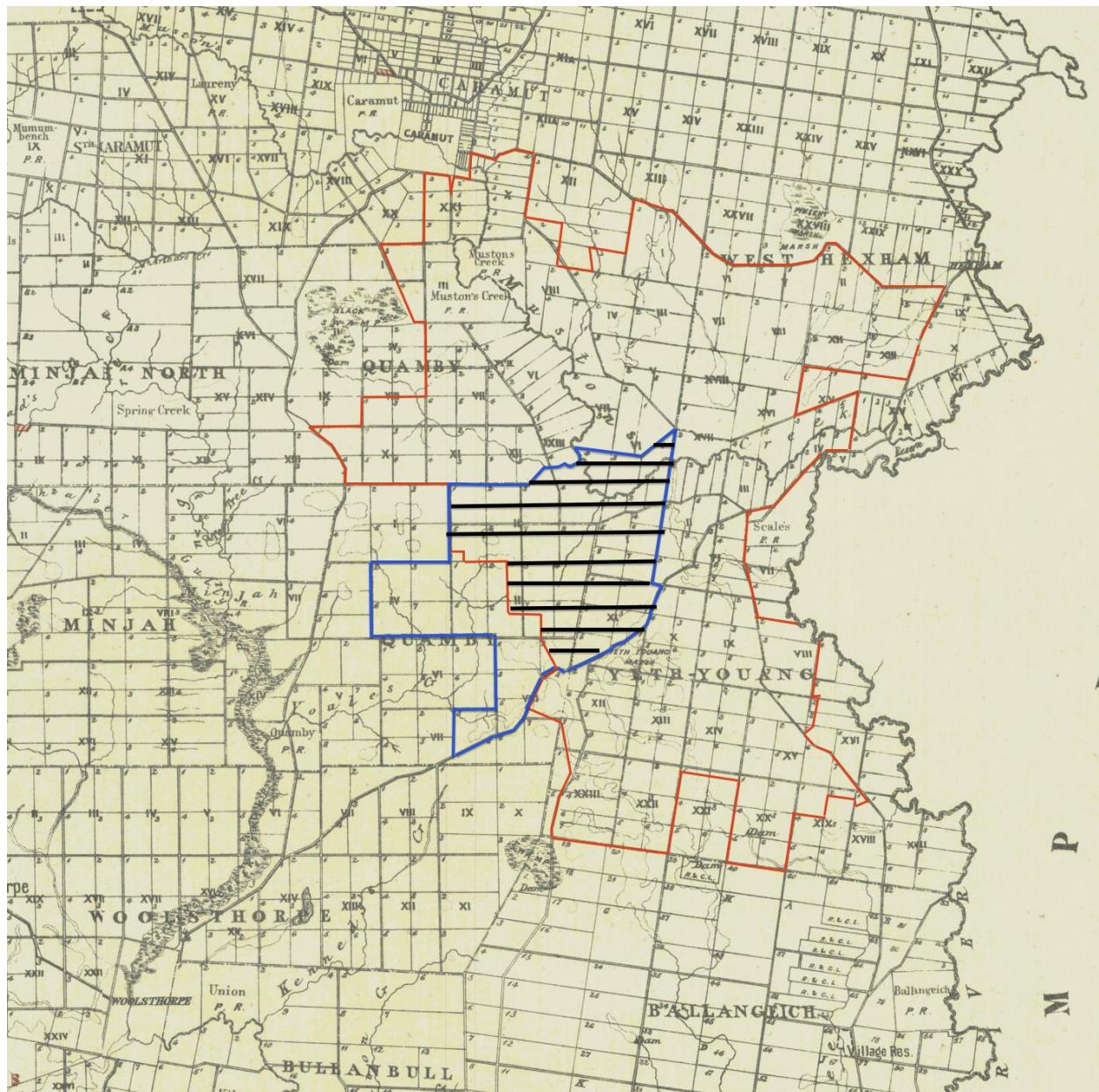


Figure 21 Detail of plan of County Villiers 1897. The approximate and general location of the activity is outlined with **red lines**. The approximate and general location of Coomete Station in 1899 is outlined with **blue lines** and the area of the station within the activity area is filled in with black horizontal lines. (County of Villiers 1897, SLV)

Early references to Coomete Station indicate it was occupied by Augustus Bostock from at least 1864 (*The Argus* 22 July 1864: 3) and is believed to have been acquired by William Bayles around 1860 (Wagstaff 2015). Augustus Bostock was the son of George Bostock of Vaucluse Van Diemen's Land (*The Argus* 14 July 1865: 4) and later a merchant of Warrnambool. At the time of his father's probate, Augustus Bostock was described as a farmer at Grassmere and his brother Ernest a miller of Warrnambool (*The Argus* 14 June 1858: 7).

Grassmere was a substantial property located near the Merri River north of Warrnambool. (Billis & Kenyon 1932: 193). A 1929 *Weekly Times* (24 August 1929: 10) article states that Augustus Bostock took over the Grassmere Station from the Bolden Brothers; however Billis and Kenyon (1932: 193) do not record Augustus Bostock, nor his brother who is also associated with the run, as holding the lease for Grassmere at any time. It may be that Augustus worked for, rather than was, the lease of Grassmere. Licence holders of Grassmere prior to 1860 are recorded by Billis and Kenyon (1932: 193) as being; William Carmichael, David Kennedy, Thomas Mickle, James Lyann and Thomas Manifold.

Augustus was described as a farmer of Grassmere when granted probate of Ann Bostock's Estate in September of 1865 (*The Argus* 11 September 1865: 7). The reference to Grassmere likely refers to his occupation when Ann's will was written as he had been married at Coomete and appears to have been residing there since the previous July (*The Argus* 14 July 1865: 4). There are few references to Grassmere Station in the available newspapers of the 1860s and by 1868 the licence for the 23,979 acre Grassmere run had been cancelled (Billis & Kenyon 1932: 193).

Augustus Bostock was around 23 years of age when he was elected to the Warrnambool Road Board and was working at both farming and contract land clearing at the time. (*Portland Guardian and Normanby General Advertiser* 24 March 1856: 3). By 1863 Augustus had been made a territorial magistrate (*The Age* 22 June 1863: 6) and by 1869 a magistrate for Warrnambool (*The Age* 6 January 1869: 3).

Augustus was one of three Bostock brothers who married Aitkin sisters. (*Warrnambool and District Historical Society in Victorian Collections* nd: Object Registration, 000846) and following his marriage to Margaret Aitken at Coomete 6 July 1865 (*The Argus* 14 July 1865: 4) the name of the property Coomete consistently appears in Victorian newspaper accounts of the sale of wool and stock. At least two children were born to the Bostocks at Coomete; a son on 25 June 1871 (*Leader* 15 July 1871: 27) and a daughter in 1880 (*The Argus* 7 January 1880: 1). Another son had been born at Ellerslie Warrnambool in 1869 (*The Age* 22 July 1869: 2) and by 1882 Margaret Bostock was advertising for an experienced governess, particularly able to instruct in music (*The Argus* 3 April 1882: 1).

In the same year as the birth of his second son at Coomete and the death of his brother Ernest at Warrnambool, (*The Argus* 27 April 1871: 3) Augustus was elected the first honorary secretary of the inaugural meeting to form the Hexham Long Woolled Sheep Association (*The Australasian* 12 August 1871: 24). Bostock continued in this role until at least 1879 (*The Australasian* 20 September 1879: 29) by which time the association had been renamed the Long-Woolled Sheep Association of Victoria (*Geelong Advertiser* 24 October 1878: 3).

Bostock leased Coomete from William Bayles for around thirty years (*Hamilton Spectator* 15 December 1894: 2) until 1894 when the lease for Coomete was put out to tender for 3 to 5 years (*The Argus* 20 November 1894: 2). At this time the property was described as being "...7478 acres of rich grazing land subdivided into 13 paddocks...upon which is erected a commodious stone dwelling house, woolshed, stables & c..." (*The Argus* 20 November 1894: 2). On the 21st of December 1894 Bostock retired from pastoralism and disposed of his stock of 12000 sheep, 30 cattle, 10 horses and station plant at a clearing sale at Coomete (*Camperdown Chronicle* 11 December 1894: 3).

During his long tenure at Coomete, Bostock was regularly sought after as a show judge for long woolled sheep (*The Ballarat Star* 10 September 1880: 2; *Hamilton Spectator* 20 October 1892: 3) and gained a reputation as "...one of the best judges of longwools in the colony..." (*Hamilton Spectator* 15 December 1894: 2). Augustus Bostock died 20 August 1920 aged 87 years (*The Argus* 23 August 1920: 1) surviving his wife, and son in law John Ware, by a little over a year (*The Argus* 15 July 1919: 1; *Camperdown Chronicle* 24 June 1919: 2).

As well as Augustus, four of his brothers; George, Thomas Edward, James and Ernest Bostock moved to Warrnambool where they were significant contributors to the local community in civic, commercial and pastoral affairs and became "...one of the most important pioneering families of the Western District..." (*Warrnambool and District Historical Society in Victorian Collections* nd: Object Registration 000868).

The vacant lease of Coomete had been taken up by John McDonald by mid 1897 (*Camperdown Chronicle* 15 June 1897: 3) and was stocked with 12000 sheep, 200 cattle, 25 horses and station plant when he held his clearing sale in 1898 where the stock achieved record prices (*The Australasian* 31 December 1898: 4; *Hamilton Spectator* 2 November 1898: 2). By 1899 Walter Melville Bayles, son of Coomete owner William Bayles, was renting the property from his father (PROV VPRS28/P0002/667).

At this time Coomete was comprised of; "All those pieces of land being allotments 1B, 2B, 7A Section 1 Allotments 5A 5B 3B Section 11 Parish of Yeth Youang Allotments 1A 1B 2A 2B 3A 3B 5A 5B 6A 6B 8A 8B Section 2 Allotments 3A 3B 6A 6B 7A 7B Section 34 Allotments 3A 3B Section 7 Allotments 1A 1B 3A 3B 5A 5B Section 8 Parish of Quamby Allotments 3A 3B Section 12 Parish of North Quamby County of Villiers containing 3555 acres 0 roods 31 perches" (PROV VPRS28/P0002/667) (Figure 21).

The descendants of the Bayles family now occupying Coomete are believed to be the first in the five generations of the family who have owned the property to also operate and reside at Coomete (Wagstaff 2015) suggesting that although Walter Bayles was renting Coomete from at least 1899 (*Hamilton Spectator* 7 January 1899: 4) he may not have been personally overseeing its operation.

Walter Bayles resided at Coomete for significant periods of time from at least 1900 and two daughters were born at Coomete in 1904 (*The Australasian* 28 May 1904: 57) and 1905 (*The Argus* 14 December 1905: 1). In December of 1905 Bayles called for tenders to undertake extensive renovations and alterations to the Coomete Homestead and was styled as a grazier thereof in his father's probate notice in 1903 (*The Argus* 14 October 1903: 8). Walter appears to have continued to occupy and manage Coomete during the early twentieth century and a Governess was sought to attend the property and teach 3 girls "Music, French Conversation and usual English subjects" in 1914 (*The Argus* 24 November 1913: 14).

By 1916 the Bayles family had relocated to South Yarra "...until the juvenile members of the family have finished their schooling..." (*Graphic of Australia* 11 February 1916: 7). At this time Thomas Warburton was acting as manager of Coomete (*Mortlake Dispatch* 30 September 1916: 2).

Whilst residing at Coomete, Walter Bayles pursued a keen interest in poultry and by 1916 had a flock of just under 2,000 birds (*Terang Express* 6 June 1916: 3). The improvements erected

on the property to enable the poultry enterprise meant "...a good many hundreds of pounds have been expended in shedding accommodation...the first series of sheds...built in the form of a small township, with a street running down the centre...then...the big sheds were erected. These sheds are 100 feet long by 20 feet wide and hold up to 500 birds in one flock. 'Coomete' has three of these big sheds, with a half acre run for each one...(and)...there are smaller sheds and runs suitable for lesser numbers of hens and these are splendid for chicken raising" (*Terang Express* 6 June 1916: 3).

Coomete had been a successful name in relation to the breeding of sheep as a result of the quality of the property and the reputation built by Augustus Bostock. Bayles was known for his sheep breeding knowledge also, which basic principles he extended to poultry to become an expert in mating and breeding chickens resulting in the development of the 'Coomete' strain of White Leghorn chicken (*Terang Express* 6 June 1916: 3).

New technologies and scientific improvements were being employed at Coomete from at least the 1920s when the pasture on Coomete was being improved with subterranean clover and being top dressed with super (*Alexandra and Yea Standard and Yarck, Gobur, Thornton and Acheron Express* 29 July 1927: 4).

Walter Bayles died on 3 June 1948 and soon after a large area of Coomete Station was purchased from his Estate by the Soldier Settlement Commission (PROV VPRS16290/P/0001/000016). A 1949 Survey of the property illustrates the extent of the 8,556 acre Coomete that at the time of Walter's death stretched across the parishes of Quamby, Quamby North, Caramut and Yeth Youang (Figures 22 & 23).

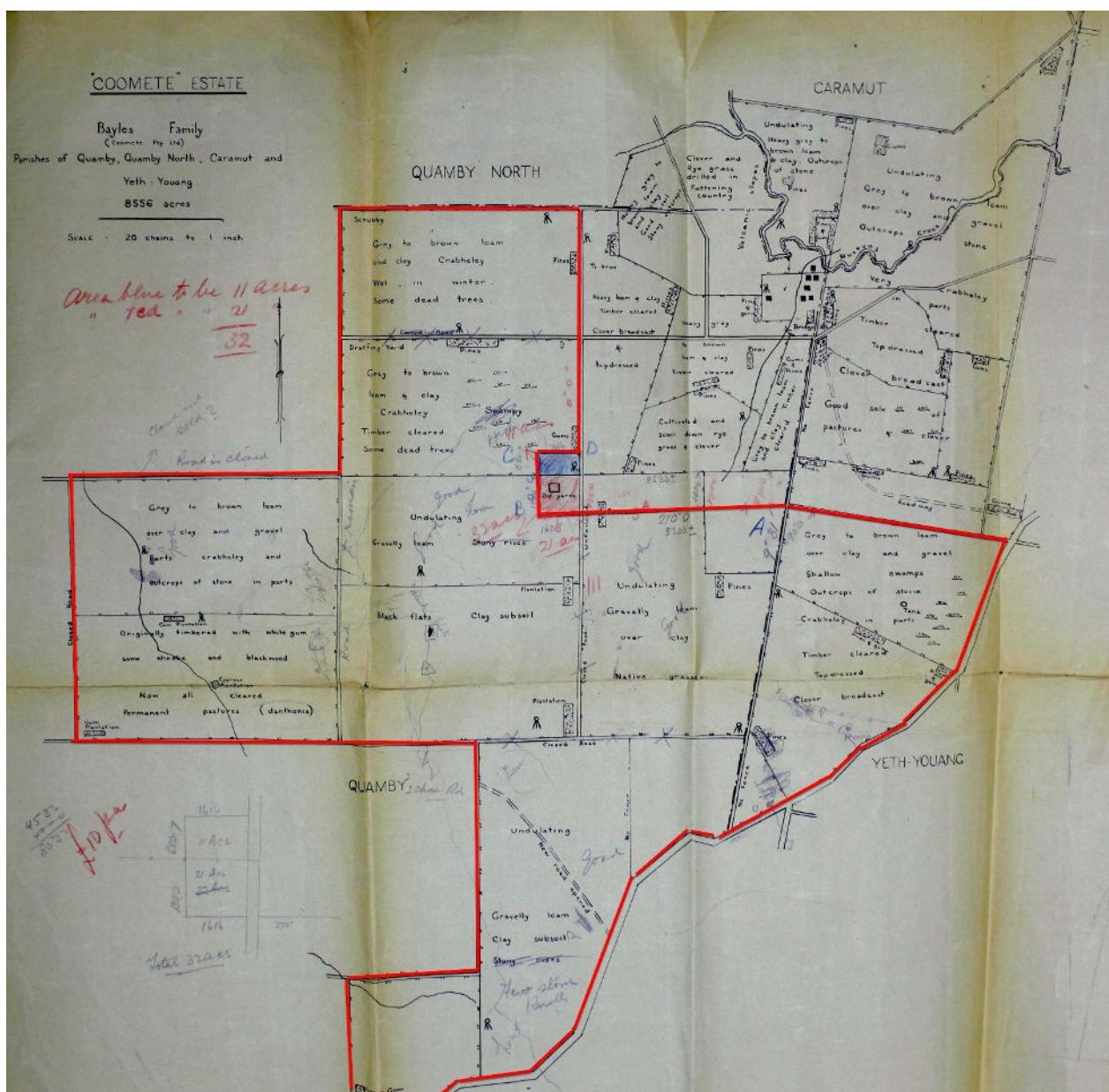


Figure 22 Detail of plan of Coomete Estate following the death of Walter Melville Bayles and before the purchase of most of the Estate by the Soldiers Settlement Commission. The area acquired by the Soldiers Settlement Commission is outlined in red lines. (PROV VPRS16290/P/0001/000016)

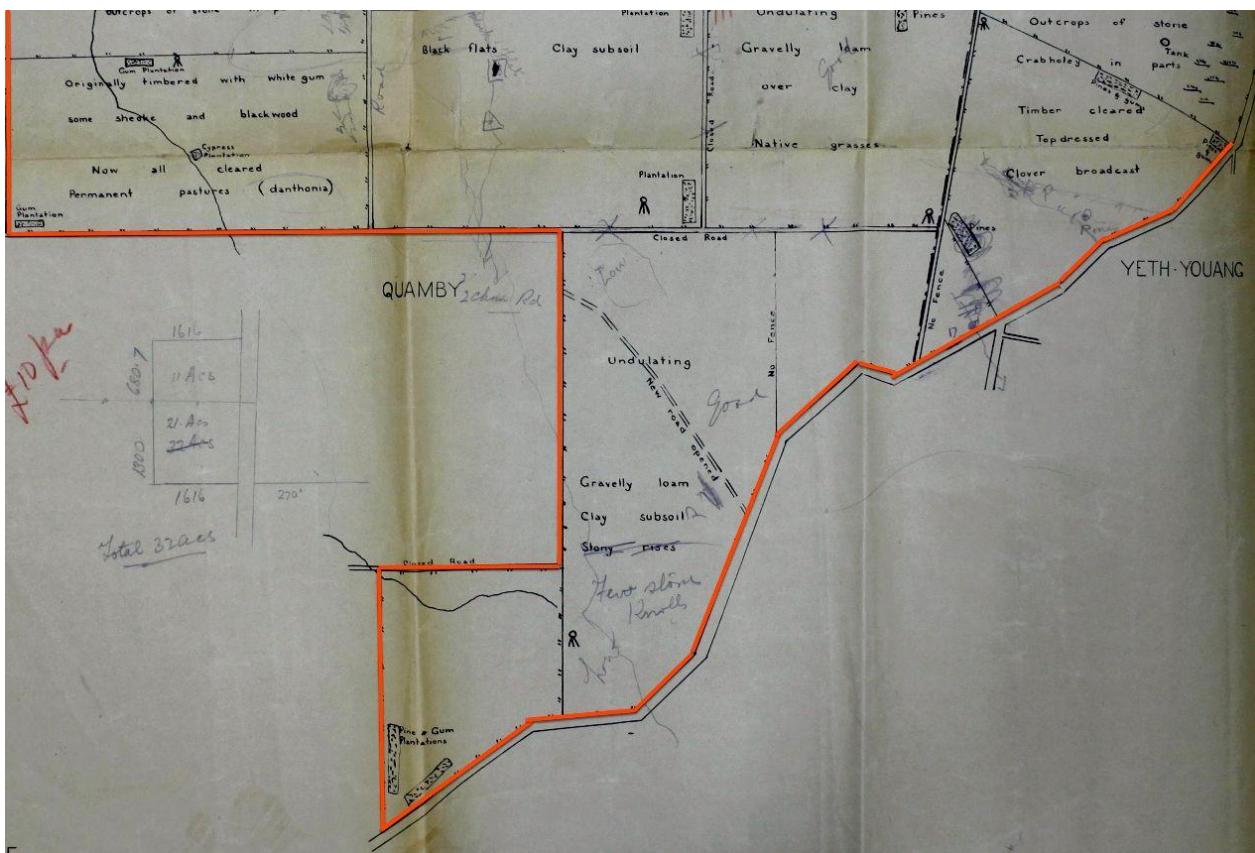


Figure 23 Detail of plan of Coomete Estate showing the part of Coomete Estate missing from Figure 22. The plan dates from after the death of Walter Melville Bayles and before the purchase of most of the Estate by the Soldiers Settlement Commission. The area acquired by the Soldiers Settlement Commission is outlined in red lines (PROV VPRS16290/P/0001/000016)

Although chiefly a pastoral concern in the nineteenth century, around 1940 Coomete was one of the first Western District properties to run Angus Cattle (Wagstaff 2015). A selection of these may be a pen of the "Black Poll station-bred bullocks presented to the Commonwealth war fund" donated by Bayles on behalf of Coomete Pty Ltd for the war fund in 1940 (*The Age* 30 May 1940: 12). Cattle continued to be run on Coomete into the 21st Century along with the 'necessary evil' of sheep (Wagstaff 2015) and since the 1990s, what remains of the original Coomete Estate has been ploughed, the ground levelled and cropping undertaken (Wagstaff 2015).

Pastoral Freehold

Government sales of land hitherto occupied by pastoral lease were intended to break up the monopoly of the licensed run holders and provide less established community members opportunities to develop farms and thereby increase the viability of small rural communities. (PROV nd: 10).

Loopholes within the various pieces of legislation that underpinned the opening up of pastoral estate land, meant that land in the Parish of Hexham West, that was part of the Hexham Park pastoral run, was purchased almost entirely by the previous Leasees being members of the

Hood or Armstrong families (**Noone 1878**). Land north of the road between Hexham and Caramut was chiefly purchased by the previous Leasees being members of the Manifold or Maston families. (**Noone 1878**) and land west of the Parish boundary of West Hexham is clearly shown on **Figure 36** to have been purchased by members of the Ware family who had held the Minjah Station Lease over that land (**Noone 1879**).

The activity area is made up of land first held by Europeans as the Muston's Creek, Watson Brothers, Mount Shadwell and Bolden Brothers Runs. Of the smaller Stations that these Runs were broken into during the 1850s, the activity area includes portions of the Minjah/Quamby/Coomeete/Barwidgee, Parasia/Hexham Park, Merrang and Kona Warren Estates.

Substantial fortunes were built on the foundations of the large dynastically held pastoral estates that the activity area stretches across (**Wright 2017**). The money and lifestyle they generated however was continually threatened by the efforts of the Victorian Government to open up leased land to the freehold ownership of enterprising farmers in pursuit of a yeoman ideal (**PROV nd: 8-12**). Following several nineteenth century legislative attempts at breaking the stranglehold of pastoralists on Western Districts land, the general monopoly of those Estates over property was finally broken by the closer settlement and particularly soldier settlement schemes (**PROV nd: 14-16**).

From the mid-nineteenth Century, the Government divided pastoral leaseholds into smaller holdings and offered the freehold title of those allotments for sale. In order to distribute the land in this way, European style planning grids were layered over the landscape obscuring the natural features which may otherwise have described a place. Property became defined according to the typical cadastral devices of Parishes, Counties, Sections and Allotments.

Passed in September of 1860 following a gestation of at least four years, the first Victorian Land Act intended "...to make better provision for the disposal of crown lands and to afford greater facilities than have hitherto existed to persons desirous of engaging in agricultural pursuits..." (**PROV nd: 10**). The bill failed to deliver the equitable land access intended as pastoralists used loopholes in the legislation to acquire their formerly lease held property so that "...almost all of the land selected under the 1860 Act, mostly in the Western District, went to Squatters..." (Kiddle 1961 in **PROV nd: 12**).

Although successive Land Acts in 1862 and 1865 were passed in order to close the loopholes that enabled the squatocracy to dominate land sales, it was not until the Land Act of 1869 was passed that large numbers of small farm selectors were able to peg out their own lot, and get on with the business of farming. By 1884, "...over 5,700,000 hectares were alienated from the Crown under this...(act)...and an amending Act of 1878" (**PROV nd: 12**).

The increased security of freehold tenure immediately improved the value of pastoral lands and encouraged occupants to invest their money back in to their properties and their substantial homesteads. Vast wealthy pastoral dynasties resulted from these property rich estates, peopled by a correspondingly elite class of occupants with whom considerable financial resources and therefore political power resided (**Wright 2017**).

Villiers County

The activity area (Figure 24) is located within the County of Villiers proclaimed in 1849 (*The Melbourne Daily News* 8 January 1849: 2) (Figure 25). Villiers County includes at least 57 Parishes (Wikipedia, 2018) of which 6; Caramut, Hexham, Hexham West, Yeth-Youang, Quamby and Quamby North, are partly or wholly encompassed by the activity area (Figure 26). The Parish names within Villiers County are derived from the Pastoral Estates that dominated the mid nineteenth century landscape in this part of the Western District and whilst the location of those Estates correlates with, it does not correspond exactly, to the Parish boundaries.

Being held for so long as Pastoral Estates, the character of the Parishes within the activity area are similarly rural and have been chiefly concerned with farming, grazing and agriculture since European occupation.

As with the rest of the Western Districts, the grid of relatively small surveyed allotments imposed over Villiers County constructed a veneer of diverse land distribution. On closer inspection, land purchased according to the Land Acts before 1865 invariably ended up with one of only a few cashed up pastoralists gaining the secure tenure of freehold title over land they had hitherto occupied by lease (PROV nd: 12).

Sincere selectors, with little or no existing relationship with the previous leasing pastoralist, were sometimes fortunate enough to gain a property but were then often induced to sell out to the adjacent massive landowner for a profit and move on (PROV nd: 10-12; *The Argus* 4 October 1866: 5).

The subdivision of the Pastoral Estates into saleable freehold small farm allotments resulted in little on the ground change to the diversity and size of properties in Villiers County. Rather than being reduced, pastoralists maintained and in some cases grew their holdings, cementing the stranglehold pastoralists held over the land and fortifying the foundation of powerful farming dynasties that extended into the twentieth century (Wright, 2017).

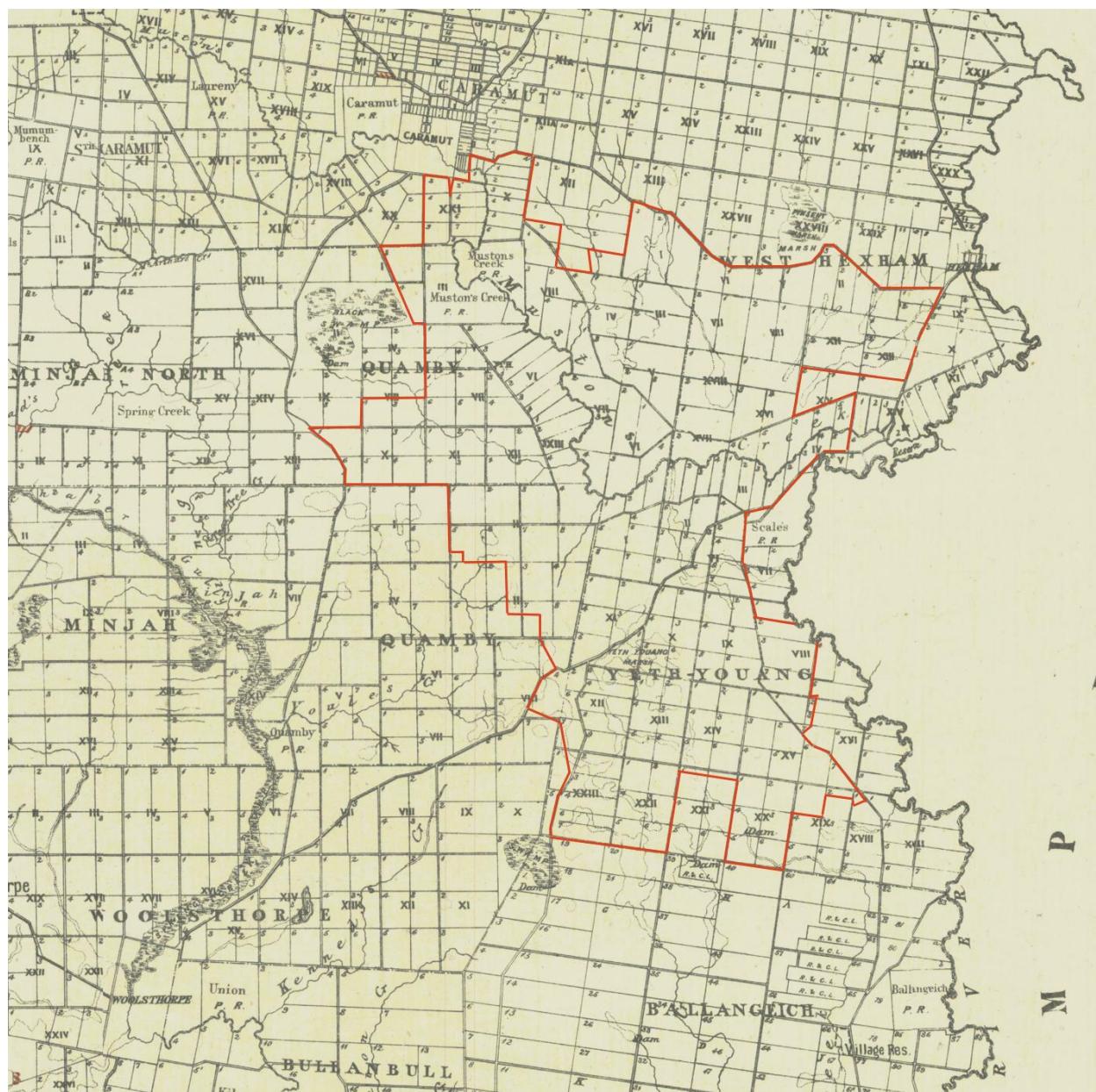


Figure 24 Detail of Plan of County of Villiers 1897. The approximate and general location of the boundary of the activity area is highlighted with a red line (County of Villiers 1897, SLV)

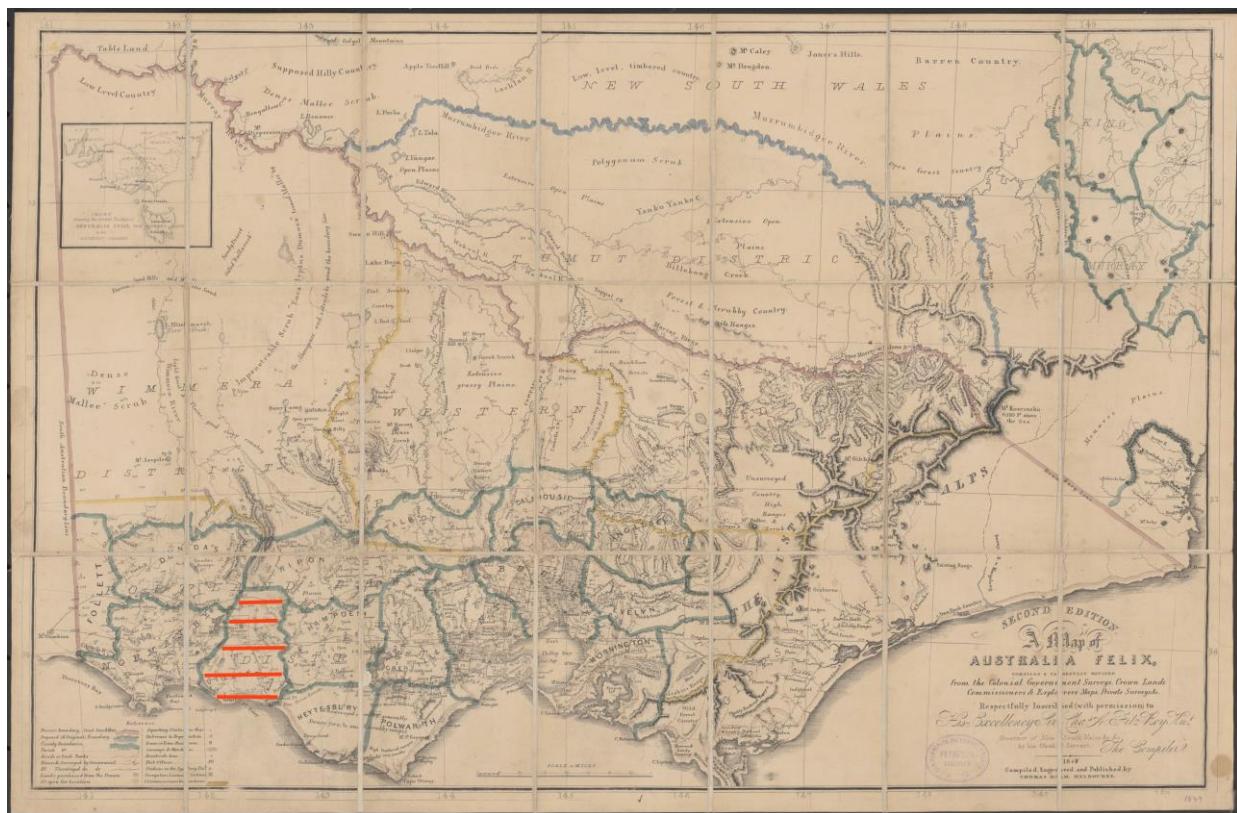


Figure 25 Detail of a Map of the Port Phillip and Port Phillip Districts c.1849. The County of Villiers is highlighted with red lines and County boundaries are outlined with blue lines. (Ham 1849, A map of Australia Felix, compiled and carefully revised from the Colonial Government surveys, Crown Lands Commissioners and explorers maps, private surveys & c, NLA MAPS 80 A 1849 HAM)

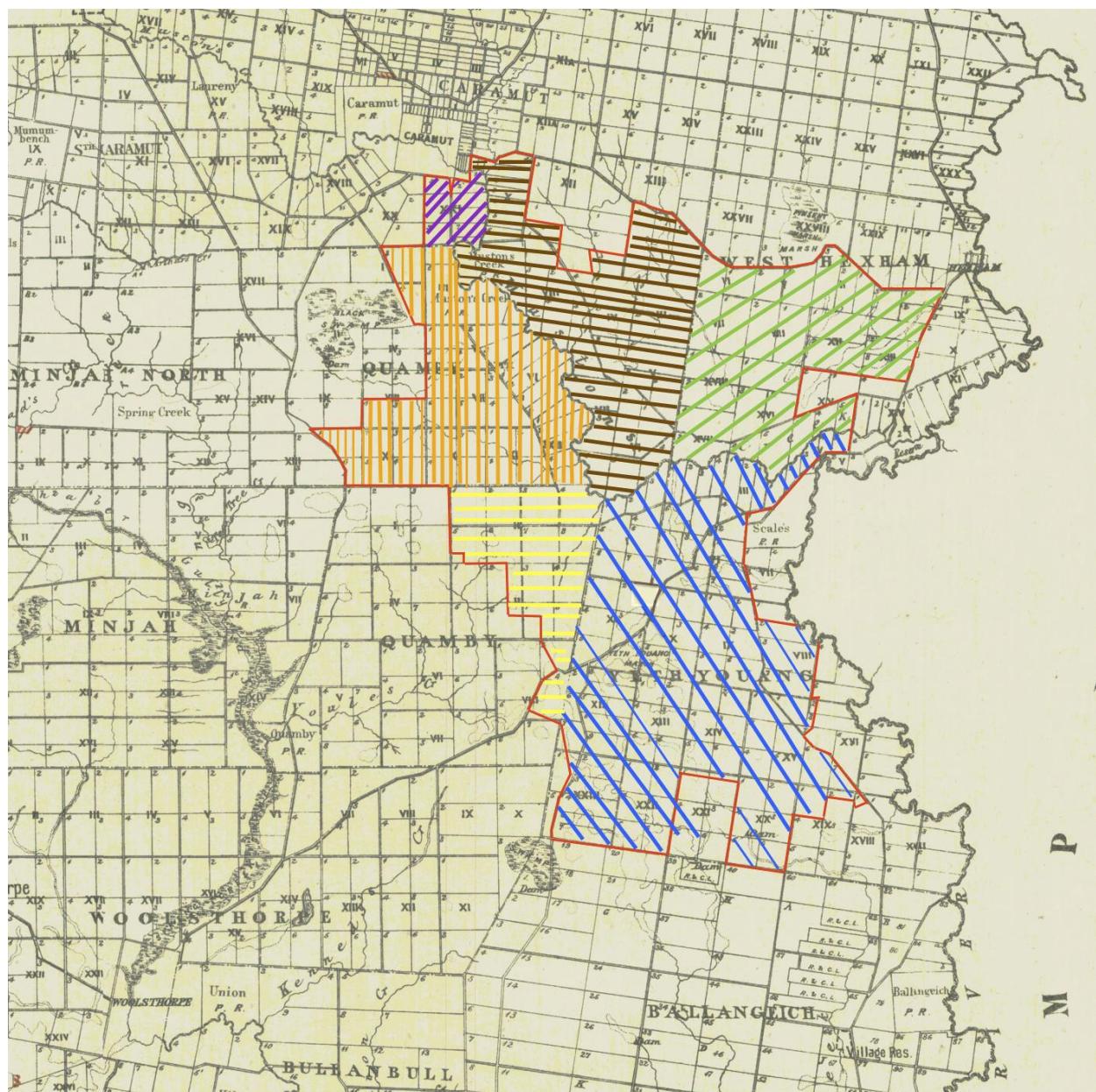


Figure 26 Detail of Plan of County of Villiers 1897. The approximate and general location of the activity area is outlined with a red line. The approximate and general location of the parishes are hatched with different colours; Hexham West Parish with green lines, Caramut Parish with brown lines, South Caramut South Parish with purple lines, Quamby with yellow lines, Quamby North with orange lines and Yoth Youang with blue lines (County of Villiers 1897, SLV)

Yeth Youang Parish

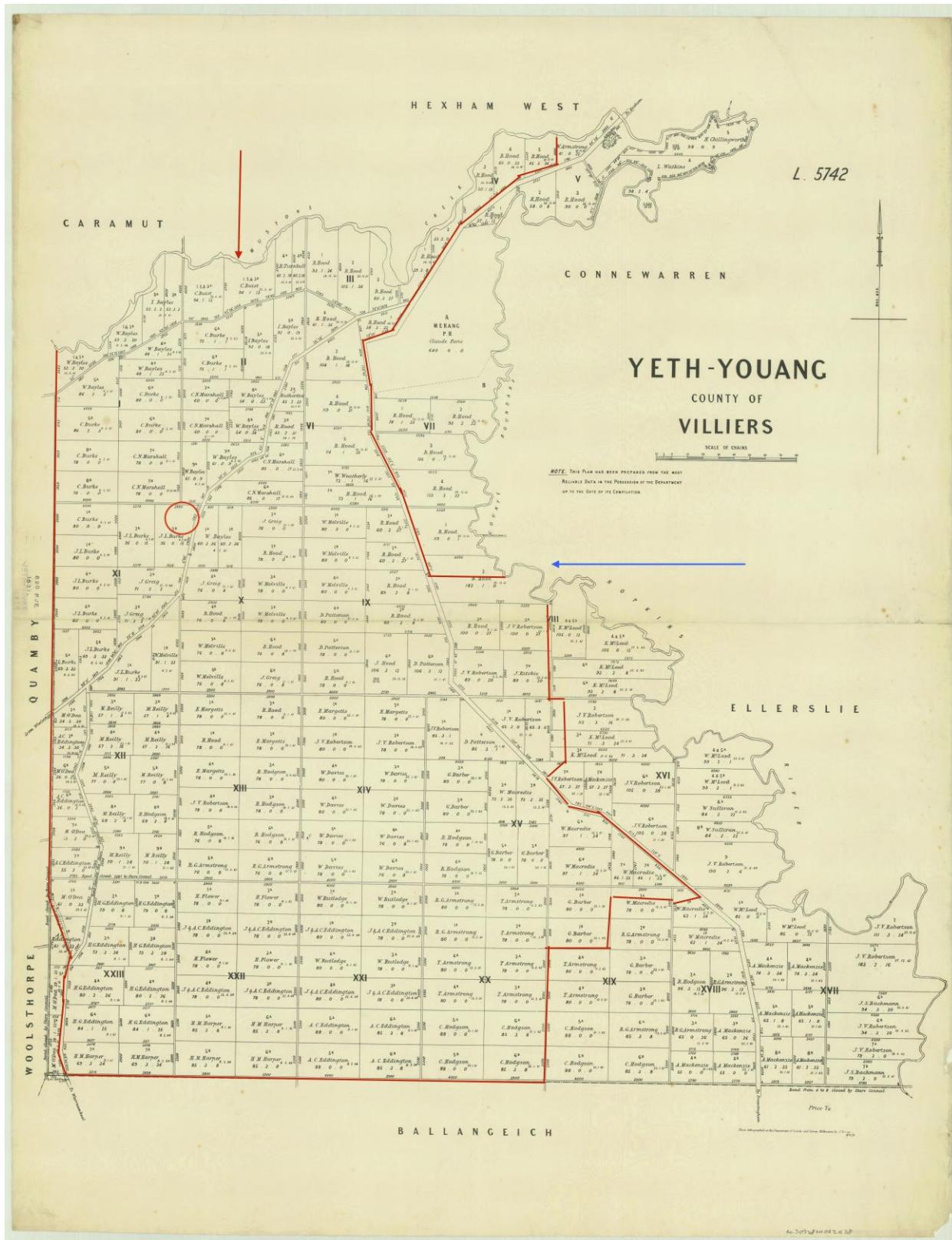


Figure 27 Yeth Youang Parish Plan, 1879. The approximate and general location of the activity area is bounded with red lines, Muston's Creek to the North highlighted with a red arrow and the Hopkins River to the East highlighted by a blue arrow (Yeth-Youang, County of Villiers, 1879, SLV)

The Yeth Youang Parish extends across the largest portion of the activity area, most of which was at one time occupied as the Merrang Pastoral Station. The Merrang homestead, (**Figure 17**) built by its third European occupier Robert Hood in 1875 (VHD 2005: Merrang), is located outside the activity area boundary on the Merrang Pre-emptive Right Allotment. The site of the early dairy facility built by Adolphus Scales in the 1840s (MDHS 2013) is likewise outside the activity area (**Figures 27 & 28**). Identified features within the activity area that appear to relate to its pastoral history are illustrated at **Figure 28** and comprise a hut on part of Merrang Station and the boundary between Hood (Merrang) and Robertson (previously Rodgers) (Connewarren) although how this boundary was marked is unclear.

Land sales in Yeth Youang had begun by 1861 when a sale of special lands was held at Warrnambool 28 November 1861 "On and near the west bank of the River Hopkins, near the junction of Muston's Creek from 3 to 12 miles south of Hexham. 25 allotments in Sections 3, 4, 5, 6, 7, 8 and 17, containing from 27 to 183 acres at the Upset Price of £1 per acre (*The Age* 21 November 1861: 2).

It is likely that Robert Hood, Merrang Station owner at the time of the 1861 sale, or his representatives were active at this and future sales as of the 40 Allotments that comprise Sections 3, 4, 5, 6, 7 of Yeth Youang (Section 17 having been part of the Connewarren Estate) Hood acquired the first Crown Grant for 25 of them. The Yeth-Youang Allotments not secured by Hood were either those Allotments isolated between his own acquisitions or land hitherto part of a neighbouring Run (SLV: Yeth-Youang, County of Villiers 1879).



Figure 28 Detail of Plan of Parish of Yeth Youang c1860. The pre-emptive Right and site of the main Merrang Homestead is outlined with red lines, a red arrow indicates the Hopkins River boundary and a nearby hut which may fall inside the activity area is highlighted with a black circle. The site of a hut which lies within the activity area is highlighted with a red circle, the boundary between Hood and Robertson (previously Rodgers) is highlighted with a blue dotted line and two sites are highlighted with blue circles. The sites highlighted with blue circles are cattle yards and a hut and sawpit complex, both of the blue circled sites are on the Kona Warren rather than Merrang Station and do not appear to be located on the activity area (PROV VPRS FEAT9)

Hexham West Parish

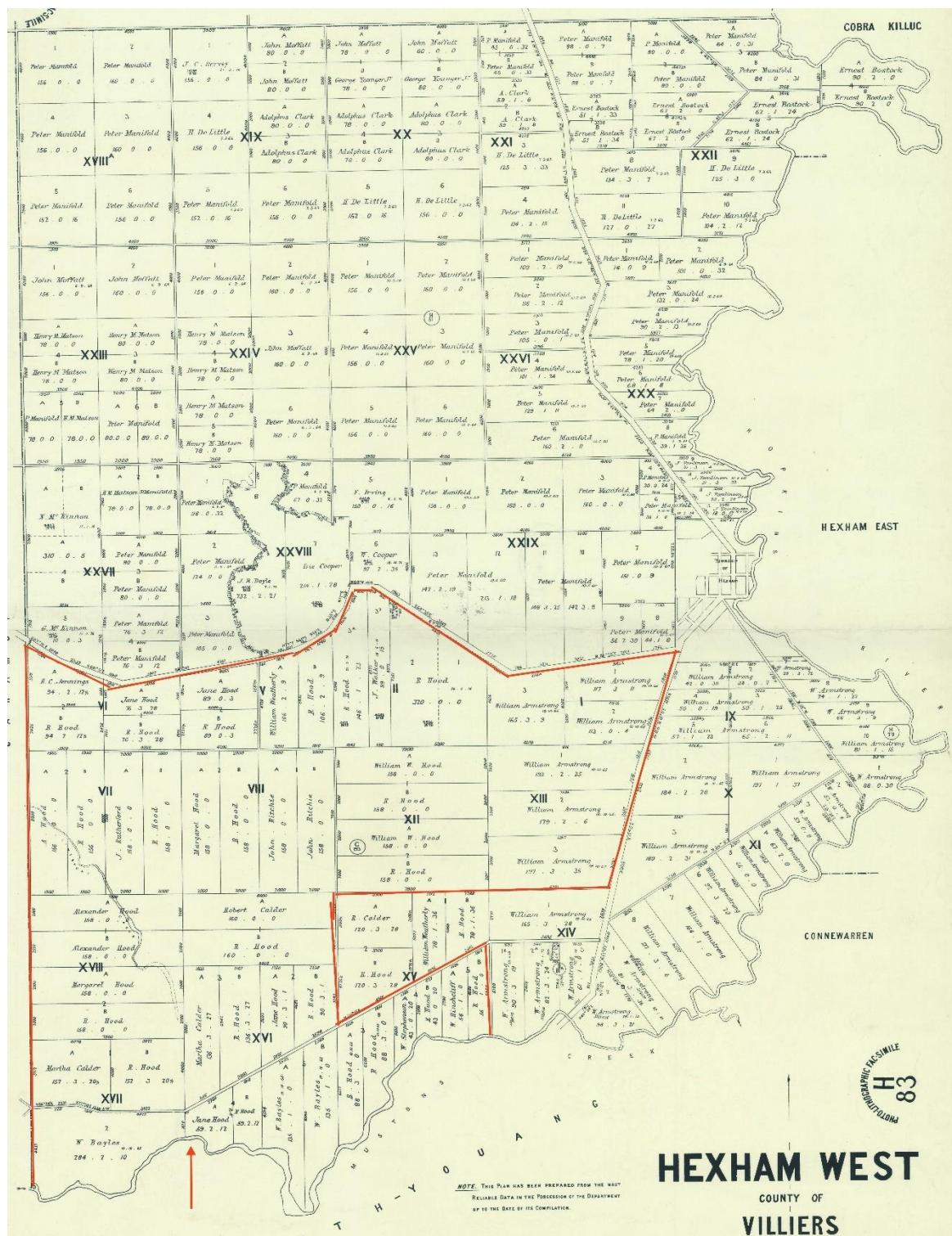


Figure 29 Detail of Parish Map of Hexham West, 1878. The boundary of the approximate and general location of the activity area within the parish of Hexham West is highlighted within red lines and the Muston's Creek boundary is highlighted with a red arrow (Hexham West, County of Villiers, 1878, SLV)

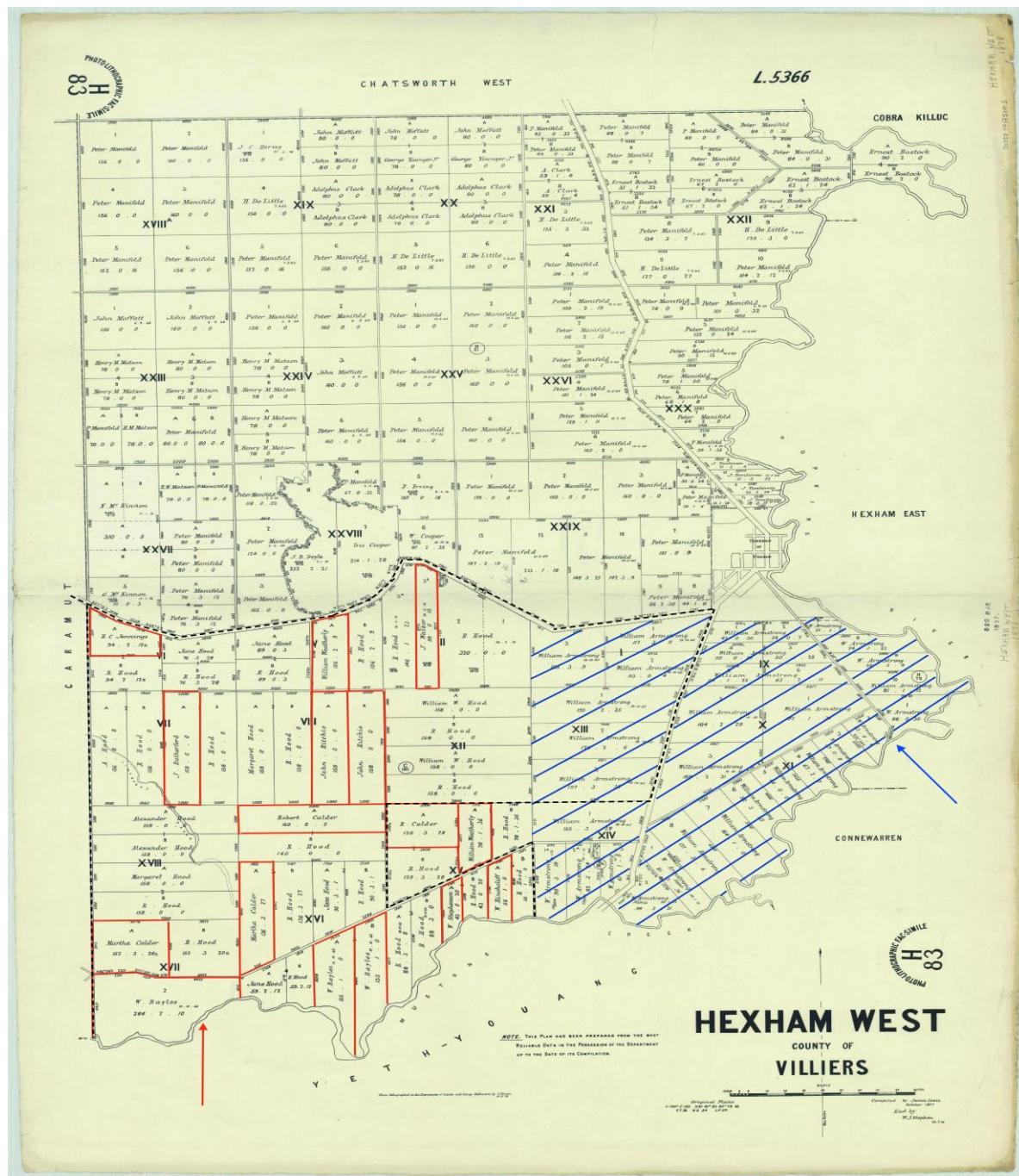


Figure 30 Parish Map of Hexham West 1878. The boundary of the activity area is marked with a black dotted line and the Mustons Creek and Hopkins River highlighted with a red and blue arrow respectively. The Allotments for which the Crown Grant was issued to Armstrong are highlighted with blue lines and appear to include all land in the Parish of Hexham West that was part of Hexham Park Station at that time. The Allotments within the activity area that formed part of the Hexham Park licence held by Robert Hood and run with Merrang Station but were NOT purchased by a member of the Hood family (Hexham West, County of Villiers, 1878, SLV)

The Parish of Hexham West (Figure 29) takes its name from the original Head Station on the property.

Hexham West land sales began in 1860 and as with other stations the purchasers were dominated by the existing squatters or their representatives. Both the Hood and Armstrong families were able to secure lands that had hitherto formed part of their pastoral run (Figure 30).

Quamby Parish

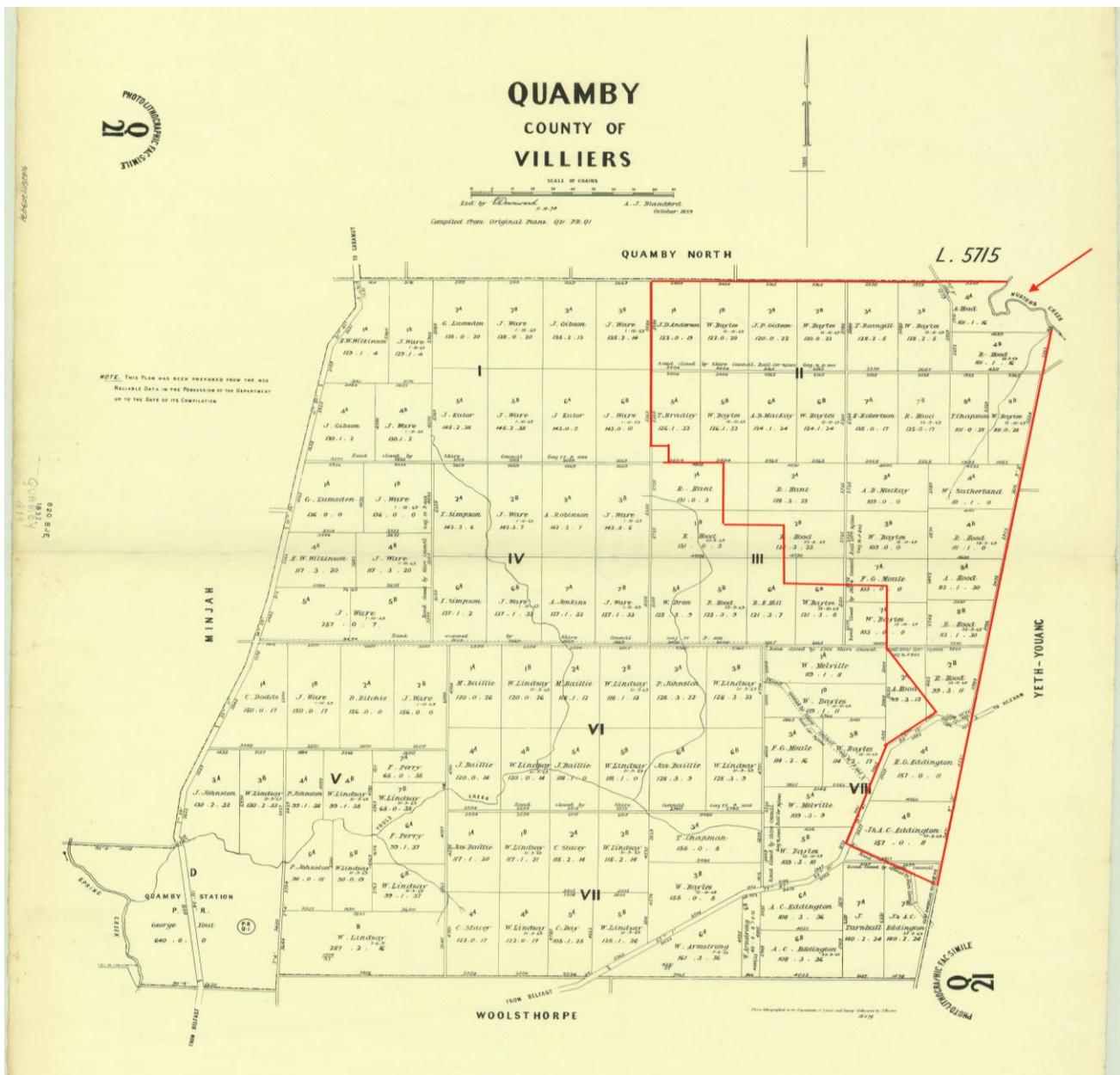


Figure 31 Plan of Parish of Quamby 1879. The approximate and general boundary of the activity area is highlighted with **red lines**. (Noone 1879: Quamby, County of Villiers, Department of Lands and Survey, Victoria, Melbourne, SLV MAPS: 820 BJE 1837-QUAMBY 1879)

The Parish of Quamby takes its name from a Pastoral Station near Woolsthorpe. A small portion of Quamby Parish is located within the activity area, that being all of Section 2 and parts of Sections 3 and 8 which titles appear to have been distributed for the most part, in 1869 (**Figure 31**). Whilst the Hood, Bayles and Eddington families purchased some of these allotments the land sale does not appear to have been monopolised by the resident squatters as it was at the earlier sales of land in Hexham West and Yeth Youang Parish. Purchasers of the 30 Quamby Parish Allotments wholly or partly located in the activity area included Moule, Mackay, Hunt, Sutherland, Chapman, Robertson, Bradley, Anderson, Gideon, Raingill, Hood, Eddington and Bayles (**Noone 1879**: Quamby Parish, County Villiers, SLV).

No features related to the early pastoral occupation of the part of Quamby Parish encompassed by the activity area appear to survive. An 1862-1872 Put Away Plan of the Parish of Quamby indicates more than one hut and a dam located on Allotment A of Section 7 Parish of Quamby but this and the dog-leg fence boundary of runs stretching across parts of Sections 5 and 6 are outside of the activity area (**Landata, Put Away Plan Q21, 1862-1872**).

Quamby North Parish

More than half of the Parish of Quamby North comprises part of the activity area, including the Pre-Emptive Right of the Muston's Creek 1 Run, located east of Muston's Creek (**Figure 32**).

Pre-emptive Right Allotments recognised the pioneering efforts of squatters and were available based on an 1847 Order in Council gazetted in 1848 (PROV in **Research Data Australia** nd: Pre-Emptive Right Descriptions; **PROV Wiki 2012**). The location of the Pre-Emptive Right parcel was selected by the squatter from their existing Run (except in particular circumstances relating to auriferous or otherwise valuable land) and was usually based around their homestead (PROV in **Research Data Australia** nd: Pre-Emptive Right Descriptions; **PROV Wiki 2012**). A Pre-Emptive Right was for a maximum of 640 acres at a minimum upset price of £1 per acre and could be exercised before any other land from a Run was available for purchase (PROV in **Research Data Australia** nd: Pre-Emptive Right Descriptions).

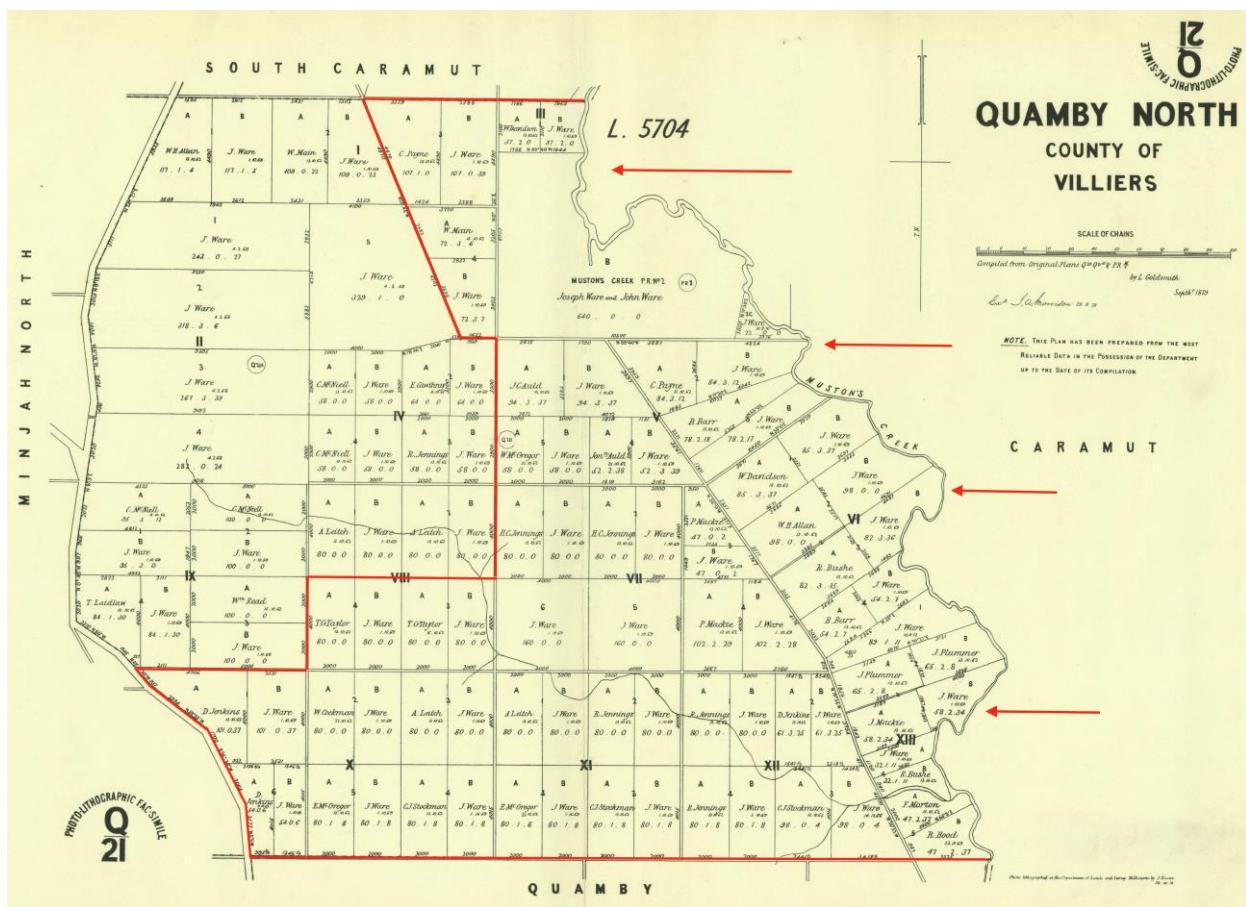


Figure 32 Map of Parish of Quamby North County Villiers, 1879, the approximate and general location of the activity area is located between the boundaries highlighted with red lines and the Hopkins River indicated with red arrows (Noone 1879, Quamby North, County of Villiers, Department of Lands and Survey, Melbourne, SLV, MAPS; 820 BJE 1837 - QUAMBY NORTH 1879)

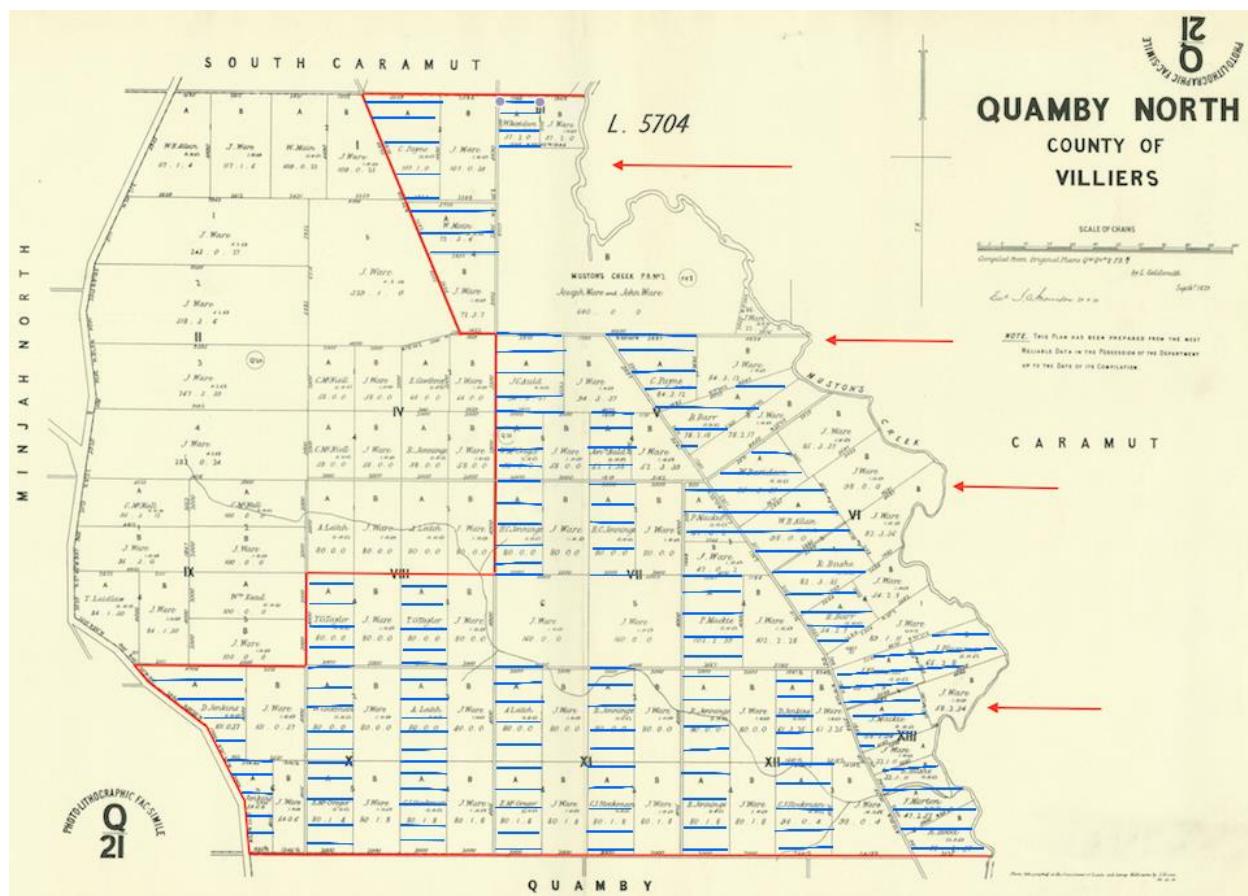


Figure 33 Plan of Quamby North Parish, 1879, showing freehold allotments not purchased by J Ware highlighted with blue lines. The approximate and general boundary of the activity area is outlined with red lines and the Mustons Creek boundary highlighted with red arrows. (Noone 1879, Quamby North, County of Villiers, Department of Lands and Survey, Melbourne, SLV, MAPS; 820 BJE 1837 - QUAMBY NORTH 1879)

Joseph Ware who held Mustons Creek 1 Station acquired the freehold of a substantial portion of his Run and strategically selected those Allotments to ensure interconnectedness and access to water (Figure 33). Crown Grants for the Muston's Creek Run Allotments purchased by people other than Joseph Ware were almost universally issued 13 October 1862 however the Grants issued to Ware appear to almost universally have been issued on 1 October 1869 (Noone 1879). The later grants of Ware are likely to have been issued following the lease of the property for a term of 7 years as allowed in agricultural areas under the Land Act of 1862. The original lease of these lands could have been held by any party provided they resided on the property, paid the rent and undertook the mandated improvements. After three years, a Leasee was able to transfer their property to any other party who could then apply for the title to the land at the expiration of the original lease term or when particular conditions of occupation were met (Research Data Australia nd: Leases for Crown Land under Land Acts 1862, 165 and 1869).

Agricultural areas within the scope of the activity area appear to have been Greaves Park (73), Glenwood (74), Yarpturk (75) and an area in Yeth Youang Parish, unnamed in 1862, (135) (Figure 34).

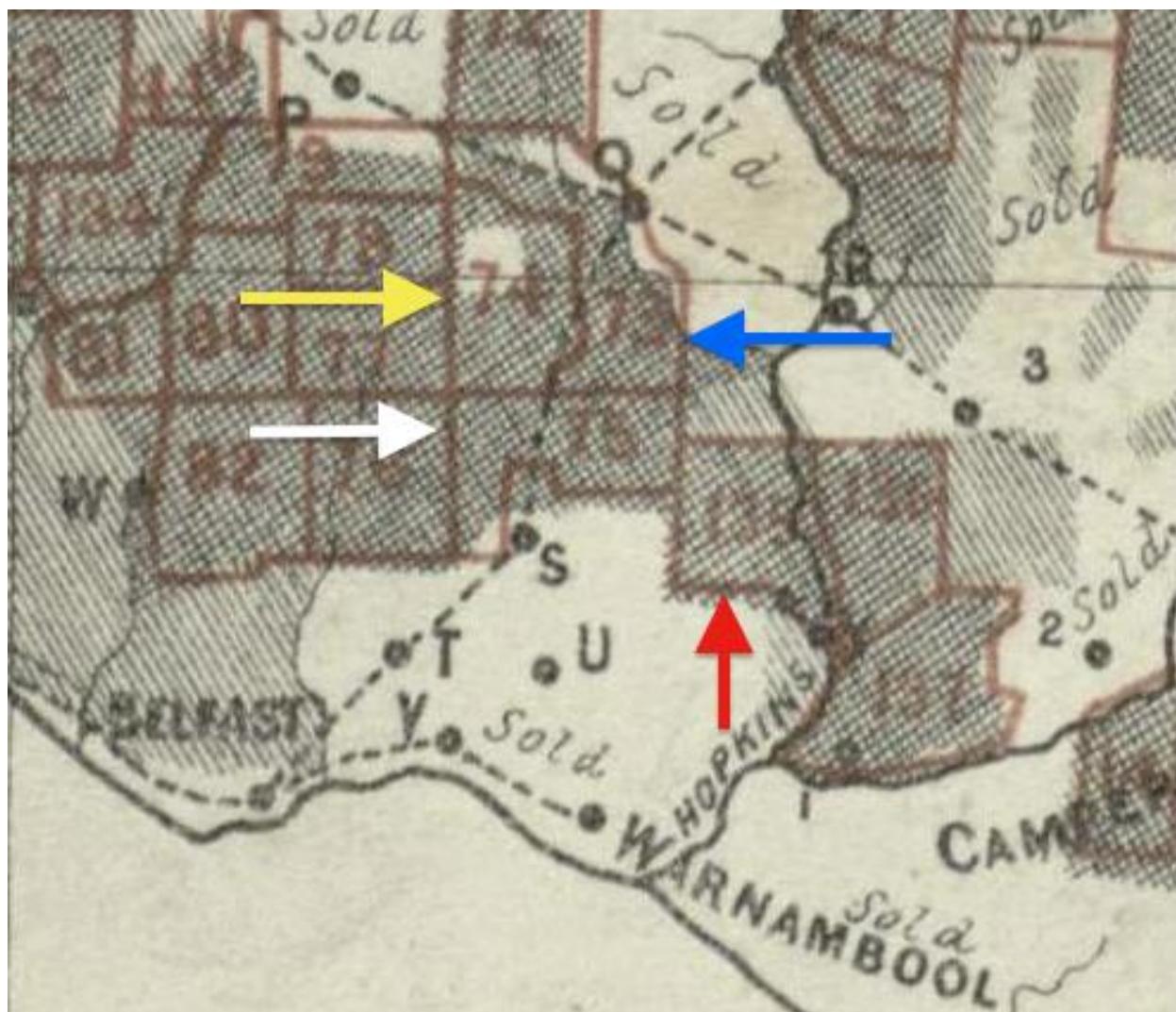


Figure 34 Detail of Map of Victoria showing '10 Millions of Acres' reserved under the Land Act 1862. Land with a light cross hatching represents land expected to be made available for selection, and land with dark cross hatching indicates land under survey at that time to be made available with the introduction of the 1862 Land Act. The agricultural areas relevant to the activity area are highlighted with coloured arrows. A blue arrow highlights the Greaves Park agricultural area (73), a yellow arrow highlights the Glenwood agricultural area (74), a white arrow highlights the Yarpturk agricultural area (75) and a red arrow highlights the unnamed Yeth Youang agricultural area (135). (Ligar 1862, Victoria, DLS, Melbourne, SLV)

Identifiable features constructed in the activity area in Quamby North Parish that may relate to its pastoral occupation are a hut and bush tracks connected to Joseph Ware's Pre-Emptive Right (Figure 35). A substantially fenced in hut through which a generally north-south track passes is located just outside and to the north of the activity area and a Black Swamp likely to be the swamp mentioned earlier in this report in relation to a reported massacre of Aboriginal people is clearly identifiable in Figure 35.

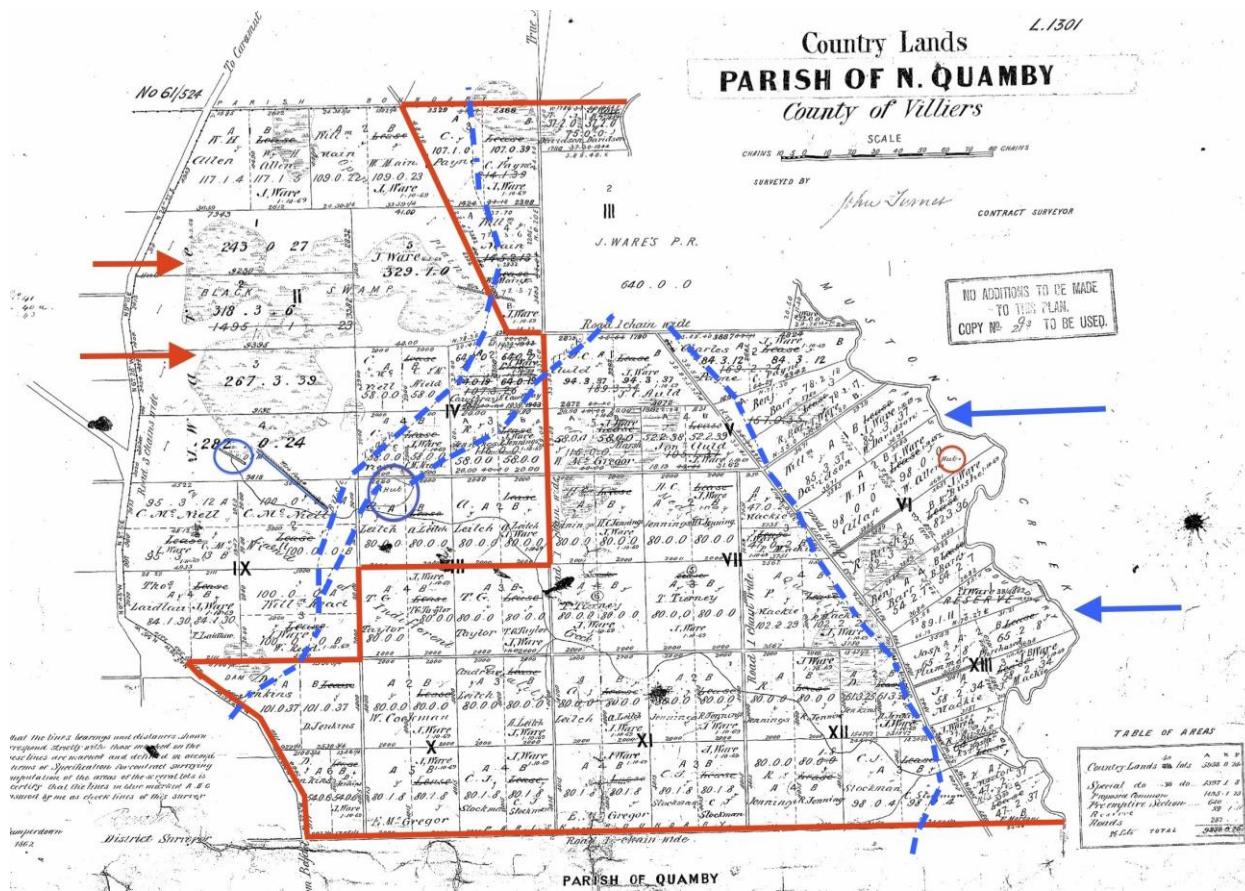


Figure 35 Detail of Put Away Plan of Parish of North Quamby c1862-1869. The boundary of the activity area is marked with red lines and blue arrows indicate the Muston's Creek Boundary. A red circle highlights the approximate and general location of a hut within the activity area and two blue circles and a solid blue line indicate the location of a fenced in hut, dam and wire fence between the activity area and the Black Swamp which is highlighted with red arrows. Blue dotted lines indicate the location of bush tracks south and west of Ware's Muston Creek 1 Pre-Emptive Right (Landata, Put Away Plan Q20, 1862-1869)

Caramut Parish

Caramut Parish is made up entirely of land once held by pastoral lease as the Muston's Creek Run. Portions of at least five stations deriving from the original vast holding; Muston's Creek 1, Minjah, Barwidgee, Caramut North and Lawrenny make up the entirety of the Parish (Duff 1915-1925: 17-19).

In so far as a township is representative of the character of its surrounding district, Caramut was a centre catering to the squatters who "...drove three-in-hand, and had covered-in carriages often coming many miles for church service...", travellers passing through the crossroads for coaches and local residents in sufficient numbers to warrant "...at one time in the nineties...four general stores,... a saddler, two butchers and bakers, two carpenters, three stonemasons and numerous drovers" (Duff 1915-1925: 4).

Forty-six Allotments across Sections 1 to 12 (Section 9 being the Pre-Emptive Right) of the Parish of Caramut, south of the Caramut-Hexham Road form part of the activity area and all

but 5 of them were acquired by Joseph Ware or a member of the Ware family. The remaining 5 were purchased by H C Jennings (2) and William Bayles (3) (**Figure 36**).

In relation to the activity area 7 of Ware's Allotments, and 2 not purchased by him are not included in the activity area. A further three Allotments in Section 2 of the Township and Parish of Caramut are included in the Activity area but were purchased by the De Little family and H Ewing.

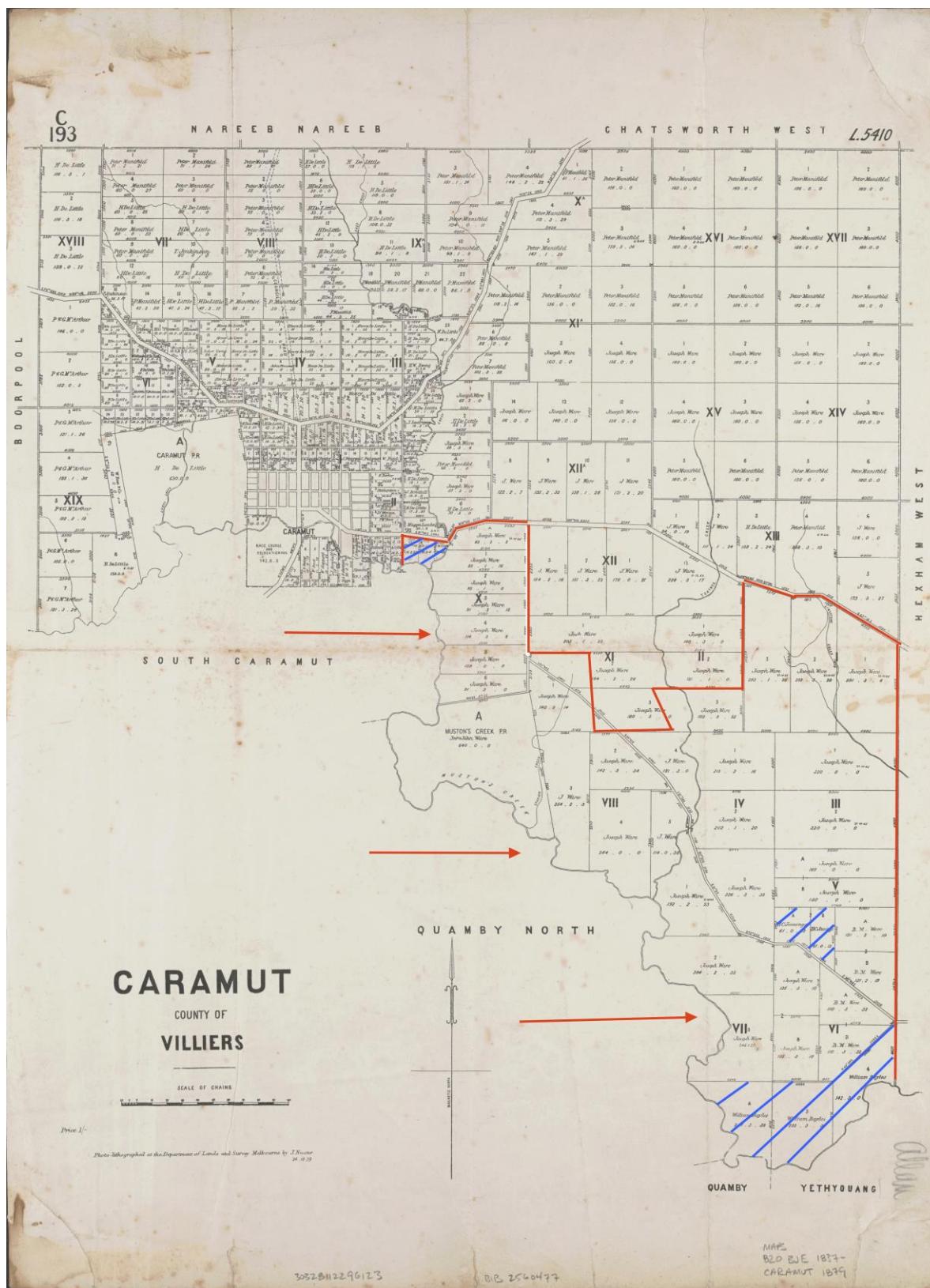


Figure 36 Plan of the Parish Caramut 1879. The boundary of the activity area is highlighted with red lines and the Muston's Creek boundary with red arrows. Land not purchased by Ware is highlighted with blue lines. (Noone 1879: Caramut County of Villiers, DCLS, Melbourne, SLV, MAPS; 820 BJE1837-CARAMUT 1879)

On an 1860s put away plan, an outstation of the Muston's Creek 2 Station is identified as being located adjacent to Teatree Creek on Allotment 1 of Section 2 of the Caramut Parish. (Figure 37). An 1845 Plan of Muston's Creek 2 Station also locates an outstation of Payne's in the same location outside the activity area (Figure 7).

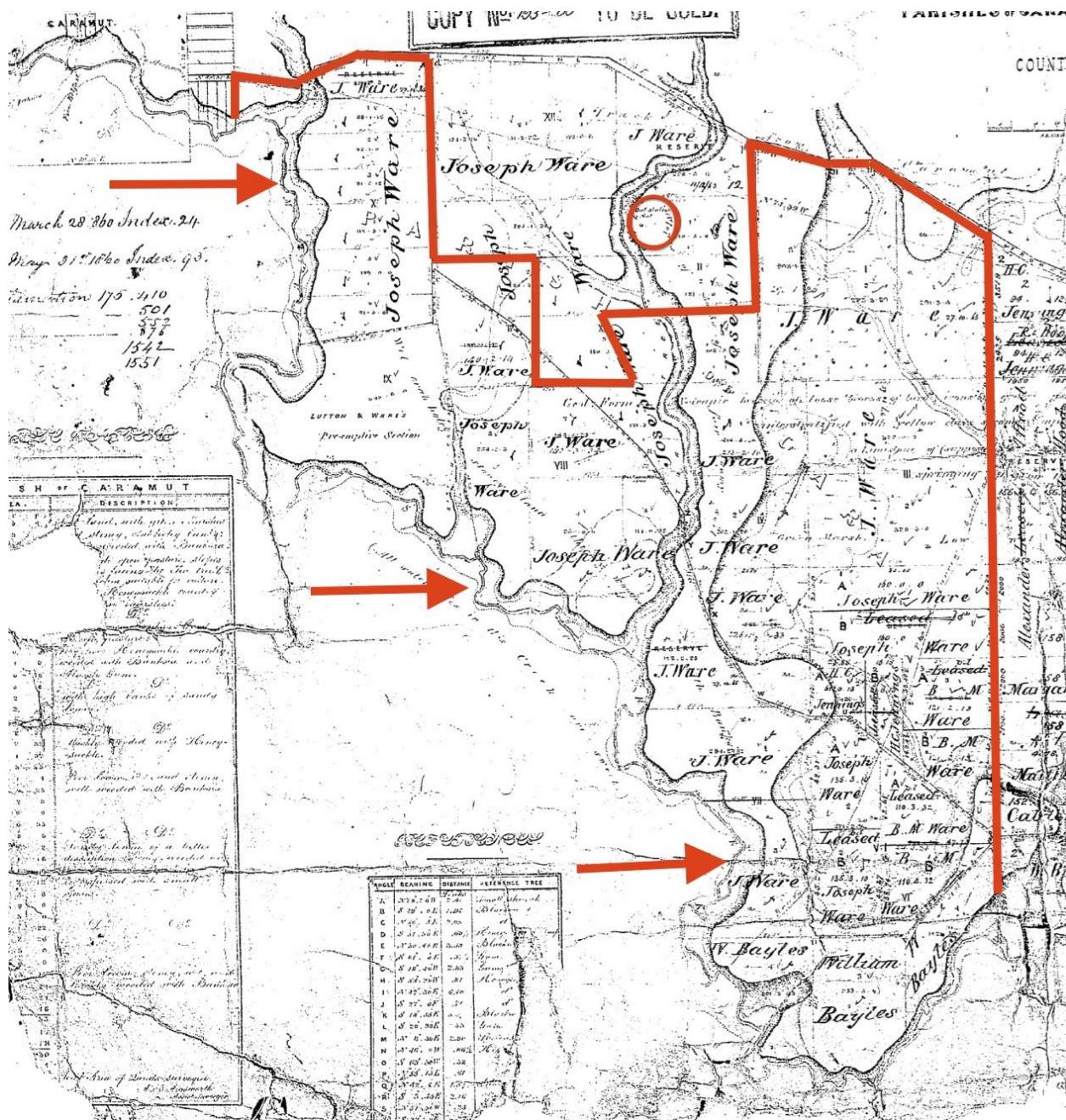


Figure 37 Detail of a Put-Away of the Plan Parish of Caramut c1860s. The boundary of the activity area is highlighted with red lines and the Muston's Creek boundary with red arrows. The location of the Outstation is highlighted with a red circle. (Landata, Put-Away Plan C193, c1860s)

Caramut South Parish

A small portion of the activity area stretches into the Parish of Caramut South which is located south and east of Muston's Creek and north of Quamby Parish. The single section of the Caramut South Parish where the activity area is located is wedged between the Parishes of Quamby North and Caramut and is divided into 13 Allotments of which all but 4 were acquired by a member of the Ware family (Figure 38).



Figure 38 Detail of the Parish Plan of South Caramut, County of Villiers, 1928. The boundary of the activity area is highlighted with red lines and the Muston's Creek boundary with red arrows. Land not initially granted to a member of the Ware family is highlighted with blue lines. (DLS, 1928, Parish of South Caramut 1928, DLS, Melbourne, SLV, MAPS; 820 BJE 1837 SOUTH CARAMUT 1928)

An 1860s put-away plan for the Parish of South Caramut illustrates that although members of the Ware family had acquired most of Section 11 of the Parish of South Caramut by 1928, initially these and other allotments in South Caramut, were not originally taken up by Ware but transferred to him later (Figure 39; Figure 40). Allotment 8 of Section 11 had been once designated as a reserve (Figure 40) but had been acquired by Ware by 1928. There are no mapped built features related to pastoral or closer settlement on any of the Caramut South parish allotments over which the activity area stretches.

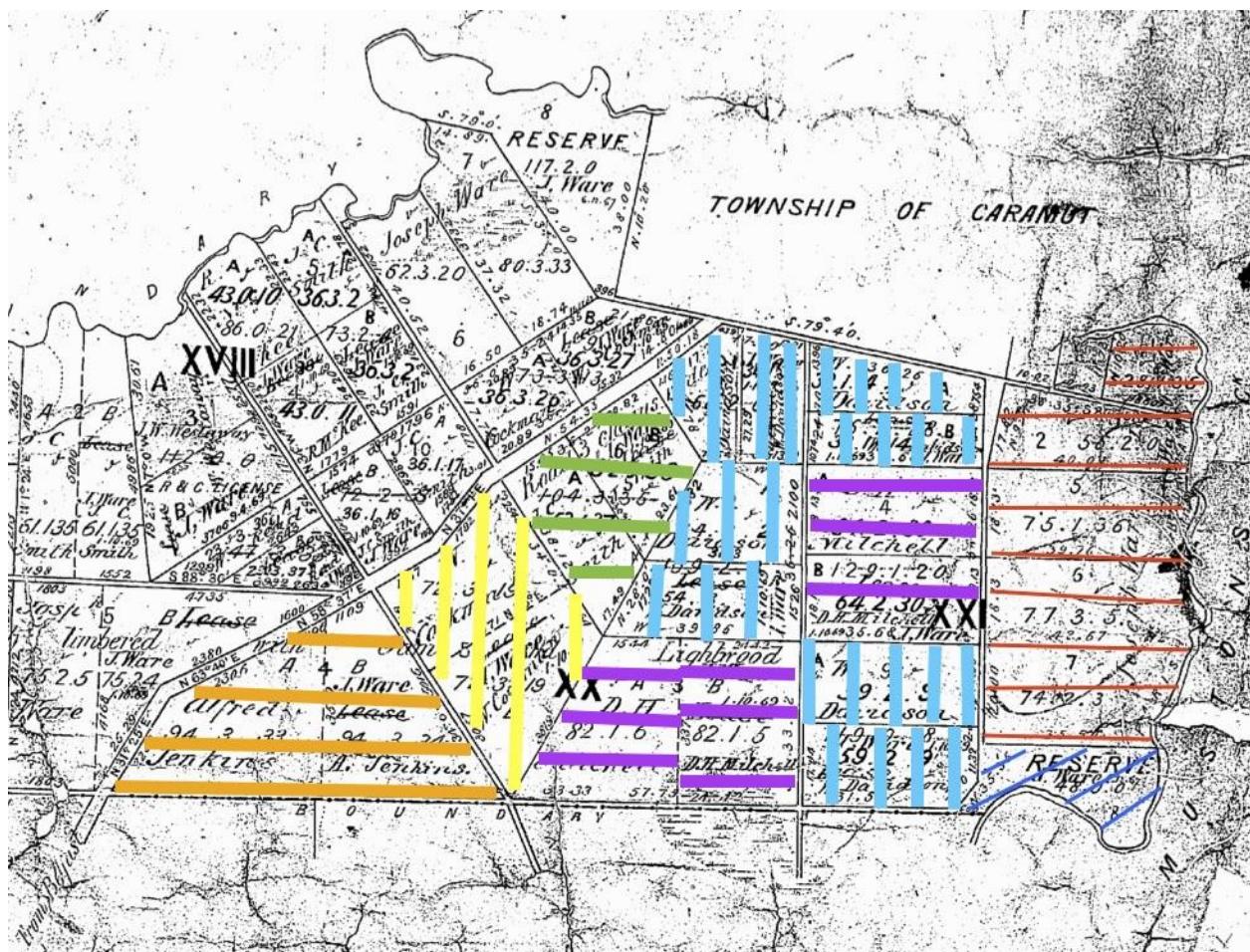


Figure 39 Detail of a Put-Away Plan for the Parish of South Caramut illustrating the initial leasing of Allotments and the eventual awarding of the Crown Grant to J Ware. Land purchased by J Ware at this time is highlighted with red lines. Land that appeared to be purchased by others is represented by blue, purple, yellow, green or orange lines where each colour indicates a different buyer. (Landata, Put-Away Plan C193A, c1860s)

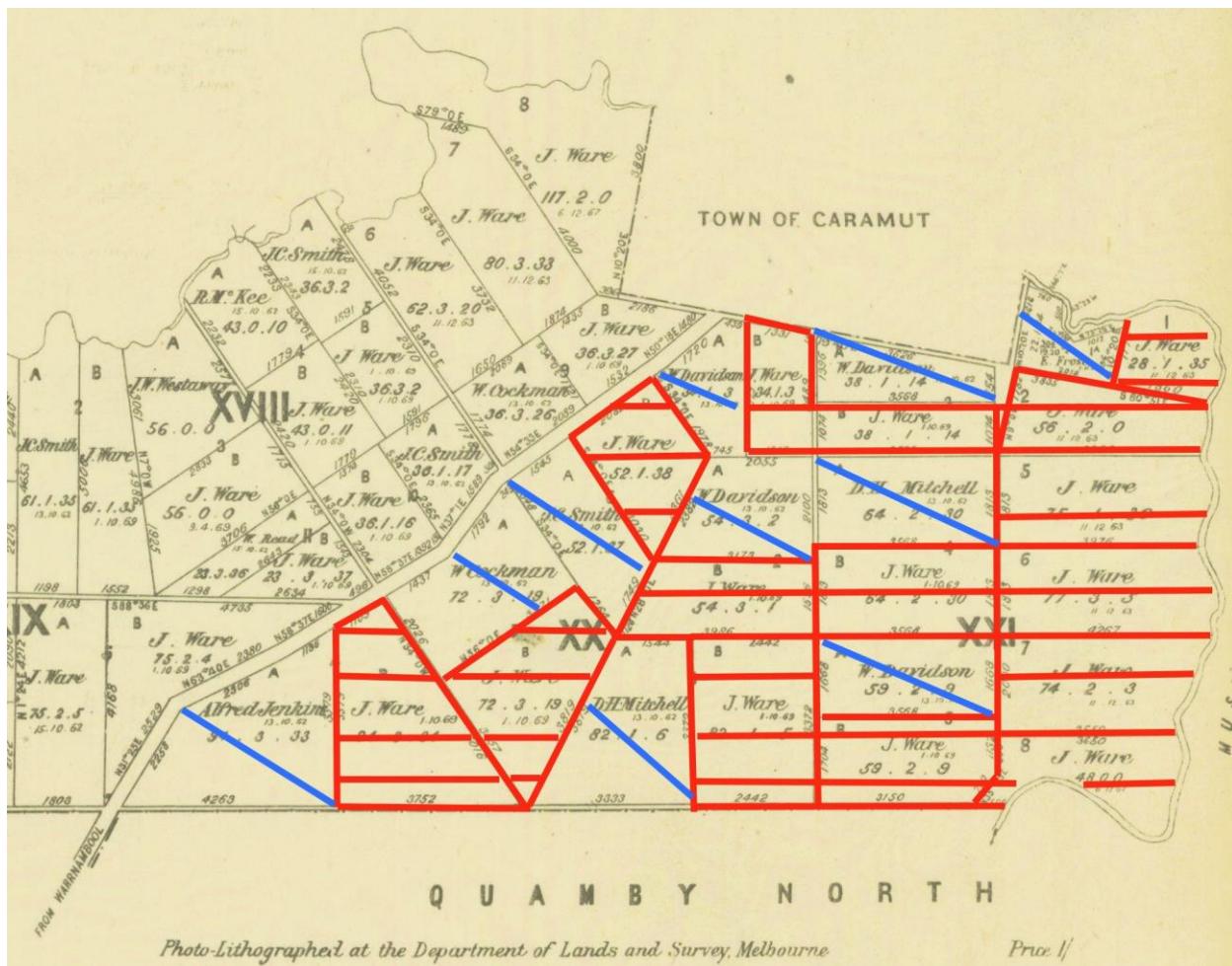


Figure 40 Detail of Parish Plan for South Caramut 1928. Land for which J Ware obtained the initial Crown Grant is highlighted with red lines. Allotments where the Crown Grant was NOT issued to a member of the Ware family are highlighted with a blue cross (DLS, 1928, Parish of South Caramut 1928, DLS, Melbourne, SLV, MAPS; 820 BJE 1837 SOUTH CARAMUT 1928)

LOCAL GOVERNMENT

Advances in settlement across the Western Districts led to the establishment of Road Boards and Local Government.

The activity area is located within the Moyne Shire which was created 23 September 1994 (**Moyne Shire Council**) from an amalgamation of the Borough of Port Fairy, Shires of Belfast, Minhamite and Mortlake and parts of the Shires of Warrnambool, Dundas, Mount Rouse and Hampden (**Victorian Places 2015: Moyne**). Prior to the municipal restructure, the activity area would have stretched across the Shires of Mortlake and Warrnambool.

The Shire of Warrnambool, not including the City of Warrnambool, was created then proclaimed 31 December 1863 (**Victorian Places 2015: Warrnambool Shire**) from a Road Board established in 1854 (**Victorian Places 2015: Warrnambool**). The Shire of Mortlake was declared on 26 January 1864, at the same time as the neighbouring Mount Rouse Shire north of

Muston's Creek at Caramut (**Victorian Places 2015: Mortlake and Mortlake Shire and Mount Rouse Shire**).

Both Warrnambool and Mortlake Shires were formed over areas containing large Pastoral Estates which evolved into agricultural centres. By 1994, farming activity took up more than 80% of the Mortlake Shire and occupied 90% of the land in the Warrnambool Shire (**Victorian Places 2015: Mortlake and Mortlake Shire and Warrnambool Shire**). Most of the population of the Warrnambool Shire was concentrated in the coastal region which also supported agriculture and dairying businesses. The inland areas of the Warrnambool Shire were occupied by industries undertaking primarily grazing and wool production (**Victorian Places 2015: Warrnambool Shire**).

The Western District Pastoral Estates of the nineteenth and early twentieth century largely resisted subdivision until the advent of the Soldier Settlement Scheme following both World Wars (**Victorian Places 2015: Mortlake and Mortlake Shire; Victorian Places 2015: Mount Rouse Shire**). Soldier Settlements were an extension of an earlier Victorian Government Closer Settlement Scheme, the Act for which was introduced in 1904 (PROV nd: 14) and its predecessor the 1893 Settlement on Lands Act which was intended to "...enable all classes who may so desire to obtain their heritage, that is, the lands that belong to them" (PROV nd: 14). Closer Settlement was a deliberate attempt to increase the number of agriculturalists and producers as opposed to town dwellers, and in itself was an extension of the European ideal of a yeoman farmer as the hardworking wholesome backbone of a country (PROV nd: 14). Further to the ambition of achieving a yeomanry ideal, practical concerns around the overpopulation of urban centres and access to resources at times such as the late nineteenth century Victorian depression, urged politicians to continue to establish small rural communities around modest farm holdings well into the twentieth century (PROV nd: 10-14).

Although pastoralists had exploited loopholes in legislation for years in order to retain and expand their holdings to be as large as possible, by the late nineteenth century the size of a holding had ceased to be necessary in order for a property to be a profitable operation. Technological advances in farming and scientific practices enabled a higher yield than had previously been able to be achieved from a small farm and caused pastoralists to question the relationship of the size of a property to its profitability. Beyond the 1890s depression, revenue from the Australian wool clip is estimated to have fallen by 20% between 1884 and 1894 (**Keneley 1996-1999**) adding a significant financial burden to pastoralists facing increased land and inheritance taxes, costs associated with managing pastoral induced land degradation to native grasses and topsoil, the expense of managing rabbits and introduced weed species and the unrest and expense of disgruntled and eventually striking shearers (**Keneley 1996-1999**). When the Closer Settlement board invited large land holders to offer properties for the potential acquisition by the Government, pastoralists were generally receptive and 174 property owners offered properties to the scheme (**The Weekly Times 18 November 1905: 8**). Only 8 of the prospective properties were pursued by the Closer Settlement Board and Western District pastoralists began independently subdividing and selling off land disposing of approximately 91,603 acres from 23 major estates in the Western District between June 1907 and 1908 (**The Argus 27 June 1908: 20** in **Keneley 1996-1999**). The sell off of land enabled some pastoralists to wrench their expenses and estates into order and modify their farming practice and potentially their stock in order to align their production more closely with the capacity of their land (**Keneley, 1996-1999**).

The initial break up of Western District Pastoral Estates resulted in growth in some regional towns and centres such as Hexham and Caramut, which had hitherto been employee villages attached to a pastoral estate (**Doyle & Context 2006**: 47). Populations grew across the Mortlake and neighbouring Mount Rouse Shire and did not peak until the 1960s after which time some grown up settler families dispersed and rural populations fell. The population of Mortlake Shire having reduced to just above 3000 in 1991 from an apex of 4400 in 1966 (**Victorian Places 2015**: Mortlake and Mortlake Shire; **Victorian Places 2015**: Mount Rouse).

The rural character of the Warrnambool and Mortlake Shires still defines the nature of the Moyne Shire known in the twenty first century for its tourist and dairy industry as well as livestock grazing which is the main contemporary rural occupation (**Victorian Places 2015**: Moyne).

CLOSER SETTLEMENT / SOLDIER SETTLEMENT

The third stage of development that overlaid the activity area was the breaking up of the freehold pastoral estates. Several circumstances conspired to break the hold that Western District Pastoral monopolies had over the land: an increase in industrial production and the development of synthetic fibres, a drop in wool production during World War II (**The Argus 10 April 1945**: 6), increases in the cost of production including wages for staff following changes to labour laws (**Edward River Council 2019**), lack of manpower to undertake works during the wars (**Tsokhas nd**: 289-290) and the determination of the Victorian Government to open up the land through the compulsory acquisition authority of the Closer and Soldier Settlement Acts (**PROV nd**: 14-16).

Some Pastoral Estates were completely broken up and others only partially shrunk as the application of the Settlement Act depended on the potential for independent small farmers to make a living from the property (**PROV VPRS16291/P0001/10**). Pastoralists were not necessarily supportive of a program that forced the reduction of their holdings (**PROV VPRS16291/P00001/10 Meeting of Trustees 26 September 1947**) at a rate set by the Government not by the market and initial property assessments were therefore sometimes undertaken in secret. In relation to Merrang, Government staff were instructed to undertake their initial assessment of the suitability of the Station for the Soldier Settlement Scheme by entering the property under the pretext of conducting a pest management inspection (**PROV VPRS16291/P0001/10**). When the occupiers of Merrang were attempting to negotiate the sale of their lands, which they did not wish to sell (**PROV VPRS16291/P0001/10**), at a price that was acceptable to them - which the Government offer was not, (**PROV VPRS16291/P0001/10, Letter from Merrang Trustees**) it was made clear to them that any negotiations and concessions were a courtesy only, and the compulsory acquisition of the entire property at whatever price the Government wished to pay would be the result of any wholesale rejection of Soldier Settlement Scheme offer by the trustees of the Merrang Estate (**PROV VPRS16291/P0001/10 Trustee Statement 26 September 1947 to 31 January 1948**).

The Closer Settlement Act (1904) and subsequent Soldier Settlement Acts enabled the purchase of property by the Victorian Government which was then subdivided and re-sold in order to create farming communities (**PROV nd**: 14). Following the introduction of the Closer Settlement Scheme in the Western District, '...a little over 120,000 acres (was) acquired from pastoral estates for re-settlement...' (**Keneley 2000**: Soldier Settlement in the Western District) however the small size of the allotments and lack of adequate infrastructure meant the scheme

was generally considered to have been a failure with few holdings able to generate an adequate living for the new occupants.

Despite the lack of Closer Settlement Success the Western District was again targeted for subdivision for the Post World War One Soldier Settlement Scheme where returning Soldiers were loaned the finances by the Soldier Settlement Commission to purchase land, erect housing and buy equipment and stock which funds they were required to repay in instalments over a number of years. As with the Closer Settlement Scheme, the subdivided lands appear to have often been too small and inadequately resourced for the generation of a living income and the incoming farmer often too inexperienced, injured or inadequately supported to sustain the operation. The widespread failure of the Soldier Settlement Scheme following WWI generated sufficient concern and outrage that a Royal Commission into the Scheme was established within 7 years of the program starting (**Keneley 2000: Soldier Settlement in the Western District**).

The results of the Royal Commission investigation handed down in 1925 are evidenced in the application of the Soldier Settlement program following WWII; holdings were more thoroughly assessed, the size of subdivisions related specifically to the conditions of each individual property and each subdivision was provided with adequate basic resources, where they were not already present, including water collection infrastructure ensuring that each farm had a similar arsenal of tools at the disposal of the incoming farmers (**PROV VPRS16290/P/0001/132 Merrang;VPRS16290/P/0001/162 Coomete**). Infrastructure considered necessary for the potential of a Settlement block to support a family included a homestead, dam, bore and/or spring, fencing, woolshed, other shedding, poultry run and such like (**PROV VPRS16290/P/0001/132 Merrang;VPRS16290/P/0001/162 Coomete**).

The success of the Closer and Soldier Settlement Act was variable across Victoria but in the fertile Western Districts, where large enough and adequately resourced, the farms sold were generally viable and enabled those Soldier Settlement families to establish their own dynamic foundations (**PROV nd: 14-16; Wright 2017**).

World War I

Of the 32 post WWI Soldier Settlement Estates created in the Western District (**Keneley 2000: Table 1**) only one is located in the activity area that being the subdivision of the Weatherly family's Woolongoon Station that stretched across the Counties of Villiers and Hampden (**Figure 41**). Eight Allotments from the Woolongoon Estate were allocated to seven returned Soldiers as part of the Soldier Settlement Scheme in 1921 of which one was forfeited and redistributed, and three, all from Section 20, are located in the activity area (**Keneley 2000: Table 1; Battle to Farm website nd; Figure 42**):

- Yeth-Youang Allotment 1, Section 20 Alexander Wynd
- Yeth-Youang Allotment 2, Section 20 Reginald Deas Hutchinson
- Yeth-Youang Allotment 3A, Section 20, Archibald Charles Patison (Patison also took on the adjacent Allotment 2 Section 19 which is located outside the activity area)

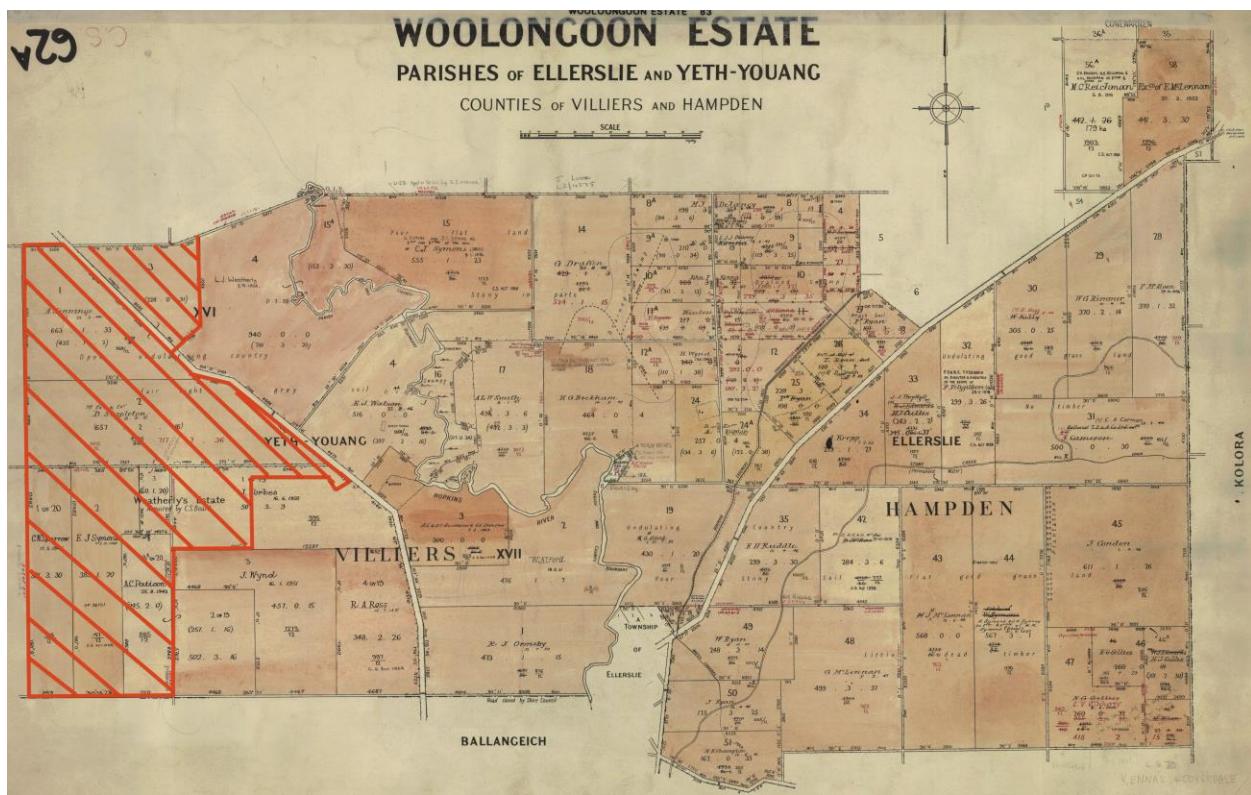


Figure 41 Plan of the Woolongoon Soldier Settlement Estate, c.1925. Land forming part of the Estate that is covered by the activity area is outlined and shaded with red lines. (PROV VPRS16171/P0002/Plans Woolongoon Estate)

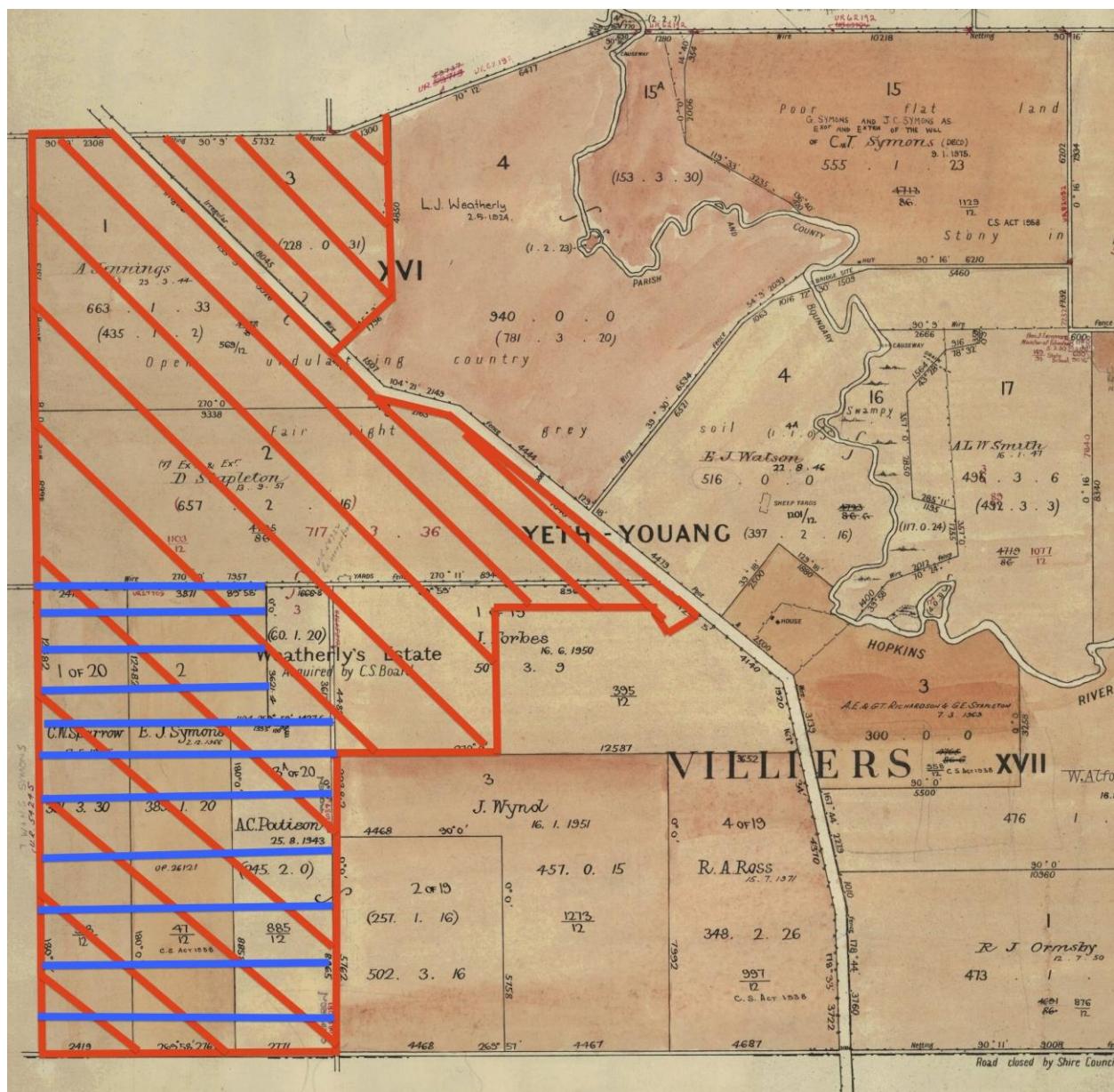


Figure 42 Detail of plan of the Woolongoon Soldier Settlement Estate, c1925. Land from the Woolongoon Estate that forms part of the activity area is outlined and shaded with red lines. Land taken up as Soldier Settlement Scheme Allotments from the Woolongoon Estate that is located within the activity area is shaded with blue lines. (PROV VPRS16171/P0002/Plans Woolongoon Estate)

Alexander Wynd (Allotment 1 Section 20) transferred his property at the conclusion of 6 years of his lease to Alfred James Beard a farmer of Mailors Flat who took on the lease in 1928 (PROV VPRS5714/PO unit 234, file 318/12 in Battle to Farm) but does not appear to have acquired the title for the property which was first issued to C W Sparrow, 17 May 1945 (PROV VPRS16171/P0002/Plans Woolongoon Estate). Allotment 2 of Section 20, adjacent to Wynd and Sparrow, was taken up by Reginald Hutchinson, a single man in his late 20's who had worked as a farmer for 10 years at Whittlesea before the war (PROV VPRS5714/PO unit 277, file 47/12 in Battle to Farm). Despite his farming experience Hutchinson walked off his land citing it as being of insufficient size to produce a living (PROV VPRS5714/PO unit 139, file 885/12 in Battle to Farm). Hutchinson's story may illustrate the circumstance cited by the

Soldiers Settlement Royal Commission of people with farming experience but not farm management experience being unable to cope with their allotment as well as the generous camaraderie cited by Soldier Settlement descendant Robert Stevens, who says that "...as the blocks were never big enough...soldiers walked off the land and handed their blocks to other soldiers, to help them become viable and make a living..." (**ABC Rural Reporters 2015**).

The Soldiers Settlement Scheme Board recommended in February of 1924 that Hutchinson's lease be deemed void for non-payment of instalments and soon after Archibald Charles Patison on adjoining Allotment 3A of Section 20 applied to the Soldiers Settlement Scheme Board to use Hutchinson's land in conjunction with his own selection (**PROV VPRS5714/PO unit 139, file 885/12 in Battle to Farm**). Patison did not acquire the first crown grant for Hutchinson's land, that was conveyed to EJ Symons, 2 December 1966 (**PROV VPRS16171/P0002/Plans Woolongoon Estate**), however he did remain on his own property meeting the conditions to gain the Crown Grant which was declared on 25 August 1943 (**PROV VPRS16171/P0002/Plans Woolongoon Estate**).

The Soldier Settlement Scheme was a National program that was administered independently by each State and so great was the popular and political concern over reports of failed Soldier Settlement farms in Victoria that within 7 years of its introduction a Royal Commission had been instituted to investigate the Scheme (**Keneley 2000**). The Victorian Royal Commission into the administration of the Soldier Settlement Scheme identified four of the chief reasons for the failure of the scheme as (**Keneley 2000**):

- the granting of Allotments to people with insufficient experience farming or farming experience but little or no experience in managing a whole property,
- Occupants of Allotments carrying too much debt into their lease, partly as a result of elevated pre-war land prices and made worse by depressed post-war commodity prices,
- Allotments being too small or unsuitable for the recommended or practicable farming occupation, and
- an absence of infrastructure that would otherwise enable the Soldier Settlers to access markets for what product they were able to produce.

Part of the attraction of the Soldier Settlement Scheme was rooted in the idea of the yeoman farmer and the wholesome experience that becoming a farmer would afford to returning soldiers (**Keneley 2000**). Scates and Oppenheimer also suggest that "...In the early 20th century the masculine ideal of the bushman had morphed into the soldier, the Anzac...(and)...his next transformation was to 'settle' him (and his post-war family) on the land..." (**Scales & Oppenheimer 2016: 4**) where it was "...possible for a man, by intelligence and industry, to establish himself as a landholder and make for himself and his family a good home and good living' (Land for Soldiers p5 in **Scales & Oppenheimer 2016: 6**).

In the pursuit of this agrarian ideal, "...poverty, low agricultural prices and a lack of farming skills were not the only hurdles which first-time farmers were confronted...Many had lost limbs or suffered other major injuries during the war that made farming near impossible" (**ABC Rural Reporters 2015**). Of the 11639 returned soldiers settled across Victoria, only 39% were still farming their blocks in 1934 (**Keneley 2000**).

In 1925 the Soldier Settlement Royal Commission findings concluded that the scheme was necessarily flawed due to the diversity of circumstances of both the land, the markets and the soldiers themselves and that (Royal Commission on Soldier Settlement 1925 in **ABC Rural Reporters**):

There are several classes of cases where the proper remedy for one group would be quite ineffective in others. The process of bringing soldier settlement into a solvent and satisfactory position will be a long one. There is no easy road by which that end can be attained. In a sense, soldier settlement is not solely a business proposition and cannot be dealt with as such. At the same time, it would be disastrous for our country if it were admitted contracts should be treated as scraps of paper whenever they become difficult to carry out. We are thus confronted with a contradiction and the way to reconciliation lies somewhere in between. Hence the unavoidable vagueness of some of our recommendations.

In relation to the Western District Post WWI Soldier Settlement, the Royal Commission identified that more than 70% of the blocks being farmed in the 1920s were still being worked a decade or so later and so in general the Soldier Settlement Scheme was thought to be relatively successful in this area (**Keneley 2000**). The failures that did occur in the Western District seemed to be concentrated where the circumstances, particularly of the land, were not suitable for the use they were intended, the worst examples being at Mount Violet, Mount Elephant, Terrinallum and Derrinallum (**Keneley 2000: Table 1**).

World War II

Anxious not to repeat the failures of the Post World War I Soldier Scheme, the Victorian Government made changes to the implementation of the Soldier Settlement Act for its post WWII application (**VHD 2011: Woodhouse-Nareeb Soldiers Memorial Hall**). Whilst improvements to the Soldier Settlement Scheme may have made the program more viable, it was still very hard work as recounted by Pat Giles who moved with her returned serviceman husband to a Soldier Settlement block at Woodhouse-Nareeb around 1955, and reflected on the experience of settlers arriving five years before her (**Giles in Bissland 2017**):

...to barren, 500-acre blocks of land with a one-room shed...No electricity, very few had transport, and even if they did they had to drive across a paddock to get to the road, which was pot-holed and dusty anyway... That was their home, until their soldier-turned-farmer husbands could find the time and money to build a house, a driveway, fences and sow crops.

Following the Second World War, 50 to 52 of the Pastoral Estates in the area now overseen by the Moyne Shire were broken up for Soldier Settlement (**Smallwood 1992 in Doyle & Context 2006: 32**), of these the Merrang, Coomete and Barwidgee Estates were located, or partly located, in the activity area.

Coomete Estate

The Coomete Soldier Settlement Estate is located in the parish of Quamby and was a 6,278 acre, (**Weekly Times 26 October 1949: 27**) subdivision of part of the Coomete Station into initially 9 (**The Age 11 November 1949: 4**) but eventually 11 Allotments (**The Age 24 February 1950: 5**) (**Figure 43**).

Advertisements for taking up lots on the property were directed at discharged soldiers who; "...had applied to the Commission on or before November 9 1949 for classification in the required class or classes of primary production for which the lots are made available...or any discharged soldier who has been classified as suitable in such class or classes of primary production..." (*The Age* 11 November 1949: 4).

Applicants could obtain further particulars from the Soldier Settlement Commission enquiry branch in Melbourne and applications had to be lodged there on or before December 5 1949 (*The Age* 11 November 1949: 4). The land was described as consisting of allotments sized from 580 to 665 acres and suitable for grazing sheep and mixed farming (*The Age* 11 November 1949: 4).

In order to improve the outcomes of the scheme, WWII Soldier Settlers benefited from more careful planning in relation to the size of Allotments and the provision of infrastructure including fencing and housing (VHD 2011: Woodhouse-Nareeb Soldiers Memorial Hall). Three miles of fencing was installed at Coomete before the land was advertised (*Camperdown Chronicle* 1 November 1949: 5) and before the leases were taken up ten timber houses were erected to a standard design prepared by architects Buchan, Laird and Buchan, with cement, iron and where necessary timber, supplied by the Soldier Settlement Commission (*Camperdown Chronicle* 18 July 1950: 5). Local infrastructure appears to have been the responsibility of the Warrnambool Shire Council however as they called for tenders in 1952 for the "...forming, reforming, boxing and graveling on various roads on the Coomete Soldier Settlement Estate" (*The Argus* 10 July 1952: 12).

Of the 11 Coomete Allotments only lots 4, 5 and 6 form part of the activity area and were taken up by JJ McCarthy, AF Gordon and HM Gilbert respectively (PROV VPRS16756/P/0001/000002/Coomete; PROV VPRS16171/P0002/Plans Coomete Estate (Soldier Settlement)) (Figure 44).

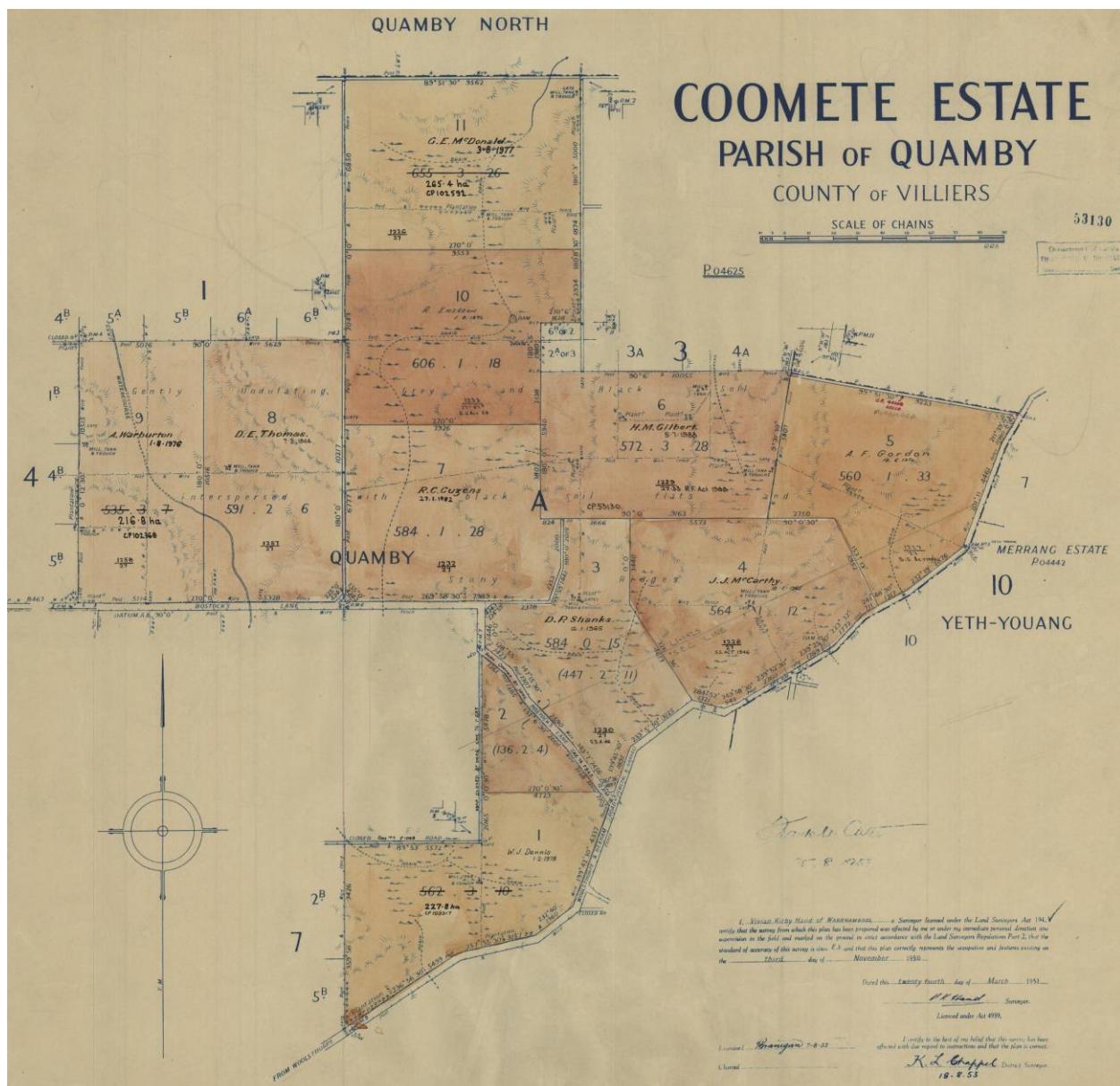


Figure 43 Detail of Plan of Coomete Soldier Settlement Estate c1951 (PROV VPRS16171/P0002/Plans Coomete Estate (Soldier Settlement))

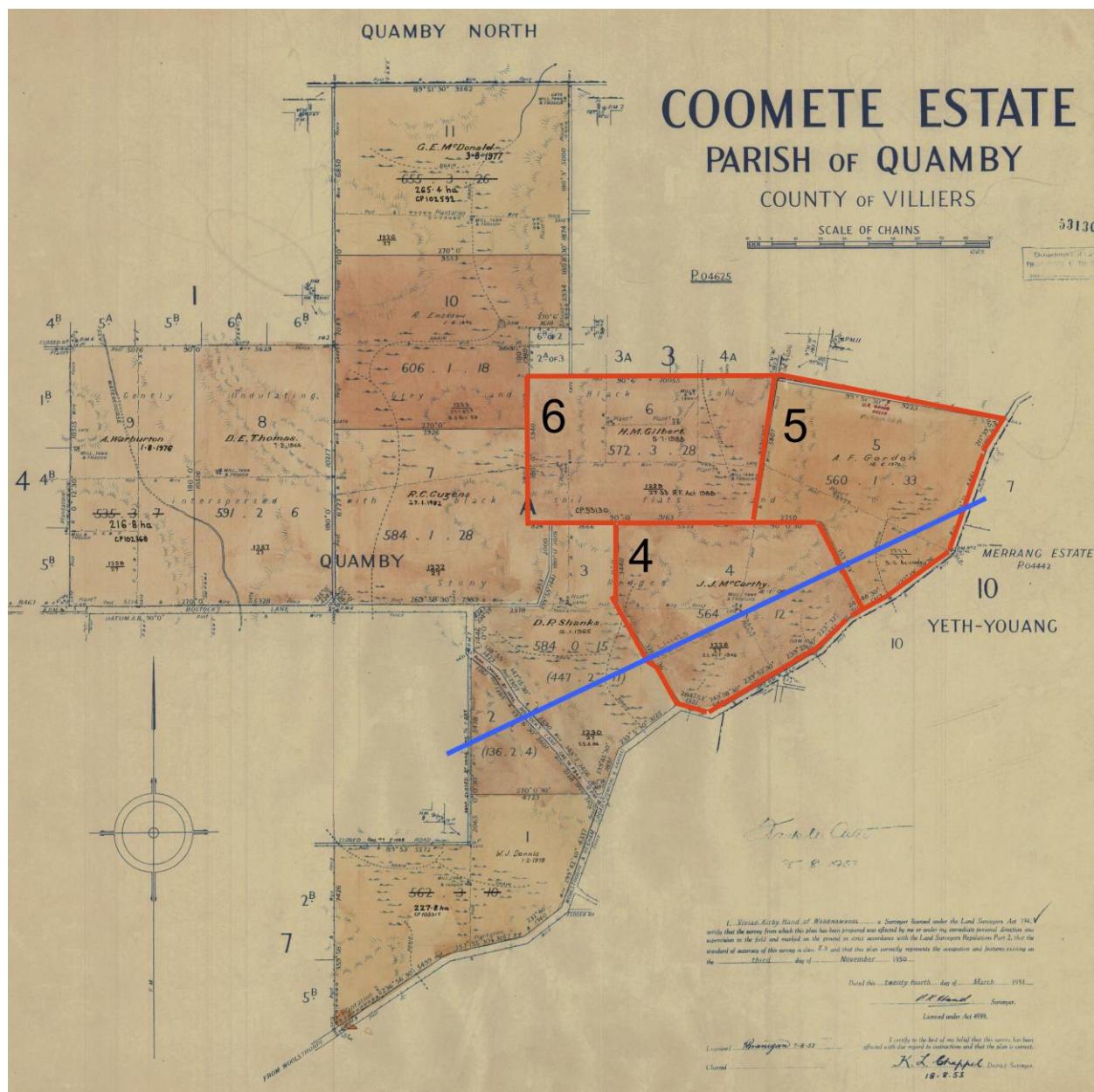


Figure 44 Detail of plan of Coomete Soldier Settlement Estate c1951 Allotments 4, 5 and 6 that are encompassed by the activity area are outlined with red lines and labeled with black numbers. An easement created for the State Electricity Commission is highlighted with a blue line. (PROV VPRS16171/P0002/Plans Coomete Estate (Soldier Settlement))

The existing improvements on the Coomete Estate at the time the Soldiers Settlement was established, related to its pastoral occupation and for Allotments 4, 5 and 6 this included post and wire fencing, gates, water troughs, mills, tanks, dams and plantations (Figure 45). Each of the ten Coomete Soldier Settlement Allotments was originally taken up with a temporary lease dated 1 April 1951 with the exception of Alan Warburton on Allotment 9 who occupied his property sooner than the other 9 returned servicemen, although he still did not receive his permanent lease until 1956 (PROV VPRS16756/P/0001/000002/Coomete). During the temporary lease period, the returned servicemen were paid a wage of £9 per week and paid a nominal rent as the land was not yet available for production (VHD 2011: Woodhouse-Nareeb Soldiers Memorial Hall).

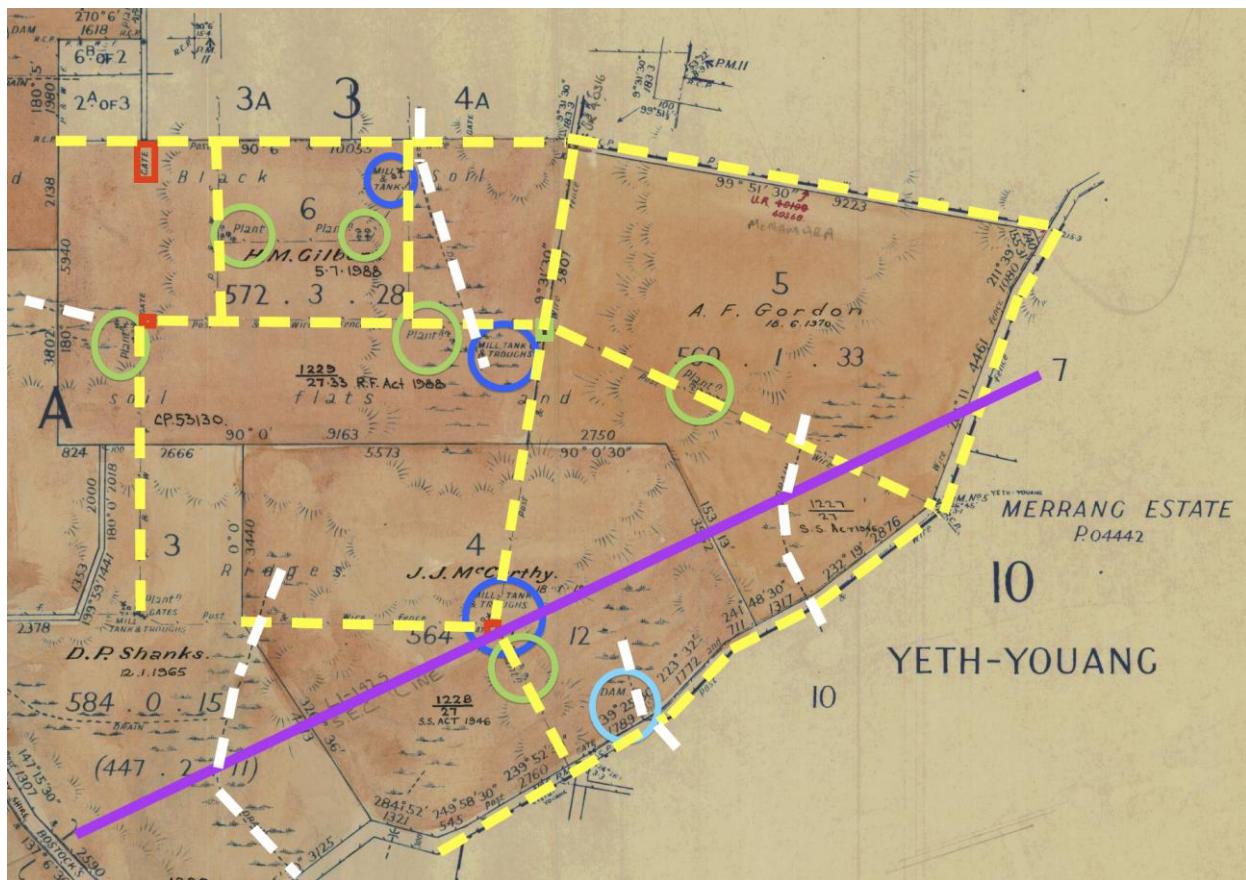


Figure 45 Detail of Plan of Soldier Settlement Coomete Estate c1951. The existing features on the Allotments of the Estate located within the activity area are marked as; existing post and wire fencing with yellow dotted lines, mill tanks and troughs with dark blue circles, dams with light blue circles, plantations with green circles, gates with red boxes and roads or tracks with white dotted lines (PROV VPRS16171/P0002/Plans Coomete Estate (Soldier Settlement))

Following the initial take up the Allotments (other than no. 9) were considered operational from 1 August 1851 and interim leases were issued to the land holders a year later on 1 August 1852 (PROV VPRS16756/P/0001/000002/Coomete). Prior to being offered the interim lease, a settler was given a year to "...consolidate his position, during which time he was not charged rent or agistment and was paid a living allowance. At the end of the year, the Commissioner's valuers valued the bock, and then the settler was charged an annual rent" (VHD 2011: Woodhouse-Nareeb Soldiers Memorial Hall).

Following the fulfillment of conditions to the satisfaction of the Soldier Settlement Board purchase leases were issued to most of the Coomete land holders on 1 February 1856 with the exception of landholders on Allotments 4 (McCarthy) and 6 (Gilbert) who were granted their purchase lease 1 April 1957 (PROV VPRS16756/P/0001/000002/Coomete). Purchase leases were offered on generous terms over many years (VHD 2011: Woodhouse-Nareeb Soldiers Memorial Hall) and were able to be converted to a Crown Grant once the debt for the initial purchase and improvements to the property was repaid to the Government. Figure 46 illustrates the existing improvements evident on the property of Henry Maxwell Gilbert when he took possession and Figures 47 and 48, illustrate those improvements undertaken by the

Soldiers Settlement Commission and the settler prior to the valuation and subsequent provision of the purchase lease.

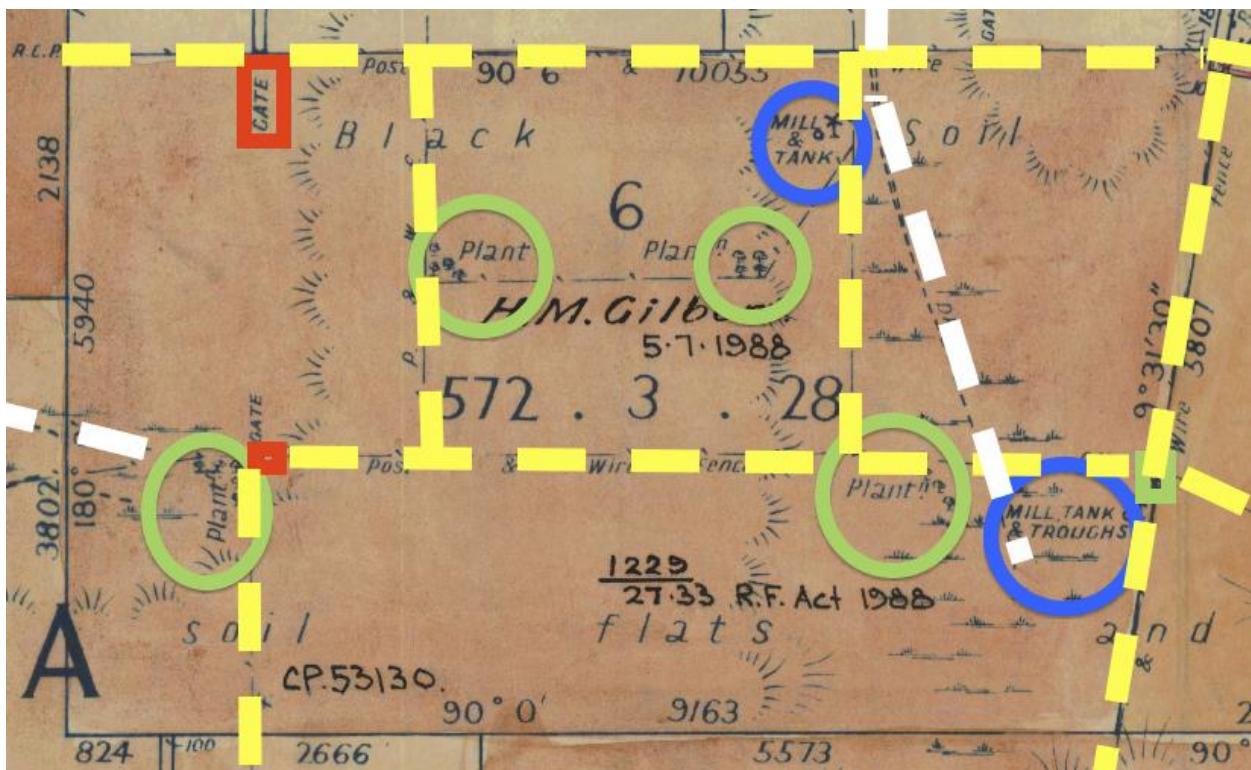


Figure 46 Detail of plan of the Soldier Settlement Coomete Estate c1951 showing lot 6 of the subdivision. The existing features on the Allotments of the Estate located within the activity area are marked as; existing post and wire fencing with yellow dotted lines, mill tanks and troughs with dark blue circles, dams with light blue circles, plantations with green circles, gates with red boxes and roads or tracks with white dotted lines (PROV VPRS16171/P0002/Plans Coomete Estate (Soldier Settlement))

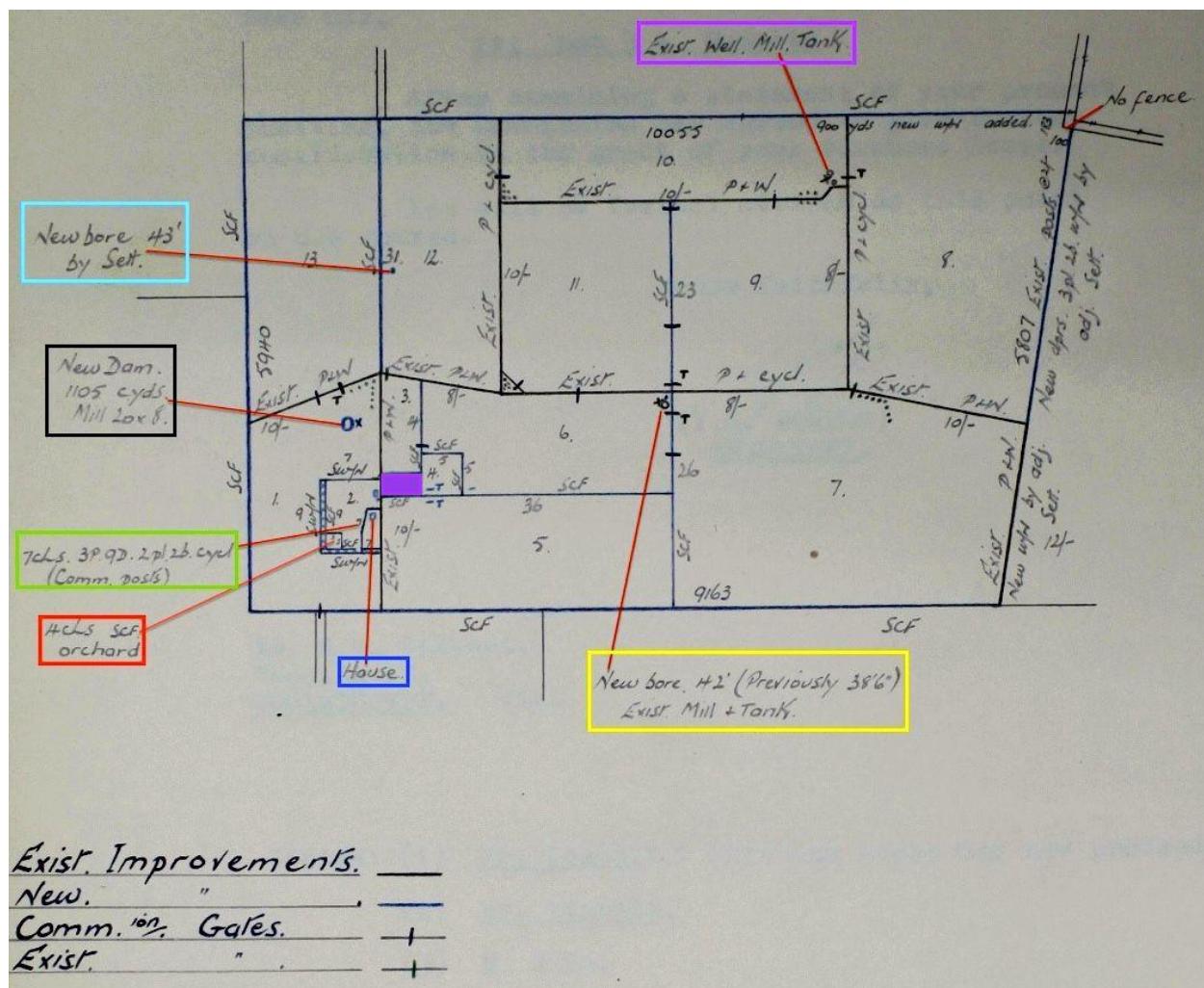


Figure 47 Detail of a plan of the property of Henry Maxwell Gilbert (lot 6 of Coomete Soldier Settlement Subdivision). The existing fencing is marked with black lines and new fencing with blue lines. Notations by the valuer distinguish between existing features; a well, mill and tank are highlighted with a purple box and a bore that had since been upgraded highlighted with a yellow box, a new bore that was installed by the settler is highlighted with a light blue box and a black box highlights a new dam. A green box highlights 7 chains of fencing using Soldier Settlement Commission posts, a red box highlights an orchard and a blue box the house within a fenced yard. The detail of the solid purple box is illustrated at Figure 48 (PROV VPRS16290/P/0001/000161)

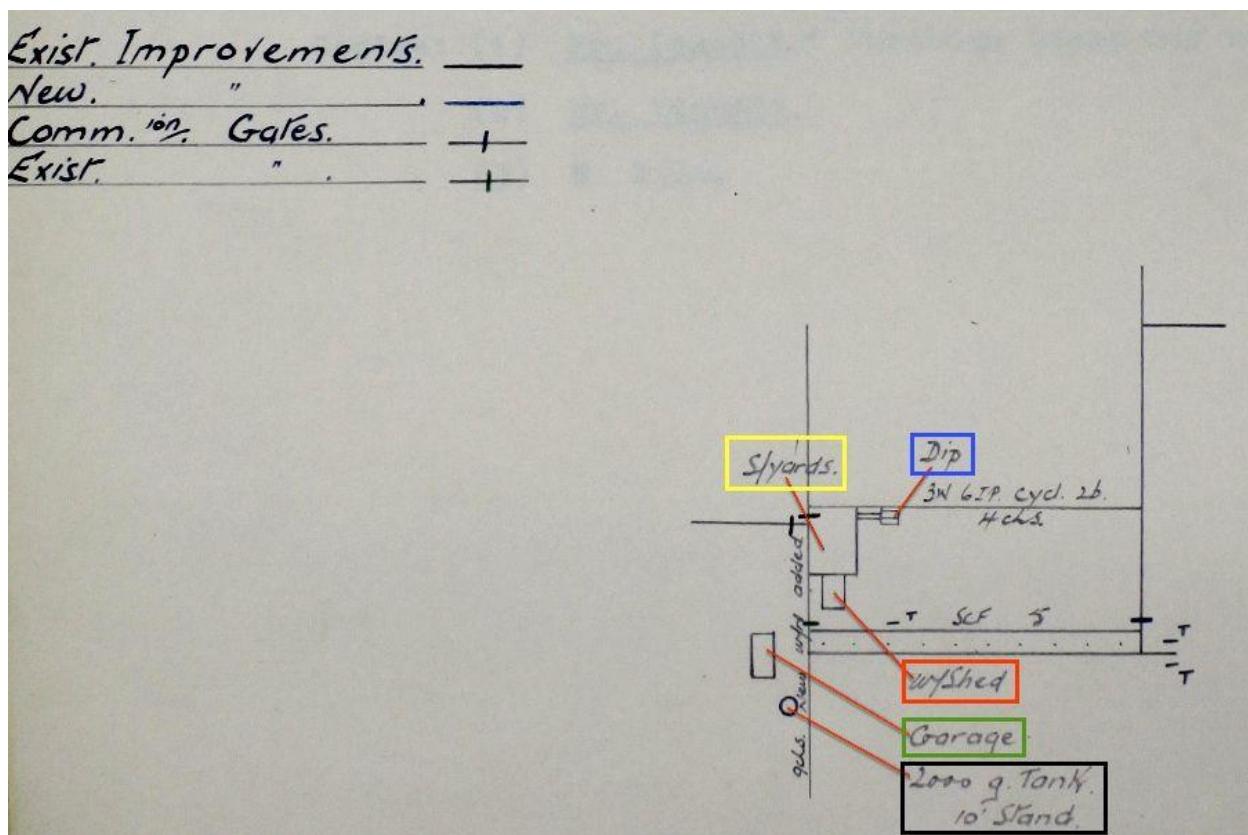


Figure 48 Detail of a portion of a plan of the property of Henry Maxwell Gilbert (lot 6 of Coomete Soldier Settlement Subdivision) marked as a solid purple rectangle on Figure 47. This plan identifies fencing, dip, stockyards, woolshed, garage, a 2000 gallon tank and 10 foot tank stand (PROV VPRS16290/P/0001/000161)

Alexander Francis Gordon received the Crown Grant for his 560 acre Allotment on 30 September 1970 having fulfilled his licence conditions and paid out the Soldier Settlement loan in full (PROV VPRS16540/P/0001/000007). The fourteen year path to Gordon achieving his Crown Grant was much later than John Joseph McCarthy who had paid out his loan and achieved his Crown Grant in only eight years, by 18 January 1965 (PROV VPRS16756/P/0001/000002/Coomete). Only four of the Soldier Settlement Scheme land holders on the Coomete Estate managed to secure their Crown Grant by 1970, the others, including Henry Maxwell Gilbert in the activity area continued their pursuit of ownership for decades (PROV VPRS16756/P/0001/000002/Coomete).

A criticism of the Soldiers Settlement Royal Commission following WWI was that returned soldiers granted land did not have sufficient farming experience however this did not necessarily translate to restrictions on taking up property following WWII, as Henry Maxwell Gilbert of the Coomete Estate was a Ballarat bank clerk before his enlistment (NAA B883, VX80398). Although Prospective settlers were required to complete a training course before taking up their property, (Affleck in McLaren 2018) it is possible that Gilbert's lack of farming experience was the cause of the long delay in him achieving the Crown Grant to his allotment. The full liability of Gilbert's lease was paid out by on 5 July 1988 and the property was transferred to Booligal Pty Ltd in October of the same year (PROV VPRS16540/P/0001/7).

Merrang Estate

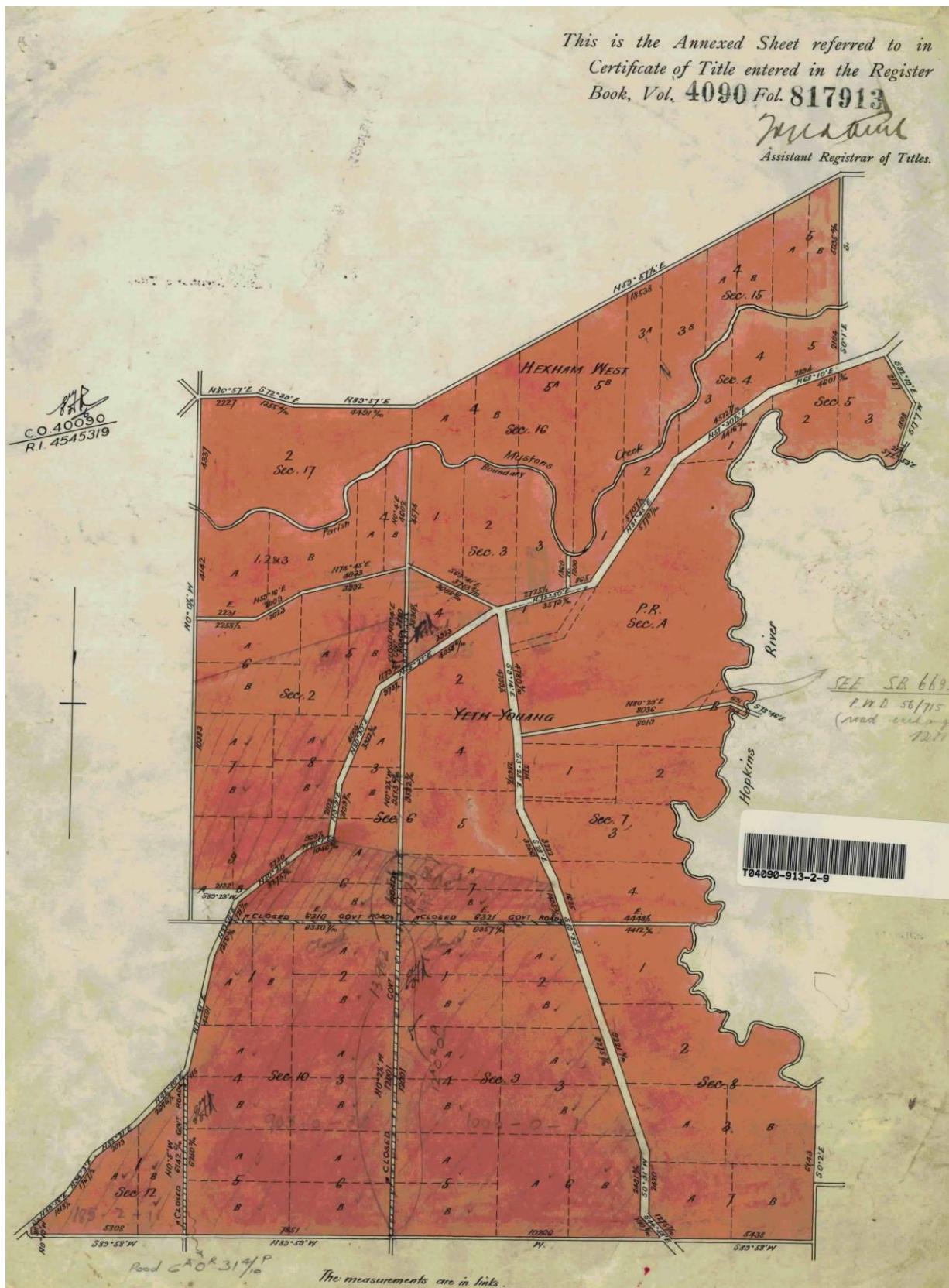


Figure 49 Detail of Plan of Merrang Estate held by Robert Alexander David Hood in 1917. (Certificate of Title Volume 4090/Folio 913)

When Robert Alexander David Hood acquired the Certificate of Title for Merrang in 1917 the property comprised of a little over 7,457 acres (**Figure 49**). Merrang was still held by the Hood family in 1944 when Victorian Government staff undertook a covert assessment of the property for the Soldier Settlement Commission (**PROV VPRS16291/P/0001/000010**). The Soldier Settlement Commission survey found the property consisted of 6,414 acres in Yeth Youang parish and 1,050 acres in Hexham West parish, the difference in area likely being accounted for by government owned roads passing through the estate.

By 1944 Merrang was operated by a trust, as were many Western District properties at this time, of which RAD Hood was both a beneficiary and a member. Hood was however absent on active military service when the Soldiers Settlement Commission approached the trustees of the Estate and undertook the assessment of the property managed at that time by Mr Claridge (**PROV VPRS16291/P/0001/000010, Letter from Trustees 11 June 1945**).

Government Inspector Picton reported from his assessment that Merrang was at the time being used for wool and fat cattle and that contemporary advances in pasture improvement including the use of manure and fertilisers was not being employed. Picton concluded that the in terms of capacity Merrang was being underutilised (**PROV VPRS16291/P/0001/000010, Letter from Trustees 11 June 1945**).

The Merrang lands were generally described as of good quality with "...wet areas...(being)...small and scattered...(and)...along the creek and river...some flats which are good in most years (but) which may be subject to...quick...flood..." (**PROV VPRS16291/P/0001/000010, Merrang Estate Plan**).

The vegetation on Merrang consisted of natural grasses, rye and sub-clovers (**PROV VPRS16291/P/0001/000010, Preliminary Report**) and the tree cover in 1945 comprised only a few red gums on the Merrang Pre-Emptive Right east of the Hopkins River (**PROV VPRS16291/P/0001/000010, Preliminary Report**). Across the rest of Merrang Station the predominantly white gum trees had all been cleared and the small surviving plantations were insufficient to service a Soldier Settlement Estate (**PROV VPRS16291/P/0001/000010, Merrang Estate Plan**).

Following negotiations with the Soldier Settlement Board the Trustees of Merrang Station were able to reduce the government acquisition of their property to approximately 2,617 acres (**PROV VPRS16291/P/0001/000010, Letter from Secretary Soldiers Settlement Commission**) (**Figure 50**). By the conclusion of the Government survey the size of the land being acquired was increased to a little over 2,862 acres (including enclosed roads) which alteration prompted the disgruntled Trustees to begin legal action intended to question the validity of the Soldier Settlement Act. The legal action taken by Merrang was not pursued very far however as in 1948 ownership of the property was transferred to the Government (**Certificate of Title, Volume 4090/Folio 913**).

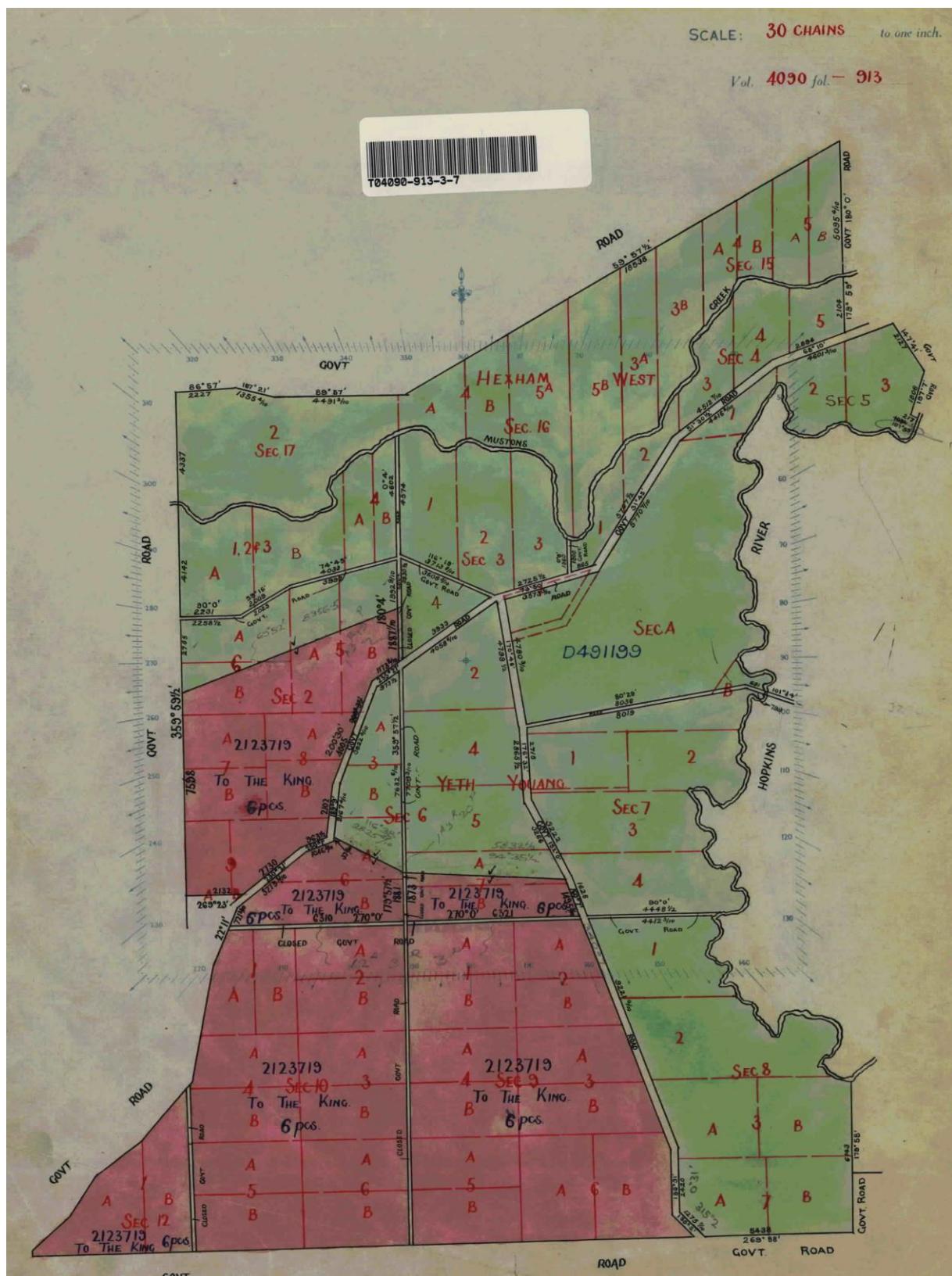


Figure 50 Detail of plan of Merrang Estate following the transfer of land to the Soldiers Settlement Commission 6 February 1948. The land coloured green was retained by the Estate of RAD Hood and the land acquired by the Soldiers Settlement Commission is coloured red (Certificate of Title, Volume 4090/Folio 913)

The greater rigour in assessing and monitoring applications to the Soldiers Settlement Board following the 1925 Soldiers Settlement Royal Commission findings meant that an initial intention to subdivide Merrang into 5 Allotments (**PROV VPRS16290/P/0001/000035**) (**Figure 51**) was changed to 4 Allotments to ensure a living could be earned from each holding. The four successful applicants for the Merrang Allotments were (**PROV VPRS016290/P/0001/UNIT000132 Merrang**) (**Figure 52**):

- Lot 1, 710 acres, William Henty Cumming of Moornong Camperdown
- Lot 2, 670 acres, John Wynd Ellerslie
- Lot 3, 755 acres ,Howard James McRae Ellerslie Victoria
- Lot 4, 682 acres, Thomas Malcolm Daffin of "Illira" Ellerslie via Terang

As with the Coomete and Barwidgee Stations, for each of the Merrang Soldiers Settlement Allotments extensive records and property plans survive that document in detail the improvements made by both the Soldier Settlement Commission before the initial sale to ensure adequate resources were provided to each property, and by the land holder once occupation had begun. An assessment of the progress of a new settler was made by the Soldier Settlement Commission during the interim lease period for the property and later as part of the valuation to calculate the settler's debt. Following the issuing of the purchase lease, soldier settlers were required to submit regular accounts of both their financial and physical input into their property and the returns they were receiving from it (**PROV VPRS/P/0001/000010**).

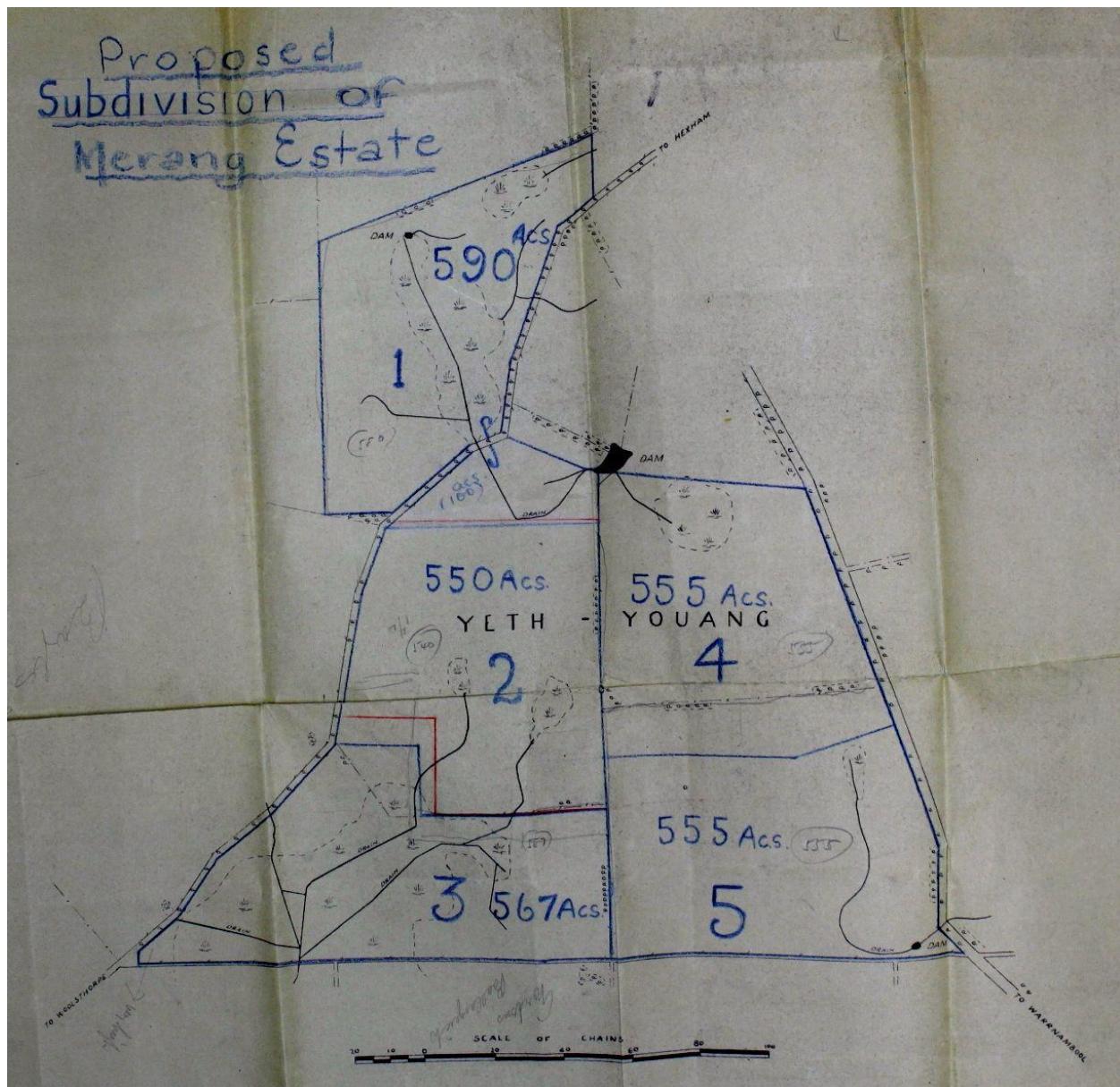


Figure 51 Detail of early proposed subdivision of Merrang Soldier Settlement Estate c1948 (PROV VPRS16290/P/0001/000035)

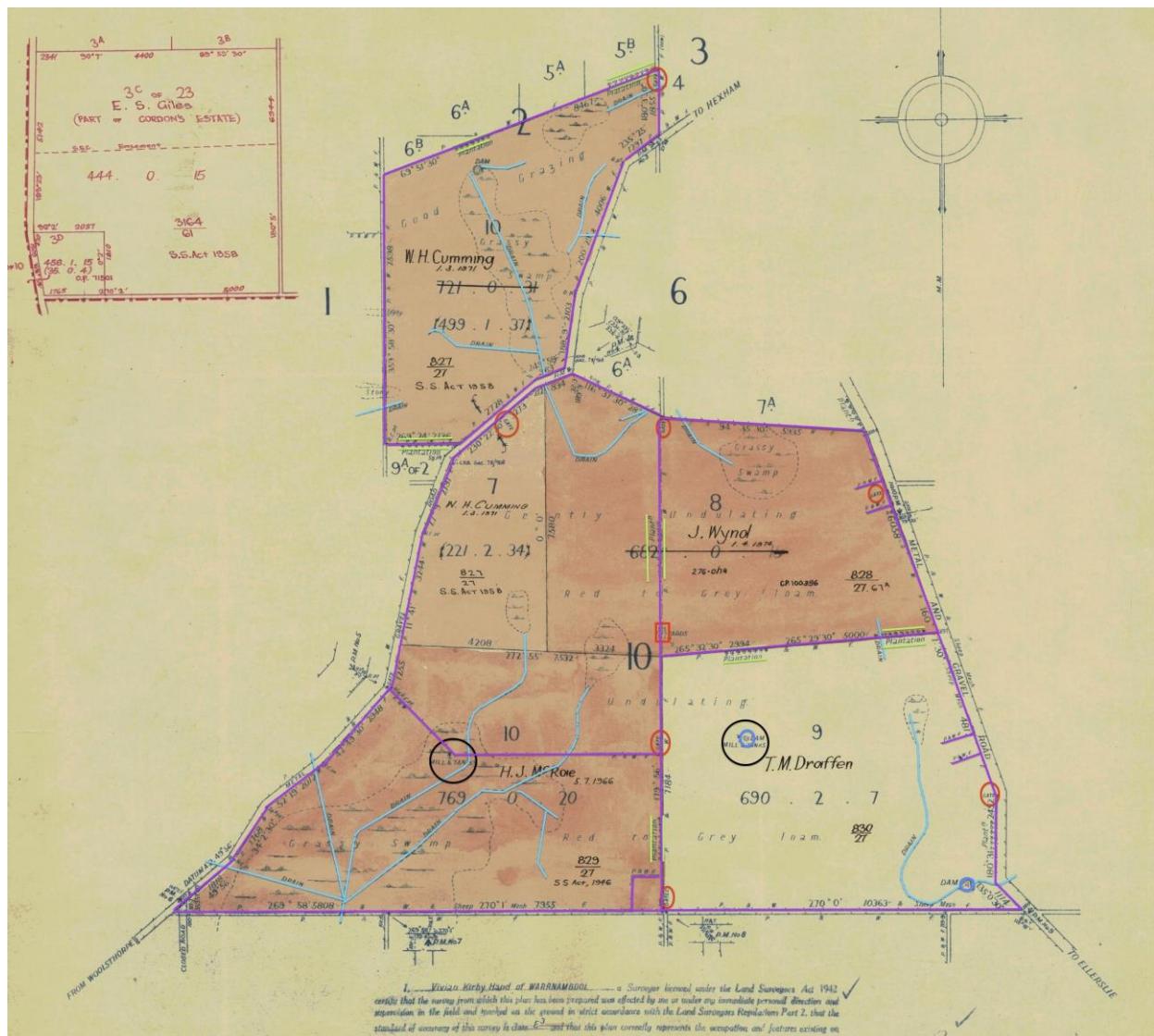


Figure 52 Detail of plan of the Merrang Soldier Settlement Estate. Existing improvement include drainage of swamp highlighted with light blue lines, dams highlighted with dark blue circles, gates highlighted with red circles, plantations highlighted with two green lines, fencing highlighted with purple lines (PROV VPRS)

Barwidgee Estate

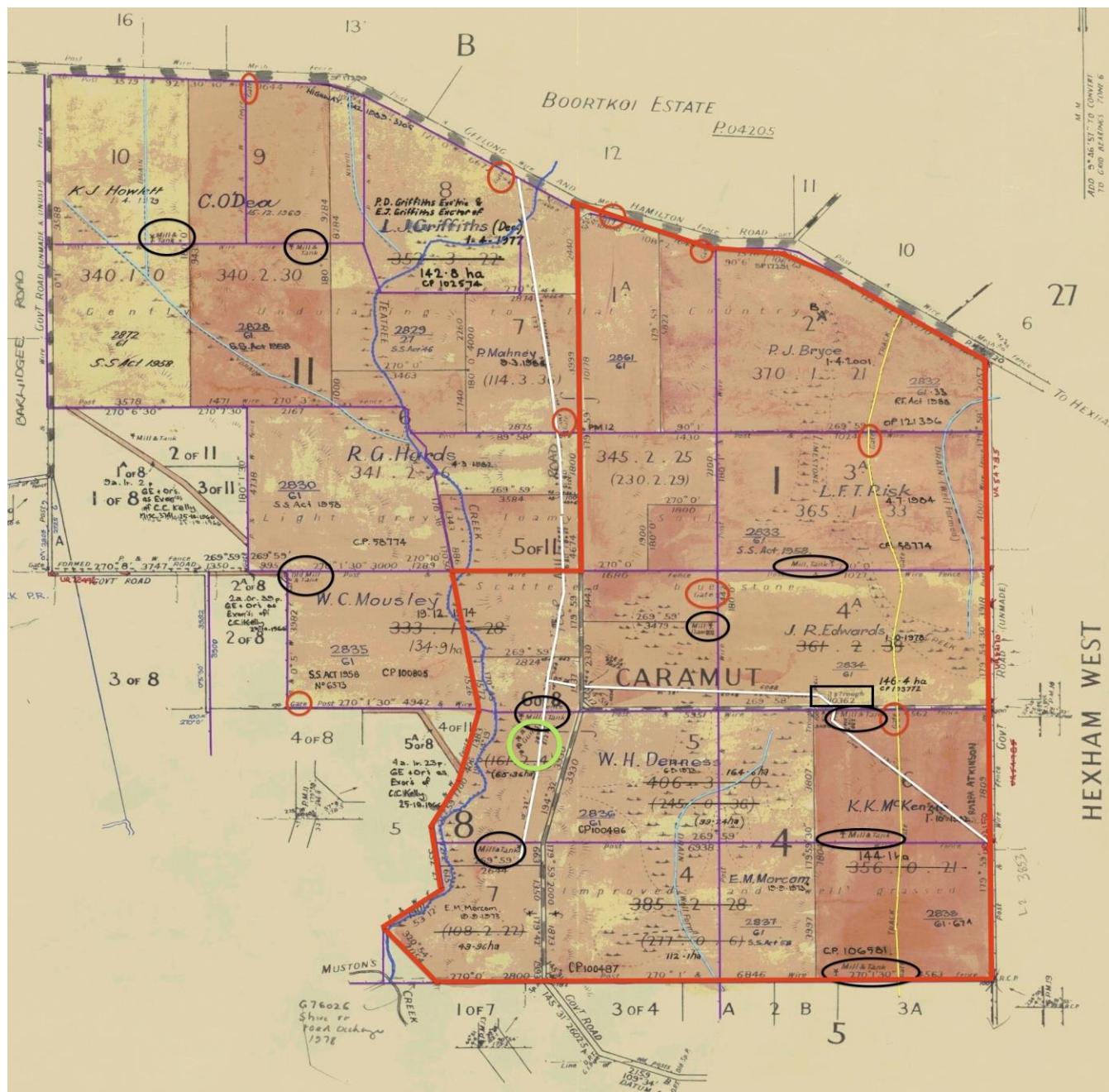


Figure 53 Detail of a plan of the Barwidgee Soldier Settlement Estate c1957. Features highlighted on the map include the Tea Tree Creek highlighted with a dark blue line, drains highlighted with light blue lines, post and wire fences highlighted with purple lines, gates highlighted with red circles, mills and tanks (or dam) highlighted with black circles and a mill and trough with a black rectangle. Old tracks are highlighted with a yellow line and SEC power lines are highlighted with white lines. An area marked 'gums' is highlighted with a green circle. The estimated portion of the Soldier Settlement Estate that forms part of the activity area is outlined with a thick red line (PROV VPRS16171/P0002/Plans Barwidgee Estate (Soldier Settlement))

Barwidgee Station was broken up into at least 10 Soldier Settlement Allotments taken up by at least 8 individual settlers at least two of whom took on more than one Allotment likely to ensure a substantial sized holding. The successful applicants for the Barwidgee Estate were: EM Morcom, WH Denness, KK McKenzie, JR Edwards, LFT Risk, PJ Bryce, WC Mousley and R Mahney (**Figure 53**).

Of the approximately 10 Barwidgee Soldier Settlement Allotments, 8 of them appear to be located or partly located, within the activity area. Before a settler was able to enter into a purchase lease agreement, the Soldier Settlement Commission had to be satisfied as to the potential and demonstrated performance of a settler during and before the interim lease period. Moving from an interim lease to a purchase lease was not a guaranteed process for a settler and should the Soldier Settlement Commission not be satisfied as to the viability of a settlers prospects they could, and did, refuse to grant a purchase lease. Barwidgee Settlers McKenzie and Denness were refused their purchase leases until the sale of their 1961 wool clip due to their financial circumstances as they were under a wool lien (**PROV VPRS16290/P0001/164**).

Before the issuing of an interim lease an assessment was made of a property including improvements, description of land, soil type and an estimate of what improvements might be required to bring the land under production and what the property should be insured for. The process of assessment took several years, for example, McKenzie's Allotment was assessed and estimates established in 1957, a declaration of improvements and property value was submitted by McKenzie in 1960 and a related field check conducted the same year. A further declaration of improvements was made on 21 December 1961 followed by another inspection and valuation on which to base the conditions of the purchase lease which was issued to McKenzie 1 October 1962 (**PROV VPRS16290/P0001/164**).

At the same time that McKenzie received his purchase lease one was issued to Morcom and Hands and exactly a year earlier on 1 October 1861 the same had been issued to Bryce, Denness, Edwards and Mahney. The exception to the program was Leslie Risk whose purchase lease was issued 1 April 1862 (**PROV VPRS16290/P0001/164**).

As Soldier Settler families grew and those able to remain bunkered down on their Allotments the surrounding townships began to reap some benefits from the growing population "...triggering demands for new services and infrastructure, such as schools, churches, health care and public halls" (**Doyle & Context 2006**: 35). The visual landscape was modified also by the Soldier Settlement Allotments, the dwellings on which were built close to the road to avoid the expense of constructing a long driveway and were therefore more visible and "...built in oatmeal brick or weatherboard with a characteristic oatmeal-brick chimney..." (**Doyle & Context 2006**: 35).

Speaking in relation to Caramut just north of the activity area, Soldier Settlement researcher Jim Affleck described the scheme as playing "a key role in the town's development with the influx of residents reflected in the growth of sporting clubs, community organisations, school numbers, business opportunities and strong social connections forged" (Affleck in **McLaren 2018**).

Post Soldier Settlement

Advances in science and technology that had enabled soldier and closer settlers to profitably farm relatively small Allotments in the Western District introduced efficiencies to the extent that in the post Soldier Settlement period, "...the trend for closer settlement...reversed, with many soldier settlement blocks amalgamated in order to make them more productive and profitable" (Doyle & Context 2006: 31).

Although the size of farm holdings in the Western District may have expanded and contracted, the nature of the activity across the area has changed little since the introduction of the Soldier Settlement Scheme and the landscape of the activity area has much the same appearance as it did in the mid twentieth century. Significant elements of the built infrastructure related to the Soldier Settlement Scheme are still present on the activity area including 6 Soldier Settlement farmhouse sites on part the Barwidgee Soldier Settlement Estate. If not the original Soldier Settlement buildings the existing farmhouses are located at the sites of the original buildings (PROV VPRS16290/P0001/164). The other two farmhouses remaining on the Estate within the activity area are likely also located at the original Soldier Settlement house sites and may be the original buildings however maps of those Allotments were unavailable to view (Figure 54).



Figure 54 Detail of Google Map Image of the part of the Barwidgee Estate encompassed by the activity area, 2014. The approximate and general area of the Barwidgee Estate located within the activity area is outlined with a white line and the location of homesteads known to correspond with plans of showing the location of the Soldier Settlement homesteads of Mahney, Bryce, Risk, Mousley, Edwards and McKenzie are highlighted with red, blue, orange, purple, white and green circles respectively (Google Earth Pro, 26 January 2014)

2.3 Historical Heritage and Historical Archaeological Background

2.3.1 Previous Archaeological and Heritage Studies

A search (18.01.2023) of the Heritage Victoria report catalogue under the terms Caramut, Hexham, Mortlake and Moyne Shire found no previous historical heritage assessments have been conducted in the activity area. Three cultural heritage assessments on ACHRIS have included an historical archaeological component for the Mortlake Gas Plant / Power Station project (**Schell & Howell-Meurs 2005a & b; Schell 2007**). No new historical archaeological sites or areas of archaeological potential were recorded during these two previous investigations. The activity area has been subject to minor levels of previous historical archaeological survey and indeterminate amounts of assessment for extant historical sites. Moyne Shire has prepared a large heritage study across the municipality (**Doyle & Context 2006**). No survey of the activity area was conducted and no historical sites within the activity area were identified.

2.3.2 Heritage Registers

A search (18.01.2023) of the activity area on the Victorian Heritage Register, the Victorian Heritage Inventory, the Australian Heritage Database, the National Trust of Victoria Register and the Moyne Shire Heritage Overlay shows that there are no listed historical archaeological sites in the wind farm activity area. Part of one registered historical heritage place is within the activity area boundary being H1700 – Stone Mileposts (Milepost B & C). **Map 3** shows all the historical heritage places within a 200m buffer from the wind farm activity area boundary and along access routes. These historical heritage places include (Appendix 2):

- **H0322 – Merrang Homestead (within 200m of the activity area boundary)**
This historical place is on the Australian Heritage Database (AHD3793), the Victorian Heritage Register (H0322) and Moyne Shire Heritage Overlay (HO4). This place is considered of architectural, historical and aesthetic significance to the State of Victoria. The extent of the listing applies to all of the area known as MERRANG HOMESTEAD located at 1830 Woolsthorpe – Hexham Road, Hexham. The historical place is east of the Woolsthorpe – Hexham Road while the activity area is to the west.
- **H1856 – Burchett Creek Bridge (within 200m of the activity area boundary)**
The bridge is on the Victorian Heritage Register (H1856), the Moyne Shire Heritage Overlay (HO35) and the National Trust of Victoria Register (B7057). The disused bridge is situated on Burchett Creek south of the modern Hamilton Highway in the road reserve and immediately north of the activity area boundary. Its location on VicPlan and the ACHRIS database is erroneously shown 120m south within the activity area boundary. The photos in the place record clearly show the bridge in the road reserve and therefore outside the activity area.
- **H1700 – Stone Mileposts (within the activity area, within 200m of the activity area boundary and along access routes)**
The stone mileposts are on the Australian Heritage Database (AHD101568), the Victorian Heritage Register (H1700) and the Moyne Shire Heritage Overlay (HO37). The extent of the listing notes, “The entire collection of stone mileposts on Warrnambool Caramut Road and Keillors Road between Woolsthorpe and Caramut,

including all of the structures' foundations, as marked B1 (B4 on Diagram 603345 held by the Executive Director, within a 100 metre radius of Australian Map Grid coordinates XC333971 on 1:25 000 map sheet number 7422-3-S (B1), 631250E & 5787750N Zone 54 (B2), 632500E & 5787500N Zone 54 (B3), 625500E & 5773500N Zone 54 (B4) and 633500E & 5796500N Zone 54 (B5). The Stone Mileposts on the Warrnambool Caramut Road and Keillors Road are of historical and architectural significance to the State of Victoria.

Based on the record on the VHD all of the stone mileposts are within the road reserves, except for Milepost B.

Milepost A is approximately 1.3km northwest of the activity area in the Warrnambool-Caramut Road reserve.

Milepost B is within the activity area northeast of the intersection of Warrnambool – Caramet Road and Keillors Road.

Milepost C is in the activity area in the Keillors Road reserve.

Mileposts D to G are in the Warrnambool-Caramut Road reserve more than 2km from the activity area.

Milepost H and I are at Woolsthorpe more than 11km from the activity area.

- **H1457 – Youl's Creek Bridge (within 50m of access route)**

The bridge is on the Victorian Heritage Register (H1457), the Moyne Shire Heritage Overlay (HO34) and the National Trust of Victoria Register (B0788). The bridge is a small bluestone bridge built in 1856 on the Caramut-Warrnambool Road approximately 6km west of the activity area.

- **H2145 – Former Temperance Hall (within 50m of access route)**

The hall is on the Victorian Heritage Register (H2145) and the Moyne Shire Heritage Overlay (HO42). The hall is located in Roger Street, Hexham. It is of historical and architectural significance to the State of Victoria. The hall is approximately 800m north of the activity area and 200m north of the Hamilton Highway.

Based on the infrastructure layout assessed in the background assessment, the proposed Hexham Wind Farm is not expected to harm or otherwise impact any of the known historical heritage places because none of the infrastructure is near any of these places. Any future change in the infrastructure layout will need to consider the location of the registered historical heritage places and avoid them. Furthermore, it is anticipated that additional fieldwork assessment will be conducted when the infrastructure layout is updated. This fieldwork will also inform the infrastructure layout and avoid impact to known historical heritage. Prior to the additional fieldwork the survey provision of the *Heritage Act 2017* (amended February 2024) will apply and a Notice of Intent form and survey report will be required (Section 126A).

2.3.3 Site Prediction Model

The desktop evidence has been used to formulate a historical heritage prediction model for the activity area. This model predicts the likely historical heritage values from the different historical periods that may be present.

Squatting Period (1840s – 1860s)

- Tracks between runs: Evidence of tracks between runs is unlikely to remain as they have been either eroded or ploughed away.
- Outstation huts: Evidence of outstation huts is unlikely to remain as they were temporary structures which were often moved or left little evidence of their existence after they were abandoned.
- Plough boundaries: These boundaries were temporary and ephemeral and are likely to have been eroded or ploughed away.

Large Pastoral Estates (1860s – 1910s)

- Pre-Emptive Right: The Ware Pre-Emptive Right block is in the activity area but no wind farm infrastructure is proposed.
- Homesteads: no homesteads are recorded near any proposed infrastructure in the activity area
- Farm infrastructure (tracks, fencing, woolsheds, windmills, dams, bores, stockyards, dips, huts): evidence of many of these structures are likely to have survived, in particular, if they have continued in use, or are substantial features that have not been destroyed, or are abandoned.

Land Selection: Land Acts and Closer Settlement (1860s – 1910s)

- Houses and farm infrastructure: The majority of the land was selected and incorporated into the large pastoral estates, therefore, historical heritage from this period will be limited.

Soldier Settlement (1920s – 1960s)

- Houses and farm infrastructure: Several soldier settlement land selections are known in the activity area. Both existing and abandoned houses near roadways may be associated with this period along with farm infrastructure provided by the soldier settlement scheme along with improvements to the land in the 1950s and 1960s required for the successful occupation and eventual ownership of the land. Farm infrastructure may include fencing, dams, and artificial drains

2.4 Conclusions

The desktop assessment has demonstrated that:

1. On the Victorian Heritage Register there are two components of H1700 [Stone Mileposts] in the activity area. Milepost B is located northeast of the intersection of Warrnambool-Caramut Road and Keillors Road. Milepost C is located in the Keillors Road reserve.

2. There are no other registered historical places in the activity area.
3. On the Victorian Heritage Register there are three places within a 200m buffer of the activity area boundary comprising H0322 [Merrang Homestead] and H1856 [Burchett Creek Bridge].
4. There is potential for historical heritage from different periods to be present, although historical heritage from the Squatting period is considered to be less likely to be present than from the Pastoral Estate, Land Selection and Soldier Settlement periods.
5. The majority of the activity area has not been subject to previous ground surface survey.
6. It is reasonably possible that historical archaeological sites are present in the activity area.
7. There is potential for the project to impact unknown historical archaeological sites.

3 FIELDWORK – SURVEY ASSESSMENT

3.1 Aims

The aim of the ground surface survey was to detect the presence of historical heritage in the infrastructure zone.

3.2 Field Methodology

3.2.1 Time Frames

Three phases of fieldwork have been conducted:

1. An initial site visit was conducted on 19 May 2011.
2. A ground surface survey was conducted from 24 June to 18 July 2019.
3. A ground surface survey was conducted from July 2025

3.2.2 Personnel

The personnel were as follows:

1. Phase 1 was conducted by Andrew Morris and Andrea Murphy (TA)
2. Phase 2 was conducted by Stewart Thomson and Paolo Dall’Oste (TA)
3. Phase 3 was conducted by Daniel Juers, Elena Naumacev, Richard Stringer and Solomon Whitehouse (TA).

3.2.3 Materials and Methods

Phase 1

The site visit was restricted to a vehicle inspection of all existing roads within the proposed Wind Farm area which were trafficable (several roads were not traversable due to recent heavy rains) and roads indicated as future access routes within 6km of the activity area as shown in **Murphy and Morris (2011: 39, Map 8)**. Private land was not entered during the brief field inspection.

The aims of the visit were to:

- Assess the area in terms of prior disturbance
- Assess the area in terms of archaeological potential for historical places and historical archaeological sites

Phase 2

The ground survey was conducted in a systematic manner and in accordance with proper archaeological practice (**Burke & Smith 2004**) and in accordance with Heritage Victoria’s *Guidelines for Conducting Historical Archaeological Surveys*. Systematic sampling was conducted in order to assess 100% of the proposed infrastructure areas in wind farm layout v165. The survey was conducted on foot by walking linear transects. A handheld dGPS was brought along during the survey in case historical heritage was found so that the location

could be recorded to sub-meter accuracy. Areas not surveyed included land not to be impacted by the development, and land where the proposed infrastructure has been revised since the survey was conducted (see Phase 3 below).

Phase 3

The ground survey was conducted using the same methodology as Phase 2 based on the v165 wind farm layout. The Phase 3 fieldwork was based on the version v183 of the wind farm layout. Prior to conducting the survey, a GAP analysis of the layouts from 2019 and v183 was conducted to determine the areas that required survey.

A small area subsequently added to the activity area along the road reserve from the intersection of Warrnambool-Caramut Road and Keillors Road to the site entrance was not subject to a pedestrian survey.

3.2.4 Definition of Sites and Site Boundaries

Sites were defined by the presence and absence of cultural material on the surface and any areas assessed as likely to contain historical archaeology.

3.3 Survey Coverage

Phase 1

Ground surface visibility was generally extremely poor (<1%pm²) across all of the activity area visible from public roadways, with paddocks being composed of pasture grasses and the occasional remnant native vegetation and re-growth (**Plate 1**).

Phase 2

Ground surface visibility was generally poor across the entire activity area with patches of excellent visibility in disturbed areas. These areas included, for example, recently ploughed paddocks, exposed ground along access tracks and areas exposed by stock trampling (eg tracks, gates & rubs).

Phase 3

Ground surface visibility was generally good to excellent. Extended recent drought meant that ground surface visibility was better than the ground surface visibility encountered during Phase 2. Excellent ground surface visibility was encountered at recent disturbances in recently ploughed paddocks and along stock tracks, gates, informal and formed tracks, and around infrastructure.

3.4 Results

Phase 1 – Site Visit

The activity area is generally flat or gently undulating, with several wide river valleys associated with the Hopkins River and Mustons Creek (**Photos 2 - 5**). Structures present within the activity area are mainly associated with agricultural utilitarian uses (sheds, stock

runs, cattle troughs, fences, stock yards etc) or rural domestic dwellings (**Photo 6**). However, pertinent to the external access roads are historical bridges adjacent to modern structures (**Photo 7 & 8**), and stone mileposts (**Photo 9**) (although two stone mileposts are recorded as being within the activity area). Despite the activity area's position within the western volcanic plains, no dry stone walls were observed during the site visit, and isolated outcrops of basalt were located only in association with heavily eroded river and creek banks (**Photo 5**). No prominent stony rises were observed within the activity area, therefore reducing the potential for historical dry stone walls and other features constructed from basalt floaters.

Photo 1

Boonerah Road facing west: typical vegetation throughout the activity area, paddock grasses and occasional remnant native vegetation.



Photo 2

Intersection of Coonewarren Lane and the Hopkins River, facing north: wide flat floodplains surround the river.



Photo 3

Woolsthorpe-Hexham Road, facing east: overlooking Hopkins River basin, note the expansive floodplains.



Photo 4

Woolsthorpe-Hexham Road, facing west: overlooking Mustons Creek basin, note the expansive floodplains.



Photo 5

Woolsthorpe-Hexham Road facing west overlooking Mustons Creek basin. Note the exposed basalt face at the crest of the upper bank.



Photo 6

Merrang Homestead Entrance Lodge, 1830 Woolsthorpe-Hexham Road. Construction started 1859. (H0322, HO4).



Photo 7

Burchett Creek Bridge (H1856, HO35) on the old Hamilton Highway 2.1km east of Caramut over the Burchett Creek. Bridge dates to the late 1870s.



Photo 8

Youl's Creek Bridge (H1457, HO34) over Youl's Creek on the Caramut-Warrnambool Road, 20.7km south of Caramut. Bridge dates to 1856.



Photo 9

Historical stone mileposts (H1700, HO37) at various locations on the Warrnambool-Caramut Road and Keillors Road, erected 1864.



Phase 2

No historical sites were identified or recorded within the surveyed areas. Proposed wind farm access tracks will follow existing farm tracks where appropriate. These farm tracks are typically formed dirt roadways with graded earthen invert drains on both sides. The majority of the activity area has been modified by various works such as ploughing, stone aggregation, construction farm tracks, paddock bedding (humps & hollows), fence building, land clearing, etc. Ground surface visibility varied from very poor in grassed / cropped areas to excellent in recently ploughed paddocks. No surface scatters of historical artefacts or surface evidence of buried historical features (eg, foundations of structures, original tracks) were found.

Photo 10

View along access track, facing south. Note track is formed with earthen inverts along both sides. Excellent ground surface visibility along track, very poor in paddocks.



Photo 11

View along access track, facing east. Excellent ground surface visibility along track, but very poor elsewhere.

**Photo 12**

View toward Mustons Creek, facing southeast. Note excellent visibility on track which is raised and formed. There is a rocky outcrop (red arrow) on the edge of the terrace of Mustons Creek.

**Photo 13**

Typical wind turbine location in flat paddock, facing west. Note the furrows from ploughing for pasture improvement. Stone aggregation has likely also occurred as there is a small pile of basalt floaters in the background right of the picture (red arrow).



Photo 14

Mustons Creek crossing,
facing south.

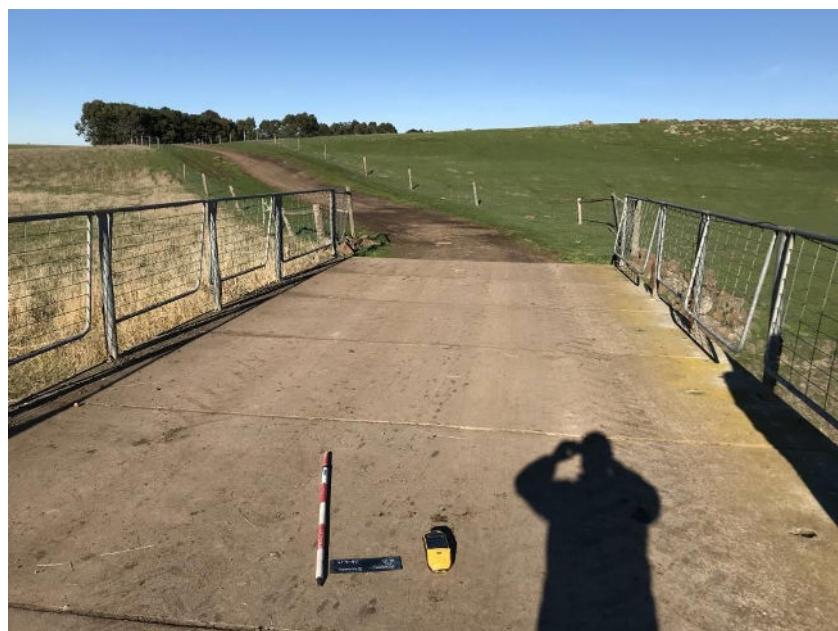


Photo 15

Example of excellent
ground surface visibility in
a ploughed paddock,
facing north.



Photo 16

Example of existing track.
View along proposed
powerline route, facing
west. Very poor ground
surface visibility in
adjacent paddocks.



Photo 17

Very poor ground surface visibility in paddock. Note humps and hollows (bedding) ground treatment to mitigate waterlogging of soils.



Photo 18

Example of stone aggregation from paddock improvement.



Photo 19

Example of artificial drainage line cut to drain low-lying land.



Photo 20

Example of very poor ground surface visibility in paddock with gilgai, facing north.



Photo 21

Flooded access track east of Cooramook Lane, facing south.



Photo 22

Example of excellent ground surface visibility in recently ploughed paddock off Narong Lane and east of Limestone Creek, facing north.



Photo 23

Stone ford (recent) across Limestone Creek, facing southwest.



Phase 3

No new historical sites were identified or recorded within the surveyed areas. Two components of previously registered historical site H1700 [Stone Mileposts] was inspected. Only milepost C was able to be relocated (Photo 24, Map 4). Ground surface visibility varied from good to excellent due to recent extended drought conditions and at recent disturbances in recently ploughed paddocks and along stock tracks, gates, informal and formed tracks, and around infrastructure. No surface scatters of historical artefacts or surface evidence of buried historical features (eg, foundations of structures, original tracks) were found.

Photo 24

H1700 Stone milepost C.
Condition in July 2025.
For condition in 2011 see
Photo 9.



Photo 25

Location of a proposed concrete batching compound adjacent to the northwest site compound showing good ground surface visibility.



Photo 26

Location of a proposed wind turbine. Recently sown crops with good ground surface visibility.



Photo 27

Location of a proposed wind turbine. Very good ground surface visibility.



Photo 28

Location of a proposed wind turbine in paddock with recently sown beans. Excellent ground surface visibility.



Photo 29

Location of a proposed site compound near turbine 43. Very good ground surface visibility.



Photo 30

Example of stone removal and aggregation.



Photo 31

Proposed access from Woolsthorpe-Hexham Road to proposed overhead power lines.



Photo 32

Recently ploughed drought affected grasses. Good ground surface visibility.



D

Photo 33

Location of proposed turbine. Ground exposed by cattle. Very good ground surface visibility.



Photo 34

Location of proposed met mast on an elevated stony rise. Good ground surface visibility.



Photo 35

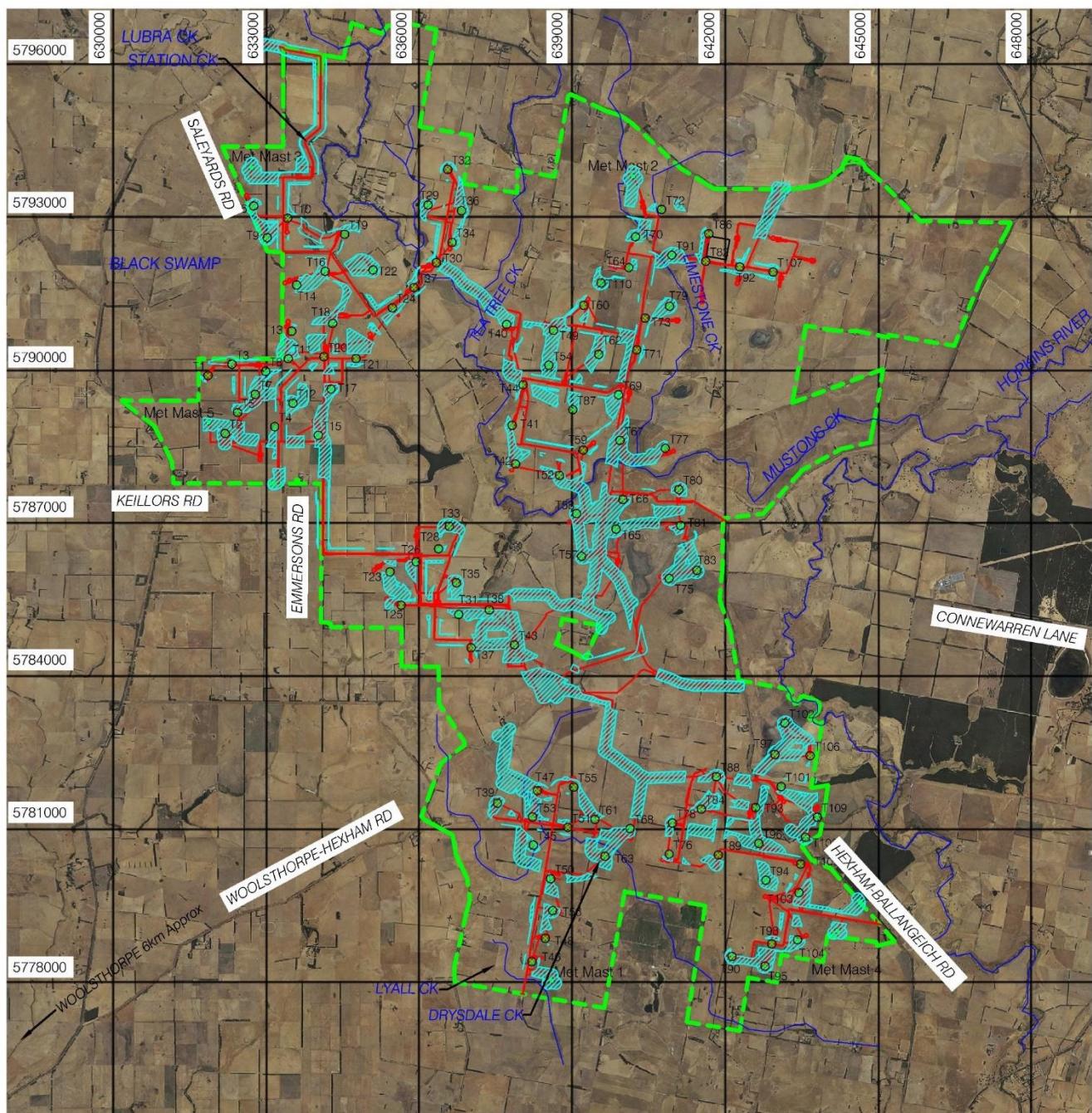
Location of a proposed concrete batching compound. Good to excellent ground surface visibility.



Photo 36

Location of a proposed turbine. Very good ground surface visibility.





Legend:

Activity Area Boundary
16,103 hectares (approx)

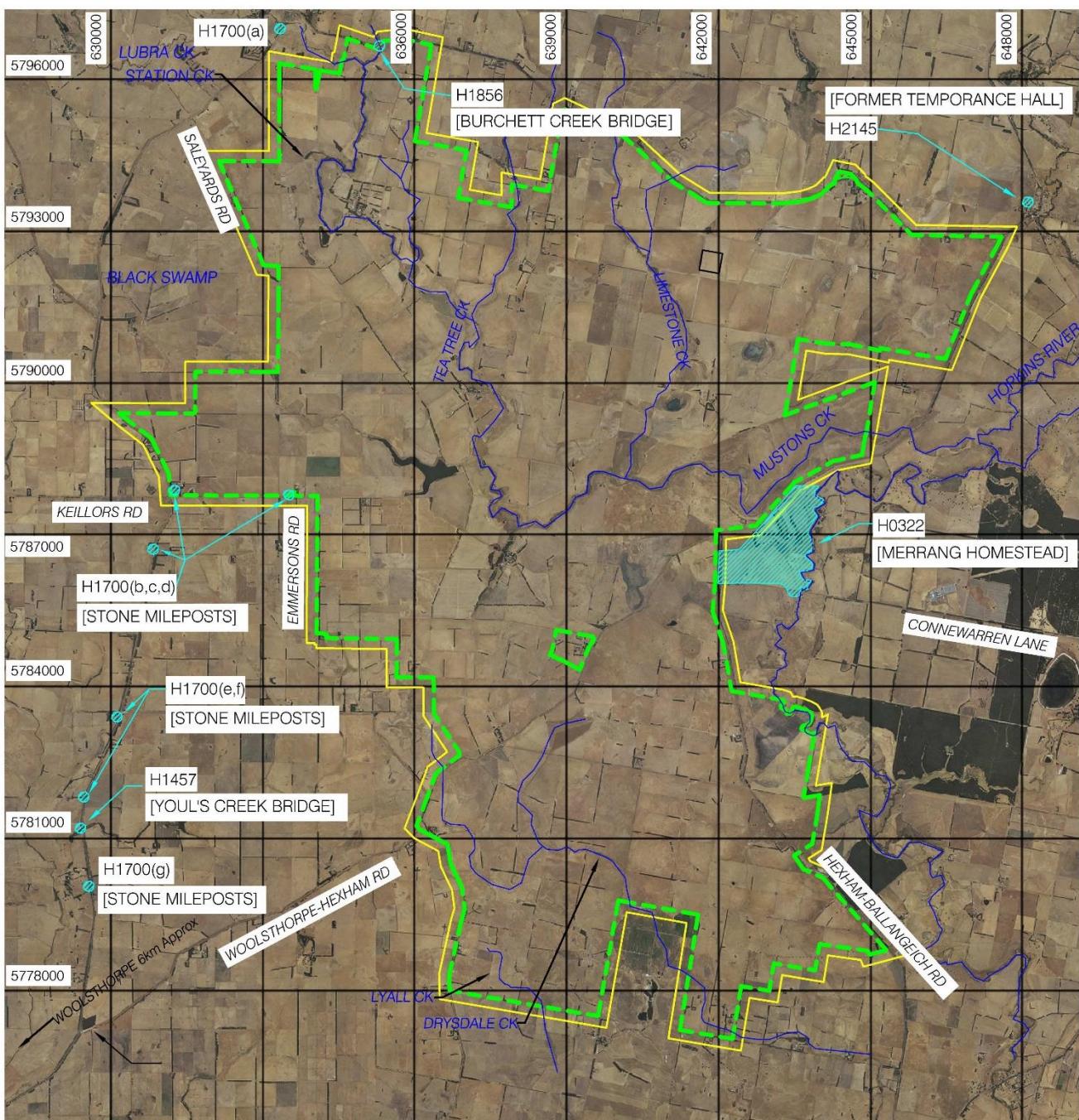
Turbine
Meterological (MET) Mast

Scale of Kilometres
0 1 2 3
N
GDA94
MGA Zone 54

Infrastructure

Survey Area 2025

Map 3 Wind Farm Layout v183 and Ground Survey 2025



Legend:

-  Activity Area - Wind Farm
16,103 hectares (approx)
-  Activity Area 200 metre buffer
-  Waterway

Hxxxx  = Victorian Heritage Register Number

0 1 2 3
Scale of Kilometres



Map 4

Registered Historical Heritage Places in Relation to the Activity Area

4 DISCUSSION AND INTERPRETATION

No previous ground surface survey or detailed recording for historical heritage places and historical archaeological sites has occurred within the wind farm activity area, and only limited survey has been conducted along access routes (eg for the Mortlake Power Station). Therefore, the historical values within the activity area were poorly known and undocumented. No historical heritage places or historical archaeological sites were identified in the surveyed infrastructure areas. Within the surveyed areas, it is considered unlikely that unknown historical heritage places or historical archaeological sites will be impacted by the project. A small area subsequently added to the activity area along the road reserve from the intersection of Warrnambool-Caramut Road and Keillors Road to the site entrance was not subject to a pedestrian survey.

Based on the evidence from this investigation, the following statements can be made:

- There are no known historical archaeological sites within the activity area.
- Part of one registered historical heritage place is in the activity area:
 - H1700 – Stone Mileposts
 - Milepost B is located northeast of the intersection of Warrnambool – Caramut Road and Keillors Road
 - Milepost C is located in the Keillors Road reserve
- Two historical heritage places are within the 200m buffer of the activity area boundary:
 - H0322 – Merrang Homestead
 - H1856 – Burchett Creek Bridge
- Two historical heritage places and part of one historical heritage place are located within 50m of nominated access roads:
 - H1457 – Youl's Creek Bridge
 - H1700 – Stone Mileposts – Mileposts D to G
 - H2145 – Former Temperance Hall
- No early farming sites such as dwellings, sheds, dairy, stock yards, wells, etc, were identified during the fieldwork.
- Historical heritage places associated with early infrastructure (eg bridges) appear to be limited to early road routes where there has been no extensive modification.
- The background review, site visit and survey conducted to date for this assessment has not found any documentary or surface evidence for any unknown historical archaeological sites within the area that was surveyed. This does not mean that there is no subsurface historical archaeological heritage in the surveyed areas, however, the lack of evidence to date means that the likelihood is low.

5 LEGISLATIVE REQUIREMENTS

Local Government

All Victorian municipalities are subject to land use planning controls governed by the *Planning and Environment Act 1987* which is administered by State and Local Government authorities. These planning controls include historical places which may be listed on the local planning scheme Heritage Overlay. Heritage Overlays include places of local significance and places included in the Victorian Heritage Database. The aim of the Heritage Overlay is to assist in protecting the heritage of municipalities. Municipal Councils are responsible for issuing planning permits for the development of heritage places under the *Planning and Environment Act 1987*.

The Moyne Shire has a policy framework that requires planning to take into consideration heritage sites and to protect places and sites with significant cultural heritage value. These strategies provide for the conservation and enhancement of places which are of aesthetic, archaeological, scientific, architectural, cultural, scientific or social significance or otherwise of special cultural values. These criteria respond to those defined in *The Burra Charter (ICOMOS 1999)*, an internationally recognised and adopted charter for the identification and assessment of cultural heritage sites.

The Moyne Shire Planning Scheme Heritage Overlay states that its purpose is to implement the Municipal Planning Strategy and the Planning Policy Framework. This is to conserve and enhance heritage places of natural or cultural significance and to conserve and enhance those elements which contribute to the significance of heritage places. The Moyne Shire Heritage Overlay aims to ensure that development does not adversely affect the significance of heritage places and to conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place. The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places are shown on the planning scheme map. The planning scheme specifies the triggers for when a planning permit is required for works within a Heritage Overlay.

State Government

Heritage Act 2017

Historical archaeological sites in Victoria are protected by the *Heritage Act 2017*. The following is a summary of the latest statutory obligations regarding historical archaeological sites:

- A person who intends to undertake an investigation or a survey of land for the purpose of discovering an archaeological site must notify the Executive Director of the person's intent before the commencement of the investigation or survey under Section 126A of the Act.
- All historical archaeological sites in Victoria (not included on the Heritage Register) are protected under Section 123 of the *Heritage Act 2017*. Under this section it is an offence to excavate, damage or disturb relics and sites whether they are included on the Heritage Inventory or not, unless a consent has been issued under Section 124;

- Under Section 127 of the *Heritage Act 2017* any person discovering or uncovering an archaeological relic is required to report the discovery to the Executive Director of Heritage Victoria;
- Section 23 of the *Heritage Regulations 2017* prescribes fees for application for consents to undertake works or activities in relation to archaeological sites or archaeological artefacts.

All historical archaeological sites in Victoria are protected by the *Heritage Act 2017*. All known archaeological sites are listed in the Heritage Inventory. Regardless of whether they are listed in the Inventory or not, no one can knowingly excavate or disturb an archaeological site without the consent of the Executive Director.

Known historical archaeological sites are listed in two ways. Sites determined to be of significance to the State are included on the Victorian Heritage Register (VHR). The VHR was established to protect and conserve places and objects of significance to the State of Victoria. All other historical archaeological sites are protected under the blanket protection, with all known sites included on the Victorian Heritage Inventory (VHI). Works to disturb, destroy or excavate a site requires consent (or consent exemption) from the Executive Director of Heritage Victoria.

- In relation to a place on the Victorian Heritage Register, a person may apply to the Executive Director for a permit to carry out works or activities in relation to the registered place under Section 93 of the Act.
- In relation to an archaeological site recorded in the Heritage Inventory, a person may apply to the Executive Director for a consent authorising the person the damage or disturb the site under Section 124 of the Act.

Consultation with Heritage Victoria, Department of Transport and Planning, should occur prior to lodgement of a Consent application to disturb or destroy a historical archaeological site on the Victorian Heritage Inventory or a Permit to impact a historical heritage place on the Victorian Heritage Register. In the event of a historical archaeological feature or artefact is uncovered or discovered during works, any works that would damage the historical feature or artefact should cease and either the consulting archaeologist or Heritage Victoria be notified.

Environment Effects Act 1978

The *Environment Effects Act 1978* provides for assessment of proposed projects (works) that are capable of having a significant effect on the environment. The Act does this by enabling the Minister administering the Environment Effects Act to decide that an Environment Effects Statement (EES) should be prepared. The Minister might typically require a proponent to prepare an EES when:

- there is a likelihood of regionally or State significant adverse effects on the environment
- there is a need for integrated assessment of potential environmental effects (including economic and social effects) of a project and relevant alternatives, and
- normal statutory processes would not provide a sufficiently comprehensive, integrated and transparent assessment.

A final assessment of the effects of a proposal requiring an EES is provided to relevant decision-makers by the Minister to enable them to make decisions about a proposal in the knowledge of its environmental effects and the Minister's advice about whether the proposal provides an acceptable outcome. The EES process provides for the analysis of potential effects on environmental assets and the means of avoiding, minimising and managing adverse effects. It also includes public involvement and the opportunity for an integrated response to a proposal.

Australian Government

Nationally significant heritage places are primarily registered and protected under the *Environment Protection and Biodiversity Conservation Act 1999* which is administered by the Australian Government Department of the Climate Change, Energy, the Environment and Water (DCCEEW). Other Australian Government Acts dealing with historical cultural heritage include the *Underwater Cultural Heritage Act 2018*, *Protection of Movable Cultural Heritage Act 1986* and the *Australian Heritage Council Act 2003*. The Australian Heritage Council (AHC) is the principal adviser to the Australian Government on heritage matters and assesses nominated places and recommends to the Minister whether or not a nominated place is appropriate for listing on the Australian Heritage Database (AHD). The Minister rejects or approves the nominated place. The AHD comprises heritage places from the World Heritage List (WHL), Commonwealth Heritage List (CHL), the Natural Heritage List (NHL) and the Register of the National Estate (RNE).

6 RISK AND IMPACT ASSESSMENT

6.1 Risk Assessment

The risk assessment process includes the approvals and concept design phase, construction phase, and operations and maintenance phase. It evaluates the environmental risk of the project based on the concept design, infrastructure zone and methodology; and existing conditions of the activity area. The primary impacts are those directly attributable to the project activities such as construction. Cumulative impact is the impacts of the project in addition to impacts from other projects in the region. Risk is analysed using pre-defined consequence and likelihood criteria to make a risk rating as follows:

Table 1 Risk Assessment Matrix

CONSEQUENCE	Risk Categories	LIKELIHOOD				
		Rare	Unlikely	Possible	Likely	Almost Certain
		A	B	C	D	E
Catastrophic	5	Medium	High	High	Extreme	Extreme
Major	4	Medium	Medium	High	High	Extreme
Moderate	3	Low	Medium	Medium	High	High
Minor	2	Negligible	Low	Low	Medium	Medium
Insignificant	1	Negligible	Negligible	Negligible	Low	Low

Likelihood and consequence are considered in the following tables:

Table 2 Likelihood Categories

LIKELIHOOD				
Rare	Unlikely	Possible	Likely	Almost Certain
A	B	C	D	E
Less than once in 12 months OR 5% chance of occurring	Once to twice in 12 months OR 10% chance of occurring	3 to 4 times in 12 months OR 30% chance of occurring	5 to 6 times in 12 months OR 50% chance of occurring	More than 6 times in 12 months OR The event is expected to occur in most circumstances
The event may occur only in exceptional circumstances	The event could occur but is not expected	The event could occur	The event will probably occur in most circumstances	The event is expected to occur in most circumstances

Table 3 Consequences Categories

CONSEQUENCES				
Insignificant	Minor	Moderate	Major	Catastrophic
Negligible impact to heritage sites. Sites remain intact or unaffected.	Disturbance or partial removal of a small number of locally significant heritage features or sites (heritage overlay)	Complete removal of one or more locally significant heritage features or sites confirmed to a small number of locations.	Complete removal of many locally significant heritage features or sites across many locations and / or disturbance of a heritage site of State or National significance	Widespread removal of heritage features or sites and / or destruction of a heritage site of State or National significance

The risk to historical heritage was assessed as follows:

- Planning Phase: risk to historical heritage is assessed as negligible. Not all areas of the activity area have been subject to field assessment, in particular, in parts of the infrastructure footprint that have changed since the second phase of field assessment was conducted. However, based on the results to date, the risk to historical heritage is considered to be negligible. This will be mitigated by additional field assessment that is likely to be conducted as part of the Aboriginal CHMP field assessment during which any historical heritage located will be recorded and Heritage Victoria notified as required by the *Heritage Act 2017*.
- Geotechnical and other Pre-construction Activities: risk to historical heritage is assessed as negligible. Geotechnical investigation could impact surface and subsurface historical artefacts and features; however, this risk is limited by the discrete and localised nature of the works.
- Construction Phase: risk to historical heritage is assessed as negligible. The assessment conducted to date has not recorded any historical heritage in the proposed construction footprint. No construction activities are proposed in the vicinity of registered historical heritage places. Although construction activities are the most likely of all the activities to impact unknown historical heritage, that is, subsurface historical archaeological sites, the lack of evidence in the assessment to date indicates that the risk remains negligible.
- Operation and Maintenance Phase: risk to historical heritage as assessed as negligible. These activities are unlikely to impact any known or unknown historical heritage because any impacts are most likely to occur during the construction phase.

Table 4 Historical Heritage Environmental Risk Assessment

Project Activity	Primary Environmental Impact	Primary Environmental Risk Description	Standard Control	Initial Risk			Residual Risk		
				Consequence	Likelihood	Risk Rating	Additional Controls / Mitigation	Consequence	Likelihood
Planning	Statutory planning and environmental approval non-compliance	Historical heritage field assessment does not assess entire construction footprint resulting in not identifying unknown historical heritage	Complete the field assessment as part of the CHMP field assessment. Any historical heritage found during the field assessment should be avoided in any future project activity.	Minor	Rare	Negligible	Not required	Minor	Rare
Pre-construction Activities	Uncovers / damages historical cultural heritage	Geotechnical investigations significant historical heritage	Prepare a heritage management plan. Provide cultural awareness training for personnel involved in ground disturbing works	Minor	Rare	Negligible	Not required	Minor	Rare
Construction Activities / Earthworks	Uncovers / damages historical cultural heritage	Earthworks impact significant historical heritage	Prepare a heritage management plan. Provide cultural awareness training for personnel involved in ground disturbing works	Minor	Rare	Negligible	Not required	Minor	Rare
Operation & Maintenance	Uncovers / damages historical cultural heritage	Earthworks associated with operation and maintenance impact significant historical heritage	Prepare a heritage management plan. Provide cultural awareness training for personnel involved in ground disturbing works	Minor	Rare	Negligible	Not required	Minor	Rare

6.2 Impact Assessment and Mitigation

The impact assessment has included a review of the project, the identification of impacts on known historical cultural heritage, the likelihood of impacts on unknown historical heritage and identifying appropriate environmental management measures for the project.

Registered Heritage Places (Map 2)

Part of one registered historical heritage place is in the activity area.

- H1700 – Stone Mileposts
 - Milepost B is located northeast of the intersection of Warrnambool – Carramut Road and Keillors Road
 - Milepost C is located in the Keillors Road reserve

Two historical heritage places are within 100m of the activity area boundary:

- H0322 – Merrang Homestead
- H1856 – Burchett Creek Bridge

Two historical heritage places and part of one historical heritage place are located within 50m of nominated access roads:

- H1457 – Youl’s Creek Bridge
- H1700 – Stone Mileposts – Mileposts D to G
- H2145 – Former Temperance Hall

The project is not expected to impact any of these places. If there is potential for impacts to occur, consultation is required with Heritage Victoria and the relevant *Permits* must be applied for.

Unknown Historical Heritage Places and Historical Archaeological Sites

The background research and ground surface survey to date has demonstrated that unknown historical heritage or archaeological sites may be harmed by the proposed wind farm development. This risk has been assessed as negligible. If historical heritage is discovered by the activity, the following measures are to be implemented:

- If any historical archaeological material is uncovered, consultation must occur with Heritage Victoria to determine if archaeological investigation is required; the site recorded and / or listed on the Victorian Heritage Inventory.
- The archaeological site and material must be managed by a suitably qualified and experienced historical archaeologist in accordance with Heritage Victoria’s *Guidelines for Investigating Historical Archaeological Artefacts and Sites 2015*, the *Heritage Act 2017 (Vic)*, and in consultation with Heritage Victoria.
- All relevant *Consents* or *Permits* must be obtained from the Executive Director of Heritage Victoria.

6.3 Environmental Management Measures

The following environmental management measures are recommended:

- The project must be designed to avoid any harm to registered historical heritage places. Appropriate protection measures must be developed and included in any *Environmental Management Plan* and *Heritage Management Plan* (HMP).
- A *Heritage Management Plan* (HMP) must be prepared that specifies measures to avoid impact to any known registered heritage places and to avoid or minimise impacts on any unidentified historical archaeological sites that may be discovered during ground disturbing works. The HMP must be consistent with the requirements of the *Heritage Act 2017 (Vic)* and must be developed in consultation with Heritage Victoria. The plan must include, but not necessarily be limited to, the following:
 - Procedures for historical cultural heritage awareness training for all project personnel.
 - Specific management measures to avoid harm to known registered historical heritage places including, but not necessarily limited to:
 - Showing all registered historical heritage places and management measures on any Environmental Management Plan.
 - Implementing protection buffers or temporary fencing to ensure no inadvertent harm can occur.
 - Regular inspection of management measures implemented to avoid harm to known registered historical heritage places to ensure they remain fit for purpose. The HMP must include a reporting mechanism (eg, *Compliance Report Form*) to monitor the performance of any management measure so that any non-compliance can be rectified and to ensure no further non-compliance will occur.
 - Formulate an *Unexpected Finds Protocol* that includes, but is not necessarily limited to:
 - Ceasing work if historical archaeological features and artefacts are discovered.
 - The implementation of protection buffers or temporary fencing to ensure no further harm occurs to historical archaeological features or artefacts until the finds are managed appropriately according to the HMP.
 - Notifying a suitable qualified historical archaeologist to assist in the assessment and management of any historical archaeological features and artefacts.
 - Notifying Heritage Victoria of any historical archaeological features or artefacts.
 - Obtaining from Heritage Victoria any Consents that may be required to manage historical archaeological features or artefacts.
 - Complying with any Consents issued by Heritage Victoria.

6.4 Cumulative Impact

The project is not expected to impact any registered historical heritage places (**Section 6.2**) and the risk to having unknown historical heritage or archaeological sites has been assessed as negligible (**Section 6.3**). This means that the cumulative impact of the project is considered to be also negligible.

A small area subsequently added to the activity area along the road reserve from the intersection of Warrnambool-Caramut Road and Keillors Road to the site entrance was not subject to a pedestrian survey.

8 MANAGEMENT RECOMMENDATIONS

Recommendation 1 Review of this Historical Heritage and Impact Assessment

This report must be reviewed and amended (if required) subsequent to any future fieldwork associated with the Aboriginal CHMP being prepared for the project (eg, during the complex assessment).

Recommendation 2 Registered Heritage Places

The project must be designed to avoid any harm to registered heritage places. Appropriate protection measures must be developed and included in any Environmental Management Plan.

If any harm is proposed to VHR H1700 – Stone Mileposts B or C, then a *Permit* or *Permit* exemption under the *Heritage Act 2017 (Vic)* will be required for works to the place.

Recommendation 3 Heritage Management Plan

A *Heritage Management Plan* (HMP) must be prepared that specifies measures to avoid impact to any known registered historical heritage places and to avoid or minimise impacts on any unidentified historical archaeological sites that may be discovered during ground disturbing works. The HMP must be consistent with the requirements of the *Heritage Act 2017 (Vic)* and must be developed in consultation with Heritage Victoria. The plan must include, but not necessarily be limited to, the following:

- Procedures for historical cultural heritage awareness training for all project personnel.
- Specific management measures to avoid harm to known registered historical heritage places including, but not necessarily limited to:
 - Showing all registered historical heritage places and management measures on any Environmental Management Plan.
 - Implementing protection buffers or temporary fencing to ensure no inadvertent harm can occur.
- Regular inspection of management measures implemented for known registered historical places to ensure they remain fit for purpose. The HMP must include a reporting mechanism (eg, *Compliance Report Form*) to monitor the performance of any management measure so that any non-compliance can be rectified and to ensure no further non-compliance will occur.
- Formulate an *Unexpected Finds Protocol* that includes, but is not necessarily limited to:
 - Ceasing work if historical archaeological features and artefacts are discovered.

- The implementation of protection buffers or temporary fencing to ensure no further harm occurs to historical archaeological features or artefacts until they are managed appropriately according to the HMP.
- Notifying a suitable qualified historical archaeologist to assist in the assessment and management of any historical archaeological features and artefacts.
- Notifying Heritage Victoria of any historical archaeological features or artefacts.
- Obtaining from Heritage Victoria any Consents that may be required to manage historical archaeological features or artefacts.
- Complying with any Consents issued by Heritage Victoria.

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APPENDIX 1 – SUMMARY CV

Dr. Tom Rymer

Archaeologist

tomr@tardisenterprises.com.au | 03 9676 9009

Qualifications

Doctorate of Philosophy (Archaeology)
Graduate Diploma of Humanities
Bachelor of Arts (Archaeology) – Honours (First)

Memberships

Australasian Society of Historic Archaeology: Member
International Council on Monuments and Sites: Full International Member

Role Responsibilities

Resource Management
Client Liaison
Management & Reporting for Historic Cultural Heritage requirements

Career Summary

Tom Rymer is a Senior Archaeologist with over ten years' experience in major international research excavations as well as commercial indigenous and non-indigenous cultural heritage projects throughout Australia. Tom has a strong background in research, survey, archaeological excavation, artefact analysis and technical report production. He has managed heritage requirements for a variety of commercial projects including residential and industrial subdivisions, roads and wind farms.

Relevant Historic Experience

Kilmore Brewery (Excavation): Project Manager
Murra Warra Wind Farm (Survey): Project Manager
Bulgana Wind Farm (Survey): Project Manager
Penshurst Wind Farm (Survey): Project Manager
Horseshoe Bend Landowners Group – Horseshoe Bend Precinct Structure Plan (Survey): Project Manager
Stockyard Hill Wind Farm (Survey): Project Manager
Dundonnell Wind Farm (Survey): Project Manager
Maintop Farm, Settlers Run Estate, Cranbourne South (Excavation): Project Manager
The Former Wright House (Excavation): Project Manager
Bass Highway House Site, Bass (Excavation): Project Manager
Budd's Station, Wallan (Excavation): Project Manager
Wallan Railway Station (Survey): Project Manager
Exford Estate, Melton (Survey): Project Manager
Hunter Street, Hobart (Excavation): Assistant Archaeologist & Draftsman
Bendigo Mining Historic Project (Survey & Excavation): Assistant Archaeologist & Draftsman

APPENDIX 2 – VICTORIAN HERITAGE REGISTER PLACE RECORDS

Victorian Heritage Database Report

Report generated 22/10/24

MERRANG HOMESTEAD



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008



MERRANG HOMESTEAD
SOHE 2008

Location

1830 WOOLSTHORPE-HEXHAM ROAD HEXHAM, MOYNE SHIRE

Municipality

MOYNE SHIRE

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H0322

Heritage Overlay Numbers

HO4

VHR Registration

October 9, 1974

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on - May 11, 2005

What is significant?

The encouraging reports of Major Mitchell of rich grazing land south of the Murray River and the push of Launceston pastoralists into inland areas beyond the coastal whaling and sealing stations on the Portland and Port Fairy Bays ensured the rapid development of the western areas of the Port Phillip District. The Watson brothers, who had been the first of the settlers to sight the Hopkins River in 1839, were sufficiently impressed to immediately take up a pastoral run on the west bank of the river which they named Merrang. In 1841 Claude Farie, in partnership with George Rodgers, took control of the Watson Brothers property and Farie probably built a timber cottage on the property which is mentioned in the diary of Mrs Perry, wife of the first Bishop of Melbourne when she stayed there on 13 April 1848.

In 1856, Scot settler Robert Hood, who owned the nearby Bolac Plains run, purchased Merrang from the Trustees of his father-in-law, Adolphus Sceales, who had bought the property from Farie. During Robert Hood's ownership, Merrang became famous for its Lincoln sheep stud which was established in 1872. Hood was active in a wide range of pastoral and municipal affairs. He was one of the originators and president of both the Long Woolled Association of Victoria and the Australian Sheepbreeders' Association of Australia. He also served for many years on the shire councils of Warrnambool and Mortlake. Merrang has stayed in Hood family ownership since the death of Robert Hood in 1891 and three succeeding generations of the Hood family have served as councillors on the Mortlake Shire. In the twentieth century, Merrang became renowned for its Polwarth stud started from the Merrang Lincolns in 1924. While reduced in acreage over the years, Merrang has remained a prominent Western District pastoral property. It retains a number of fine buildings and the picturesquely sited Hood family graveyard.

In 1859, Robert Hood erected a four room stone cottage which has become the basis of the present homestead. According to station accounts, the addition of the substantial single storey Italianate style extension to the cottage with its impressive Ionic entrance portico was begun in 1865. In 1875, the timber-posted verandah to the old cottage was removed and the new cast iron return verandah was erected, providing the means for the visual unification of the 1859 and 1865 sections of the house. The iron verandah, gatekeeper's lodge and station outbuildings were all erected in 1875 to a design by Warrnambool architect Andrew Kerr. A fire in 1917 reduced the large bluestone stables to a fraction of their former size.

How is it significant?

Merrang is of architectural, historical and aesthetic significance to the State of Victoria.

Why is it significant?

Merrang is of historical significance for the continuous association with the pioneering Hood family of which

succeeding generations have made substantial contributions to Western District pastoral and civic affairs. Merrang was famous as a Lincoln sheep stud in the 1870s and renowned for its Polwarth stud which was started from the Merrang Lincolns in 1924.

Merrang is of architectural significance for its Italianate styled homestead building which is considerably enhanced by its unusual and impressive Ionic portico. The 1875 verandah to the front and sides of the house designed by Warrnambool architect Andrew Kerr, successfully visually unites the appearance of the house which has evolved since 1856. The Merrang homestead, the Picturesque gatekeeper's lodge and outbuildings are notable elements of this early Western District property.

Merrang is of historical and aesthetic significance for the Hood family cemetery, which is a rare example of a private family cemetery in Victoria, established prior to government requirements for burial in public cemeteries.

[Online data upgrade project 2005]

Permit Exemptions

General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Exemptions:

General Conditions: 1. All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object. General Conditions: 2. Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible. Note: All archaeological places have the potential to contain significant sub-surface artefacts and other remains. In most cases it will be necessary to obtain approval from the Executive Director, Heritage Victoria before the undertaking any works that have a significant sub-surface component.

General Conditions: 3. If there is a conservation policy and plan all works shall be in accordance with it. Note: A Conservation Management Plan or a Heritage Action Plan provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan.

General Conditions: 4. Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions. General Conditions: 5. Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable. Minor Works : Note: Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works must submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.

Construction dates 1859, 1865, 1875,
 Architect/Designer Kerr, Andrew,
 Heritage Act Categories Registered place,
 Hermes Number 594
 Property Number

History

The encouraging reports of Major Mitchell of rich grazing land south of the Murray River and the push of Launceston pastoralists into inland areas beyond the coastal whaling and sealing stations on the Portland and Port Fairy Bays ensured the rapid development of the western areas of the Port Phillip District. The Watson brothers, who had been the first of the settlers to sight the Hopkins River in 1839, were sufficiently impressed to immediately take up a pastoral run on the west bank of the river which they named Merrang. In 1841 Claude Farie, in partnership with George Rodgers, took control of the Watson Brothers property and Farie probably built a timber cottage on the property which is mentioned in the diary of Mrs Perry, wife of the first Bishop of Melbourne when she stayed there on 13 April 1848.

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In 1859, Robert Hood erected a four room stone cottage which has become the basis of the present homestead. According to station accounts, the addition of the substantial single storey Italianate style extension to the cottage with its impressive Ionic entrance portico was begun in 1865. In 1875, the timber-posted verandah to the old cottage was removed and the new cast iron return verandah was erected, providing the means for the visual unification of the 1859 and 1865 sections of the house. The iron verandah, gatekeeper's lodge and station outbuildings were all erected in 1875 to a design by Warrnambool architect Andrew Kerr. A fire in 1917 reduced the large bluestone stables to a fraction of their former size.

Sources:

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History of the Shire of Mortlake. 1964

A Sutherland, *Victoria and its Metropolis*. 1888

National Trust of Victoria Register. File No B795

Extent of Registration

Shire of Mortlake. No.322. Merrang Homestead, "Merrang", Hexham.
[*Victoria Government Gazette* No 100 Wednesday, October 9 1974 p.3650]

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.

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

YOU'L'S CREEK BRIDGE



BRIDGE SOHE 2008



BRIDGE SOHE 2008



BRIDGE SOHE 2008



1 bridge over youls creek
woolsthorpe side view
jun1984

DIAGRAM 1457

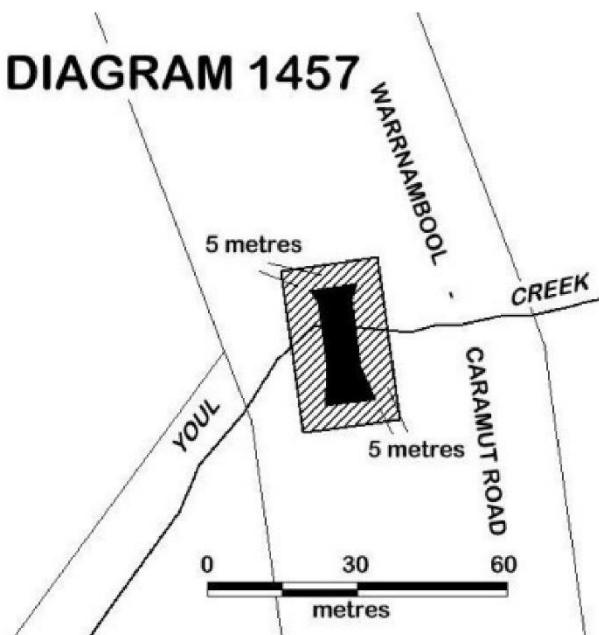


Diagram 1457.JPG

Location

OVER YOULS CREEK, CARAMUT-WARRNAMBOOL ROAD WOOLSTHORPE, MOYNE SHIRE

Municipality

MOYNE SHIRE

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H1457

Heritage Overlay Numbers

HO34

VHR Registration

August 20, 1982

Amendment to Registration

August 10, 2017

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on -

What is significant?

The Youl's Creek Road Bridge is a small, single-span bluestone bridge built in 1856 to a design by Dilmond John Howes, who was engineer of the Belfast District Roads Board and later the Shire of Belfast. The bridge is built of regularly coursed bluestone, which was probably quarried in the district. It is composed of a single segmental arch, with a bluestone parapet and wingwalls. An inscribed stone set inside the parapet at mid-span reads 'Belfast District Roads Board 1856 / D.J. Howes Engineer?.

Civil engineer D.J. Howes emigrated from Ireland and arrived in Victoria in 1853; he was appointed secretary and engineer of the newly formed Belfast Roads Board the same year. On his death in 1901 he was recognised as the longest serving civil engineer in Victoria. Howes was also associated with the design of a number of bridges within the jurisdiction of the Belfast Roads Board and also (reputedly) with the building of own home, Talaria, in Port Fairy [H255].

The bridge over Youl's Creek on the Warrnambool-Caramut Road, 9.5 km north-north-east of Woolsthorpe, was constructed to meet the demands of heavy traffic carrying fresh produce from the south-western agricultural districts around Port Fairy and Warrnambool to the goldfields in the 1850s. This traffic to the goldfields was

mainly in fresh vegetables (grain was severely affected by wheat rust in 1864). Woolsthorpe was a small town and coaching stop situated roughly midway between the south-west seaboard and the town of Caramut, the road north continued from Caramut to Ararat, Stawell and the western goldfields. The bridge would have also assisted the heavy and frequent movement of stock through what was a predominantly pastoral district in the 1850s.

How is it significant?

The Youl's Creek Road Bridge is of historical and architectural significance to the State of Victoria.

Why is it significant?

The Youl's Creek Road Bridge is historically and architecturally significant as an example of one of the oldest stone bridges in Victoria (perhaps the oldest in Victoria). It is also a rare surviving example of an early single-span stone bridge.

The Youl's Creek Road Bridge is also historically significant because it demonstrates the extent of south-north traffic in western Victoria in the early 1850s, due to the large population in the goldfields and the large agricultural production in south-western Victoria, and the demand this created for improved roads and road bridges

The Youl's Creek Road Bridge is also historically important as one of the earliest surviving municipal engineering works in the State and for its association with Dilmond John Howes, an early and long-serving civil engineer in Victoria.

[Online Data Upgrade Project 2004]

Permit Exemptions

General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Exemptions:

General Conditions: 1. All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object. General Conditions: 2. Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible. Note: All archaeological places have the potential to contain significant sub-surface artefacts and other remains. In most cases it will be

necessary to obtain approval from the Executive Director, Heritage Victoria before the undertaking any works that have a significant sub-surface component.

General Conditions: 3. If there is a conservation policy and plan all works shall be in accordance with it. Note: A Conservation Management Plan or a Heritage Action Plan provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan.

General Conditions: 4. Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions. General Conditions: 5. Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable. Minor Works : Note: Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works must submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.

Construction dates 1856,

Heritage Act Categories Registered place,

Other Names WOOLSTHORPE BRIDGE, YOULS CREEK BRIDGE, BRIDGE,

Hermes Number 1238

Property Number

History

This small bluestone bridge dates from 1856 and is believed to be Victoria's oldest existing bridge. The bridge carries a 6.4m roadway and has a single segmental bluestone arch of span 8.1m, with a bluestone parapet and wingwalls. The height from water level to the deck is 3.7m. There is an inscribed stone set inside the parapet at mid span. The inscription reads: 'Belfast District Road Board 1856, D J Howes, engineer'. Dilmond Howes was Shire Engineer. (Online data Upgrade Project October 2003)

The draft statement of significance and the above history were produced as part of an Online Date Upgrade Project 2004. Sources were as follows:

Australian Heritage Commission. *Register of the National Estate*.

Doyle, Helen, and Context P/L. 'Moyne Shire Heritage Study: Stage 1', Prepared for Moyne Shire, 2003. SLV 'Pictoria'.

Syme, Marten. *Seeds of a Settlement*, 1991, pp. 124-25.

Extent of Registration

NOTICE OF REGISTRATION

As Executive Director for the purpose of the **Heritage Act 1995**, I give notice under section 46 that the Victorian Heritage Register is amended by modifying the following places in the Heritage Register:

Number: H1457

Category: Heritage Place

Name: Youl's Creek Bridge

Location: Over Youl's Creek,

Caramut-Warrnambool Road, Woolsthorpe

Moyne Shire

All of the place shown hatched on Diagram 1457 encompassing part of the road reserve for the Warrnambool-Caramut Road being a curtilage of 5 metres from the bridge.

Dated 10 August 2017

STEVEN AVERY
Executive Director

[*Victoria Government Gazette G 32 10 August 2017 1711*]

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.

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

STONE MILEPOSTS - WARNNAMBOOL-CARAMUT ROAD



Milepost F 2020



Milepost D 2020



Milepost C 2020



Milepost E 2020



Milepost H 2020



Milepost G 2020

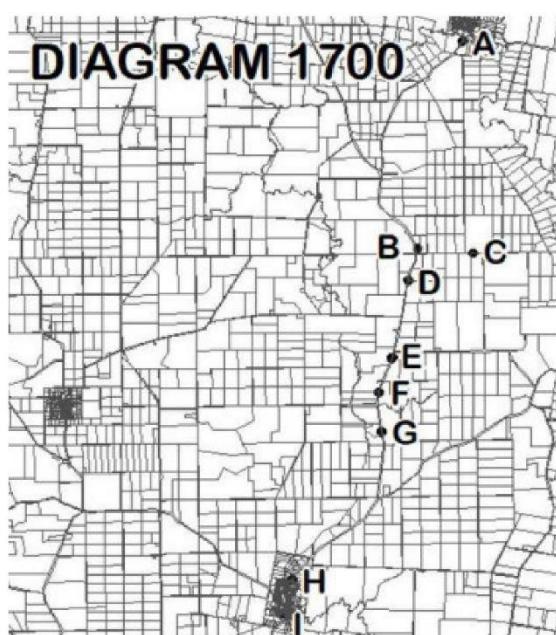


DIAGRAM 1700 Letters

DIAGRAM 1700a

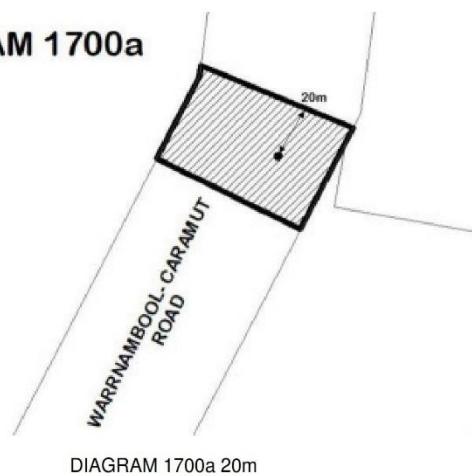


DIAGRAM 1700a 20m

DIAGRAM 1700b

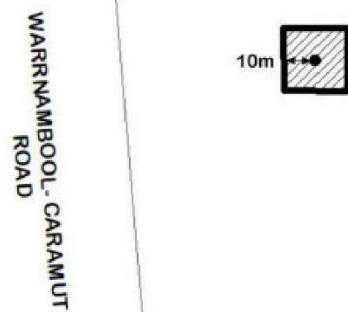


DIAGRAM 1700b 10m

DIAGRAM 1700c

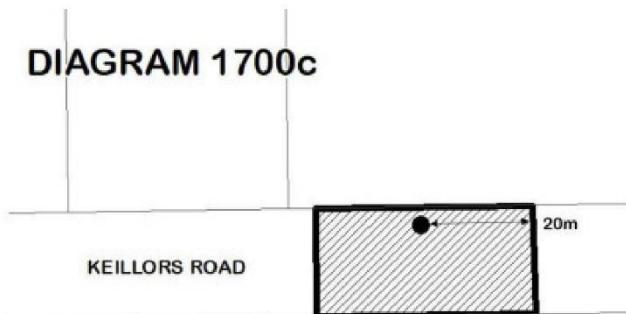


DIAGRAM 1700c 20m

DIAGRAM 1700d

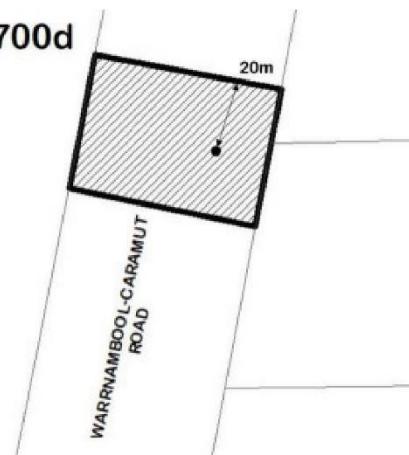


DIAGRAM 1700d 20m

DIAGRAM 1700e

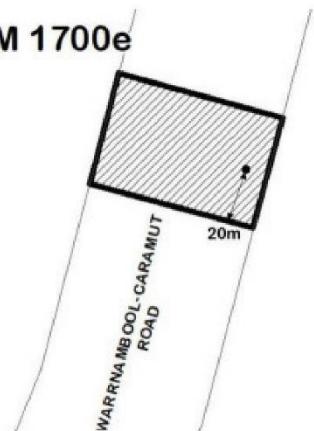


DIAGRAM 1700e 20m

DIAGRAM 1700f

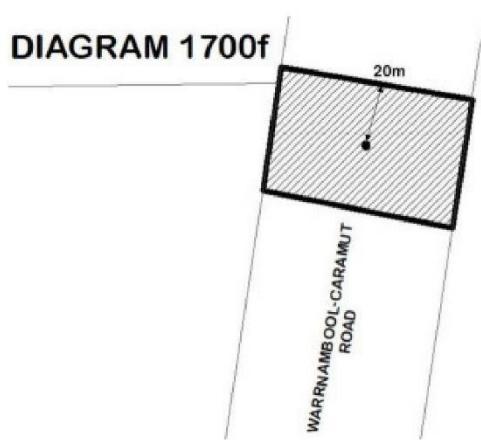


DIAGRAM 1700f 20m

DIAGRAM 1700g

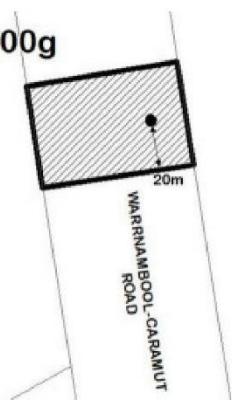


DIAGRAM 1700g 20m

DIAGRAM 1700h

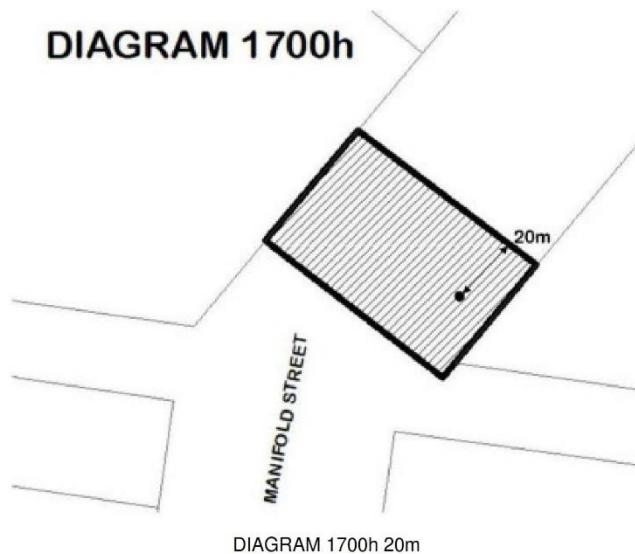


DIAGRAM 1700h 20m

DIAGRAM 1700i

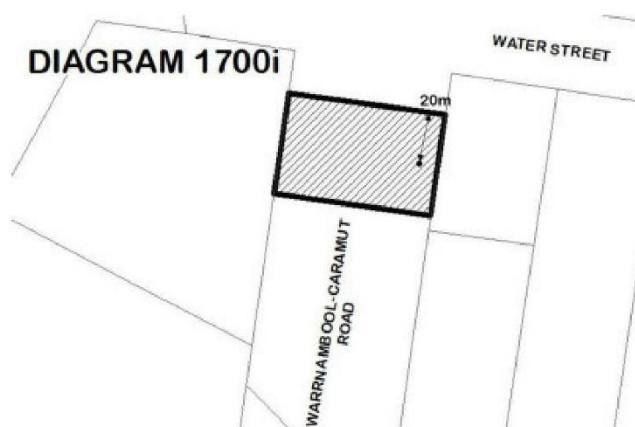


DIAGRAM 1700i 20m

Location

WARRNAMBOOL-CARAMUT ROAD CARAMUT, WOOLSTHORPE AND MINJAH, MOYNE SHIRE

Municipality

MOYNE SHIRE

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H1700

Heritage Overlay Numbers

HO37

VHR Registration

August 20, 1982

Amendment to Registration

October 8, 2020

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on - October 22, 2020

WHAT IS SIGNIFICANT?

The nine nineteenth-century basalt mileposts located along the Warrnambool-Caramut Road, on KeillorsRoad and within the property Wooriwest at 4014 Warrnambool-Caramut Road between the townships of Caramut and Woolsthorpe.

HOW IS IT SIGNIFICANT?

The Stone Mileposts- Warrnambool-Caramut Road are of historical significance to the State of Victoria. They satisfy the following criteria for inclusion in the Victorian Heritage Register.

- Criterion A Importance to the course, or pattern, of Victoria's cultural history.
- Criterion B Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
- Criterion D Importance in demonstrating the principal characteristics of a class of cultural places and objects.

WHY IS IT SIGNIFICANT?

The Stone Mileposts - Warrnambool-Caramut Road are historically significant for their association with the development and use of the road transport system in Victoria in the mid-nineteenth century. Local shire ordistrict roads boards erected mileposts along popular roads to assist travelers with wayfinding and navigation. They were a necessity for coach travel between and beyond railway stations into remoter areas of Victoria. As a collection of mileposts, they allow the use of the road network in mid-nineteenth century Victoria to be better understood than most other places or objects with the same association. The fine design and solid construction of the Warrnambool-Caramut Road mileposts represent the economic prosperity of Western districts pastoralists in the era. They are an evocative reminder of the experience of road travel in rural Victoria in the mid-nineteenth century. (Criterion A)

The Stone Mileposts- Warrnambool-Caramut Road are historically significant for their association with the preparations in Victoria for a potential land invasion during World War II. After the fall of Pearl Harbour in 1942, the mileposts were buried to limit navigation and wayfinding information available to a potential invading force. Some mileposts were subsequently re-erected following the war. (Criterion A)

The Stone Mileposts - Warrnambool-Caramut Road are significant as a rare surviving example of a group of stone mileposts from the mid-nineteenth century. Stone mileposts were once common throughout western

Victoria but were gradually replaced by cast iron and cast concrete alternatives, or otherwise lost or damaged. Although there are other individual examples of stone mileposts, there are few examples of roads that retain multiple mileposts. As a collection of nine stone mileposts, the Warrnambool-Caramut Road mileposts are extremely rare within Victoria (Criterion B).

The Stone Mileposts - Warrnambool-Caramut Road are a notable example of roadside mileposts. Demonstrating construction techniques and materials of the 1860s-70s, they encapsulate a key evolutionary phase in the development of the class. They are fine, being substantial, highly visible and demonstrating the skill of the stonemason's craft in their finely dressed stone and precise lettering. The location of the mileposts allows the role of the class to be easily understood. (Criterion D)

Permit Exemptions

General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must notify the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Exemptions:

INTRODUCTION TO PERMIT EXEMPTIONS

Preamble

The purpose of this information is to assist owners and other interested parties when considering or making decisions regarding works to a registered place. It is recommended that any proposed works be discussed with an officer of Heritage Victoria prior to making a permit application. Discussing proposed works will assist in answering questions the owner may have and aid any decisions regarding works to the place.

The extent of registration of the Stone Mileposts – Warrnambool-Caramut Road in the Victorian Heritage Register affects the whole place shown on Diagram 1700 including the mileposts and their foundations, land, roads and verges, trees, landscape elements and other features. Under the Heritage Act 2017 a person must not remove or demolish, damage or despoil, develop or alter or excavate, relocate or disturb the position of any part of a registered place or object without approval. It is acknowledged, however, that alterations and other works may be required to keep places and objects in good repair and adapt them for use into the future.

If a person wishes to undertake works or activities in relation to a registered place or registered object, they must apply to the Executive Director, Heritage Victoria for a permit. The purpose of a permit is to enable appropriate change to a place and to effectively manage adverse impacts on the cultural heritage significance of a place as a consequence of change. If an owner is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.

Permits are required for anything which alters the place or object, unless a permit exemption is granted. Permit exemptions usually cover routine maintenance and upkeep issues faced by owners as well as minor works or works to the elements of the place or object that are not significant. They may include appropriate works that are specified in a conservation management plan. Permit exemptions can be granted at the time of registration (under s.38 of the Heritage Act) or after registration (under s.92 of the Heritage Act). It should be noted that the addition of new buildings to the registered place, as well as alterations to the interior and exterior of existing buildings requires a permit, unless a specific permit exemption is granted.

Disrepair of registered place or registered object

Under s.152 of the Act, the owner of a registered place or registered object must not allow that place or object to fall into disrepair.

Failure to maintain registered place or registered object

Under s.153 of the Act, the owner of a registered place or registered object must not fail to maintain that place or object to the extent that its conservation is threatened.

Conservation management plans

It is recommended that a Conservation Management Plan is developed to manage the place in a manner which respects its cultural heritage significance.

Aboriginal cultural heritage

If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the Aboriginal Heritage Act 2006. If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the Aboriginal Heritage Act 2006.

Other approvals

Please be aware that approval from other authorities (such as local government) may be required to undertake works.

Archaeology

There is not identified archaeology of state level significance at the place.

Cultural heritage significance

Overview of significance

The cultural heritage significance of the Stone Mileposts – Warrnambool-Caramut Road lies in the physical fabric of the mileposts themselves. For the mileposts within the road reserve of the Warrnambool-Caramut Road the cultural heritage significance also lies in their location and relationship to the road.

CATEGORIES OF WORKS OR ACTIVITIES (PERMIT EXEMPTIONS)

RECOMMENDED UNDER S.38

Notes

- All works should ideally be informed by a Conservation Management Plan prepared for the place. The Executive Director is not bound by any Conservation Management Plan, and permits still must be obtained for works suggested in any Conservation Management Plan.
- Nothing in this determination prevents the Heritage Council from amending or rescinding all or any of the permit exemptions.
- Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits where applicable.

General Conditions

- All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place.
- Should it become apparent during further inspection or the carrying out of works that original or

previously hidden or inaccessible details of the place are revealed which relate to the significance of the place, then the exemption covering such works must cease and Heritage Victoria must be notified as soon as possible.

Specific Permit Exemptions

Road maintenance

- Maintenance and repair works to existing roadways, shoulders and verges including works to the road surface, kerbs and channels, road line marking and drains.
- Maintenance and repair of safety critical infrastructure including barriers of all types.
- Maintenance to or removal of existing underground and overhead utilities.
- Repair and maintenance of light masts and road signs.
- Removal or replacement of existing signage provided the size, location and material remains the same.

Temporary structures

- The installation and/or erection of temporary elements associated with road works for a maximum period of six months after which time they must be removed and any affected areas of the place made good to match the condition of the place prior to installation. This includes:
 - Temporary protective barriers surrounding the milepost during roadworks for a period no longer than six months.
 - Temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access, or to secure public safety.
 - Temporary built or mobile structures such as portable toilets.
 - Temporary infrastructure, including wayfinding/directional/instructional signage, lighting, public address systems, and the like in support of roadworks which do not require fixing into the ground within 10 metres of the milepost.

Landscape

- The processes of landscape and garden maintenance including slashing, mowing, weeding, planting and pruning.
- Installation of physical barriers or traps to enable vegetation protection and management of vermin such as rats, mice and possums.
- Like for like repair and maintenance of driveways where the location is unchanged.
- Removal of tree seedlings and suckers without the use of herbicides.
- Management and maintenance of trees including formative and remedial pruning, removal of deadwood and pest and disease control.
- Emergency tree works to maintain public safety.
- Removal of environmental and noxious weeds in a manner which does not disturb the foundations of the mileposts.
- Fire suppression and firefighting activities such as fuel reduction burns and fire control line construction, provided all heritage features and values of the place are identified and protected.

Working agricultural properties

- The continuation of existing agricultural practices including management of livestock, grazing, cultivation, cropping and other processes necessary for usual agricultural operation.

Construction dates 1870,

Heritage Act Categories Registered place,

Hermes Number 1201

Property Number

History

Victoria's road network expanded following Victoria's separation from New South Wales and the gold rushes of the 1850s. By the 1860s, shires or local district road boards were responsible for much of the road building and maintenance in Victoria. These bodies could levy rates from the local populace and tolls from road users to fund activities such as road building. The Shire of Warrnambool was responsible for roads in the area including Woolsthorpe, Minjah and Caramut. It was a comparatively wealthy shire, reflecting the economic prosperity of Western District pastoralists and the roads of the region were renowned as some of the best in the colony of Victoria. In May 1864, the Victorian Roads & Bridges Office requested all shires and district road boards erect milestones along its major roads. While the railway had come to Geelong in 1857, and reached Hamilton in 1877, travel by coach was critical for travel between and beyond railway stations into more remote areas of western Victoria. It is likely that the mileposts date from the 1860s or 1870s. Many mileposts, including these, were removed or buried on Government order in preparation for a possible Japanese land invasion following the entry of Japan into World War II in 1942. Some mileposts were reerected after the war, while others have remained buried until recently. While the mileposts were initially unpainted, they were painted by the Country Roads Board toward the end of the twentieth century.

Extent of Registration

Heritage Act 2017 NOTICE OF REGISTRATION As Executive Director for the purpose of the Heritage Act 2017, I give notice under section 53 that the Victorian Heritage Register is amended by modifying a place in the Heritage Register: Number: H1700 Category: Registered Place Place: Stone Mileposts – Warrnambool-Caramut Road Location: Warrnambool-Caramut Road and Keillors Road; Caramut, Minjah, Woolsthorpe Municipality: Moyne Shire All of the places shown hatched on Diagrams 1700 a-i encompassing part of Lot 11 on Title Plan 346187 and parts of the road reserves for Keillors Road and Warrnambool-Caramut Road. 8 OCTOBER 2020 STEVEN AVERY Executive Director

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.

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 22/10/24

BURCHET CREEK BRIDGE



BURCHET CREEK BRIDGE
SOHE 2008



BURCHET CREEK BRIDGE
SOHE 2008



BURCHET CREEK BRIDGE
SOHE 2008



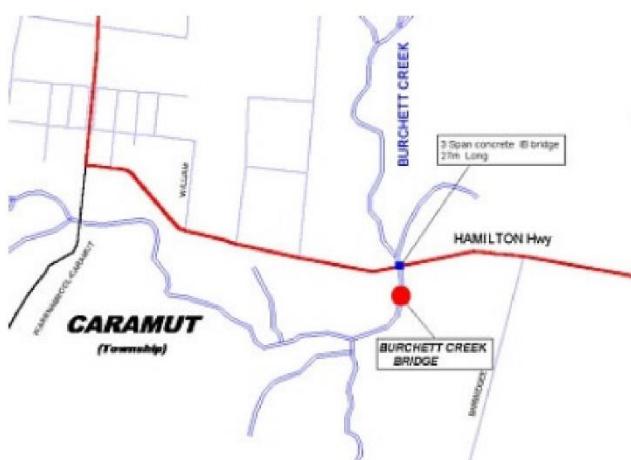
BURCHET CREEK BRIDGE
SOHE 2008



BURCHET CREEK BRIDGE
SOHE 2008



1 burchett creek bridge ntv



burchett bridge plan

Location

OVER BURCHETT CREEK, OFF HAMILTON HIGHWAY CARAMUT, MOYNE SHIRE

Municipality

MOYNE SHIRE

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H1856

Heritage Overlay Numbers

HO35

VHR Registration

November 18, 1999

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on - September 3, 1999

What is significant?

Burchett Creek Bridge is situated beside the modern Hamilton Highway on the old Caramut-Hexham Road crossing of Burchett Creek immediately east of Caramut township. Although not possible to date exactly, the bridge is of the period before the 1893 Depression checked bridge construction generally, and most likely dates to the later 1870s when the Hexham-Caramut Road was first officially classified as a Main Road. It is a three-span timber-beam bridge on timber piers and timber abutments, with fender piles, squared-timber beams and a transverse-timber deck, heavy diagonally-spliced squared-timber gravel beams, and the meagre remnants of timber side-rails. Heavy squared-timber caps at the top of timber piers have ogee-shaped ends, and the corbels above the piers are also of classical ogee shape. The timber deck has been covered with gravel in traditional colonial Main Road style, and later had bitumen surfacing. It is a relatively low-level bridge with short spans, a deck length of 13.2 metres, width of 6 metres, and a slightly curved or 'humped' profile. Beneath the bridge is the substantial remains of what appears to be an unusually well-constructed ford of squared bluestone. The bridge is not in use. It is in remarkably good structural condition for its age. Situated in open and rolling grassland country, its attractive antique profile stands out clearly from the highway.

How is it Significant?

Burchett Creek bridge is of historical and scientific (technical) significance to Victoria.

Why is it Significant?

It is of historical significance for its location on a crossing place on the original road between Portland and Melbourne, the two first places of permanent European settlement in Victoria. It is significantly enhanced by having been built above the remains of a bluestone ford. The remains of the two earliest phases of stream crossing works - fords and timber bridges - at the same crossing, are rare in Victoria; the ford is probably a relic of the original works on the Portland Road. Probably constructed in the mid-late 1870s, the bridge is likely to have been built primarily for regionally based traffic, to the port of Warrnambool via Woolsthorpe, and between Caramut and Mortlake.

It is of scientific (technical) significance as by far the best example, in term of integrity and condition, of the few

remaining typical medium-sized simple beam-bridges, in the traditional European bridge-carpentry style, from the colonial era. It is representative of a very popular design of rural colonial Victorian timber road bridge, once common throughout Victoria's pastoral districts, but extremely rare today. Its slight hump, a technique once commonly employed to minimise floodwater damage to timber bridges, is now very rare. It is a superb intact example of traditional European bridge craftsmanship applied to Australian hardwood timber. Of particular interest are its heavy squared-timber full-caps, with ogee-shaped ends, and classical ogee shape corbels. Its short spans, and its extremely long corbels are most unusual, and have doubtless contributed to its strength and longevity compared to the many other ageing similar bridges which survived in 1913 when the Country Roads Board assumed responsibility for rural Main Road bridges. Its impression of sturdy construction is enhanced by the unusually heavy-duty squared-timber gravel beams at each kerb-side. These hand-crafted beams with neat diagonally-spliced joins were once common, but are extremely rare today. No other surviving bridge is known to retain a set of 'caps' with decorative ogee-shaped ends. Its raking or fender piles are also scarce today. It has no corbels at the abutments.

Permit Exemptions

General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must **notify** the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Exemptions:

General Conditions:

1. All exempted plans and alterations are to be carried out in a manner which prevents damage to the fabric of the registered place or object.
2. Should it become apparent during further inspection or the carrying out of alterations that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such alteration shall cease and the Executive Director shall be notified as soon as possible.
3. If there is a conservation policy or plan approved by the Executive Director, all works shall be in accordance with it.
4. Nothing in this declaration prevents the Executive Director from amending or rescinding all or any of the permit exemptions.

5. Nothing in this declaration exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authority where applicable.

Specific Provisions/Exemptions

No permit is required for routine maintenance or minor repairs which replace like with like.

Construction dates	1870,
Heritage Act Categories	Registered place,
Other Names	BURCHETTS CREEK BRIDGE,
Hermes Number	5991
Property Number	

History

Contextual History:History of Place:

Squatters named Henry and Charles and Fred Burchett arrived at Port Phillip in August 1839, and Henry returned to London to die there in 1872. Charles G. Burchett and his brother Fred took up 'The Gums' squatting run, six miles east of Penshurst, in December 1839. Burchett Brothers sold that squatting run in 1849, and presumably left the district. Hence the name 'Burchett' as it relates to the creek, and later to the timber bridge over the creek, belongs to the early pastoral history of the Western District. This neat and unusually well-preserved example of a medium-sized superior colonial timber-beam bridge, now unique in Victoria, would when built have been only one of many similar examples of colonial timber-beam bridge design.

The road is shown on the 1853 consolidated map of Victoria, on which, beside the Burchett Creek, are the words "Road from Portland". The original route between Melbourne and Portland passed westwards from Geelong approximately along the line of the present Hamilton Highway to Hamilton, and thence along the Henty Highway to Portland. The road also connected with Warrnambool via Caramut and Woolsthorpe. During this period however roads were mere tracks, and the main form of communication between Melbourne and Portland (and Warrnambool) was coastal shipping. The road would have carried little traffic, and even less after the impediments of the stony rises and lakes areas had been overcome, and the main road to Warrnambool became the present Princess Highway, via Terang rather than Darlington and Mortlake (then Mt Shadwell).

The Caramut - Hexham part of this "Portland Road" road, on which the bridge became an important link, was only officially declared a Main Road, and made subject to State subsidies for road and bridge works, in April 1874. This is a relatively late date in Western District and Victorian colonial history, and it may come as a surprise to modern travellers along the route of the busy Hamilton Highway.

When the Burchett Creek Bridge was most probably built, in the later 1870s, the route of our Hamilton Highway was not such a busy east-west overland route. The Western District pastoral regions still depended heavily on north-south transport routes connecting with the busy western coastal ports such as Warrnambool. A standard Railway Postal and Telegraph Map of Victoria, dated as late as 1887, indicates that the main east-west overland mail-coach route then serving Hexham and Caramut linked with Terang and Camperdown via Mortlake, rather than following the modern Hamilton Highway route through Darlington and Lismore to the north of Lake Corangamite.

Caramut township, situated close to the timber-beam Burchett Creek Bridge, was a junction town, but as late as 1894 Caramut's major roadside significance was seen to lie in its direct north-south mail-coach connection with the Port of Warrnambool via Woolsthorpe, rather than its position on the east-west road connecting with Hexham and Geelong via Mortlake. The 1894 Victorian Municipal Directory still described Caramut township as 'situated on Burchell's [sic] Creek 36 miles from Warrnambool, on main road about midway between Warrnambool and Hamilton.' Caramut township was in the Shire of Warrnambool, and the other direct north-south mail-coach route which then gave Caramut a junction-town significance was the Warrnambool-Ararat route via Caramut,

Chatsworth and Wickliffe. The 1870s bridge at Burchett's Creek probably carried more heavily-laden traffic west-bound for the Port of Warrnambool via Caramut and Woolsthorpe, than equivalent traffic heading east for Geelong or Melbourne.

Whereas many Western District roads suffered major damage to bridges during the freak floods of 1870, it appears very likely from surviving evidence at the Burchett Creek crossing that this crossing, of secondary significance in the district's arterial road system, was in 1870 still served by an unusually well-constructed ford of shaped bluestone blocks. Its recognition in 1874 as a Main Road, subject to Government subsidies, is likely to have been the stimulus for the construction of such a superior timber bridge as that existing on the road reserve today. So the Burchett's Creek Bridge is likely to be the first real bridge constructed at this site.

Victorian Public Works Department correspondence registers indicate that on 12 September, 1874, two plans and a specification relating to construction works on the Hexham-Caramut Main Road were submitted to the department. Public Works correspondence registers for 1875 indicate that considerable works were carried out on the newly declared Main Road during the early months of 1875, and Inspecting Engineer J. Crawley from Warrnambool completed inspection of some such works on 10 May, 1875. There are no direct references to the Burchett Creek Bridge in this source, and no references have been found to this bridge in a careful search of these correspondence registers up to World War One.

The Mortlake newspaper of that era is unfortunately not extant for the years between 1872 and 1877, so that 1874-75 editions cannot be checked for shire council or other reference to the works then being undertaken on the Hexham to Caramut Road. Although occasional references to Mortlake Shire affairs appear in the Warrnambool newspapers of the period, they are too sporadic to be useful in this research. Caramut township was on the northern borderlands of Warrnambool Shire, but the nearby Burchett's Creek Bridge appears to have been in Mortlake Shire, and related to that shire's efforts to upgrade the Hexham-Caramut Main Road and thus bring more traffic to Mortlake. This situation of a modest timber bridge on shire borderlands, and at a distance from the newspaper centres of Warrnambool, Hamilton and Mortlake, makes it unlikely that the local press made much fuss about its construction. The press appears to have been much more concerned about roads and bridges connecting with the southern ports.

Mortlake District Road Board was first proclaimed on 19 July 1860, and it became Mortlake Shire Council on 26 June 1864. Leading squatters of the immediate area were the Englishman Joseph Ware of Minjah and Barwidgee runs, and H. F. De Little of Caramut run. However, no extant papers relating to those properties appear available, that might have given us a clue as to the old bridge's origins. Given that initial substantial government-funded road works had commenced (probably from the Hexham end) along the new Hexham-Caramut Main Road by early in 1875, it appears most likely that the current bridge was built during that era. Burchett's Creek Bridge beside the present-day Hamilton Highway, whenever it was built, certainly has all the hallmarks of a bridge of the pre-1880 period. No other colonial timber road bridge surviving in Victoria has such well-preserved examples of ogee-shaped crosshead ends (virtually unique in Victoria today) in conjunction with the large ogee corbels which were characteristic of much traditional European bridge craftsmanship.

Assessment Against Criteria

Criterion A.

The historical importance, association with or relationship to Victoria's history of the place or object.

It is significant for its historical location on a crossing place on the original road between Portland and Melbourne, the two first places of permanent European settlement in Victoria.

It is significantly enhanced by having been built above the remains of a bluestone ford. The remains of the two earliest phases of stream crossing works - fords and timber bridges - at the same crossing, are rare in Victoria; the ford is probably a relic of the original works on the Portland Road.

The bridge was probably constructed in the mid-late 1870s primarily for regionally based traffic, to facilitate transport to the port of Warrnambool via Woolsthorpe, and between Caramut and Mortlake.

Criterion B.

The importance of a place or object in demonstrating rarity or uniqueness.

It is by far the best example, in term of integrity and condition, of the few remaining medium-sized typical beam-bridges, in traditional European bridge-carpentry style, from the colonial era.

It is virtually the only remaining, and the most intact example, of a bridge with heavy squared-timber "full-cap" cross-beams, with ogee-shaped ends, and classical ogee shape corbels. It is unusual in that it does not have corbels to the abutments.

Its short spans, and its extremely long corbels are unusual, and have doubtless contributed to its strength and longevity compared to the many other ageing similar bridges in existence in 1913, when the Country Roads Board assumed responsibility for rural Main Road bridges.

It has unusually heavy-duty squared-timber gravel beams at each kerb-side. These hand-crafted beams with neat diagonally-spliced joins were once common, but are extremely rare today.

The humped or convex elevation of the bridge, once common, is a rare feature today. It was probably designed to facilitate the passage of floodwaters without harm to the bridge; or to produce an aesthetic effect.

Its timber raking or fender piles are now scarce.

Criterion C.

The place or object's potential to educate, illustrate or provide further scientific investigation in relation to Victoria's cultural heritage.

As an extremely rare, and the most intact, remaining example of a traditional colonial era all-timber bridge, it has the potential to educate, illustrate, and provide further scientific investigation in relation to Victoria's cultural heritage.

Criterion D.

The importance of a place or object in exhibiting the principal characteristics or the representative nature of a place or object as part of a class or type of places or objects.

It is representative of a very popular design of rural colonial Victorian timber road bridge, once common throughout Victoria's pastoral districts, but extremely rare today. It is a superb intact example of traditional European bridge craftsmanship applied to Australian hardwood timber.

Criterion E.

The importance of a place or object in exhibiting good design or aesthetic characteristics and/or in exhibiting a richness, diversity or unusual integration of features.

It is of aesthetic significance as a very compact, well-designed and unusually primitive timber structure set amidst rolling grasslands. It has a gently curving arch, and beautifully shaped large squared-timber corbels. As a rare exemplar of ordinary traditional colonial bridge craftsmanship, enhanced by ancient weathered timbers, it provides an exquisite scene from the adjacent highway.

Its impression of sturdy construction is enhanced by the unusually heavy-duty squared-timber gravel beams at each kerb-side.

Criterion F.

The importance of a place or object in demonstrating or being associated with scientific or technical innovations or achievements.

Criterion G.

The importance of a place or object in demonstrating social or cultural associations.

Criterion H.

Any other matter which the Council considers relevant to the demonstration of cultural heritage significance.

Extent of Registration

All the bridge marked B1, including its abutments and land five metres either side of the bridge and its abutments, as marked on Diagram Number 1856 held by the Executive Director, being part of the land described as government road (Hamilton Hwy) Parish of Caramut

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.

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 22/10/24

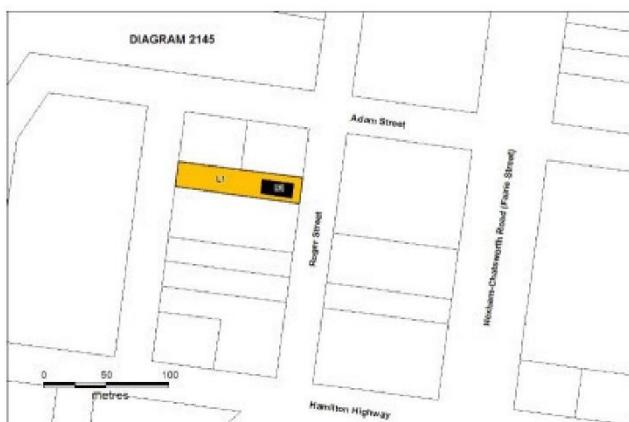
FORMER TEMPERANCE HALL



H2145 Temperance Hall
Hexham 001



H2145 Temperance Hall
Hexham 017



H2145 Temperance Hall Hexham plan

Location

ROGER STREET HEXHAM, MOYNE SHIRE

Municipality

MOYNE SHIRE

Level of significance

Registered

Victorian Heritage Register (VHR) Number

H2145

Heritage Overlay Numbers

HO42

VHR Registration

December 13, 2007

Heritage Listing

Victorian Heritage Register

Statement of Significance

Last updated on - September 11, 2007

What is significant?

The former Temperance Hall, Hexham was constructed in 1876 through public subscriptions for use as a temperance hall, mechanics institute and reading room. The architect for the building is believed to have been Andrew Kerr. It is a small, gabled bluestone building in simple classical form finely detailed with contrasting stone dressings, round arched window mouldings, a circular vent to the pediment, fanlights over the entrances with the words 'Temperance Hall' and the date '1876' inscribed on the front fanlight. The gabled roof is of corrugated iron. At the rear of the building is a bluestone skillion section with a side round arched door with a fanlight. The interior of the hall features a coved ceiling lined with timber boards.

The temperance movement was established in Australia in the 1830s and advocated abstinence from alcohol and reduced hotel trading. Drawing most of its support from evangelical Protestant churches, the movement gained momentum in the 1880s, reinforced by the influence of women, in particular the Women's Christian Temperance Union.

The Hexham hall was used for social gatherings, concerts, lectures, library and other public purposes as well as for meetings of local temperance friendly societies including the Good Templar Lodge no. 190 and the Rechabite Lodge.

How is it significant?

The former Temperance Hall, Hexham is of historical and architectural significance to the State of Victoria.

Why is it significant?

The former Temperance Hall is of historical significance as one of a small number of temperance halls surviving in Victoria. It is of historical significance for its association with the temperance movement which played an important role in the social development of late nineteenth and early twentieth century Victoria. The temperance hall is linked with the strongly Protestant character of the district.

The former Temperance Hall is of architectural significance for its restrained Classical design, which reflects the moral values exhorted by the temperance movement.

Permit Exemptions

General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must [notify](#) the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

Specific Exemptions:

General Conditions: 1. All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object. General Conditions: 2. Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible. General Conditions: 3. If there is a conservation policy and plan endorsed by the Executive Director, all works shall be in accordance with it. Note: The existence of a Conservation Management Plan or a Heritage Action Plan endorsed by the Executive Director, Heritage Victoria provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan. General Conditions: 4. Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions. General Conditions: 5. Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable. Minor Works : Note: Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works may submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.

Interior:

Painting of previously painted walls and ceilings provided that preparation or painting does not remove evidence of any original paint or other decorative scheme.

Installation, removal or replacement of carpets and/or flexible floor coverings.

Installation, removal or replacement of curtain tracks, rods and blinds.

Installation, removal or replacement of hooks, nails and other devices for the hanging of mirrors, paintings and other wall mounted art or religious works or icons.

Removal or replacement of non-original door and window furniture including, hinges, locks, knobssets and sash lifts.

Installation, removal or replacement of ducted, hydronic or concealed radiant type heating provided that the installation does not damage existing skirtings and architraves and that the central plant is concealed.

Installation, removal or replacement of electrical wiring.

Installation, removal or replacement of electric clocks, public address systems, detectors, alarms, emergency lights, exit signs, luminaires and the like on plaster surfaces.

Installation, removal or replacement of bulk insulation in the roof space.

Installation of new fire hydrant services including sprinklers, fire doors and elements affixed to plaster surfaces.

Landscape:

The process of gardening and maintenance, mowing, hedge clipping, bedding displays, removal of dead plants, disease and weed control, emergency and safety works to care for existing plants and planting themes.

Removal of vegetation that is not significant to maintain fire safety and to conserve significant buildings and structures.

Management of trees in accordance with Australian Standard, Pruning of amenity trees AS4373.

Removal of plants listed as noxious weeds in the Catchment and Land Protection Act 1994.

Installation, removal or replacement of garden watering and drainage systems.

Non-commercial signage, lighting, security fire safety and other safety requirements, provided no structural building occurs.

Resurfacing of existing paths and driveways.

Construction dates 1876,

Heritage Act Categories Registered place,

Hermes Number 14211

Property Number

Plaque Citation

Built in 1876, this is a rare surviving example of a hall constructed for one of the many friendly societies and temperance organisations which played an important role in nineteenth-century Victoria.

Extent of Registration

1. All the building marked B1 on Diagram 2145 held by the Executive Director.
2. All the land marked L1 on Diagram 2145 held by the Executive Director being the land described in Certificate of Title Volume 9377 Folio 738.

This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.

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